

Roll No: -----



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, May 2018

Program: BA LLB (Hons)-Energy Laws, INT. BCOM LLB (Hons)-Taxation Laws, INT BBA LLB (Hons)-Corporate Laws
Subject (Course): INSURANCE LAW
Course Code: LLBL445
No. of page/s: 2

Semester –VI
Max. Marks : 100
Duration : 3 Hrs

Section A (02×05= 10 Marks)

1. Write *short notes* on the following:
 - (i) History of regulation of Insurance business in India
 - (ii) Insurable interest
 - (iii) *Life Insurance v General Insurance*
 - (iv) Role of insurance intermediaries in insurance business
 - (v) Constitution of IRDA

Section B (05×04= 20 Marks) (answer any four)

2. Why the Insurance sector needs regulation? Discuss the growth and evolution of regulation of insurance business in India.
3. Explain the principles, which are *unique to Insurance Contracts in contrast to a normal contract*.
4. Discuss the characteristics and scope of marine insurance.
5. Explain the obligation of the insurance companies' towards rural and social sector of the country.
6. Discuss in brief about the requirement of adequate capital adequacy ratio, deposits and maintenance of profit and loss accounts by the Insurance Companies in India.

Section C (10×02= 20 Marks) (answer any two)

7. What is premium? What is the effect of non-payment of premium on the policy? What reliefs are provided against forfeiture of the policy for non-payment of premium?
8. Discuss different types of Insurance. Explain how life insurance is different from other types of insurances.
9. Explain about third party or compulsory insurance of Motor Vehicles.

Section D (50 Marks)

Solve the below-mentioned problems by applying various principles of insurance law-

- 10.** Santosh insured his sugar in the godown against fire for an amount of Rs. 50 lakhs. In a fire accident his sugar stock worth of Rs. 38 lakhs lost by fire. To what extent Insurance co. is liable for the loss. (15 Marks)
- 11.** The master of the ship stored timber on deck and sailed without certificate from the concerned office as required by the law. The timber was lost due to perils of the sea. Is the insurer liable for the loss? (15 Marks)
- 12.** Gaurav insure his car with Galaxy Insurance Company, later with another company called Moon Insurance Company. Gaurav's car becomes liable in damage to a motor cyclist. Which Insurance company is liable to compensate the loss to motor cyclist? (20 Marks)

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Semester –VI

Subject (Course): INSURANCE LAW

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Duration : 2 Hrs

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Section A (02×05= 10 Marks)

1. Write *short notes* on **any five**:

- (i) Essential features of a valid Insurance Contract
- (ii) Difference between the Contract of Insurance and Contract of Wager
- (iii) Functions of IRDA
- (iv) Power and function of the Controller of Insurance
- (v) Proposal form under IRDA (Protection of Policyholders' Interests) Regulations, 2002
- (vi) Claim procedure for Motor Insurance

Section B (05×04= 20 Marks) (answer **any four**)

2. Explain the basic principles of life insurance with examples.
3. Explain the IRDA Guidelines reg. Financial Inclusion by the Insurance Companies operating in India.
4. What are the tax implications in life insurance under the Income Tax Act of India?
5. Explain the key elements in general insurance policies.
6. Write a brief on Establishment and Functioning of LIC

Section C (10×02= 20 Marks) (answer **any two**)

7. Discuss the powers and functions of the Insurance Regulatory Development Authority (IRDA).
8. Discuss the role, importance and functions of the Insurance Advisory Committee and Tariff Advisory Committee as established under the amended Insurance Act.
9. Elaborate the IRDA Guidelines for Grievance Redressal by the Insurance Companies engaged in Insurance business in India.

Section D (50 Marks)

Solve the below-mentioned problems by applying various principles of insurance law-

- 10.** The rats bite created a hole in a pipe, and sea-water entered damaging the cargo of wheat and there was no negligence on the part of the carrier. Whether Insurance Co. is liable for the loss? (15 Marks)
- 11.** Ranjit insured on wheat in his warehouse against fire. He sold the wheat to a company of which he was the sole substantial shareholder. Thereafter, most of the wheat destroyed by fire, and he demanded that he should be indemnified. However, the insurance company refused to indemnify the loss. Can the insurance co. do so? (20 Marks)
- 12.** Abhijeet an insurance policy holder assigned his policy to Kuldeep by endorsing upon the policy. However, that assignment of the policy by Abhijeet to Kuldeep was not informed to the insurance company. Whether notice to the insurer is necessary for the validity of the assignment? (15 Marks)