



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES  
End Semester Examination, December 2021

Course:  
INSURANCE  
LAW  
Program: BA  
LLB  
EL/CRL/CNTL  
Course Code:  
CLCC 3011 P

Semester : VII  
Duration : 03 hrs.  
Max. Marks: 100

Instructions: Attempt all questions

**SECTION A**  
(Type the answers in test box)

Objective Type Questions/Definitions/fill in the blanks 5Q x2M=10 Marks

| Q. No. |  | Marks | CO   |
|--------|--|-------|------|
| 1      | In which year Sir R N Malhotra Committee was established.                                | 2     | CO 1 |
| 2      | Name the life insurance policy which provides you dual benefit of investment and saving. | 2     | CO 1 |
| 3      | Name the 3 core facets of New Economic Policy.   | 2     | CO 1 |
| 4      | In brief explain the concept of Uberimma Fide.   | 2     | CO 1 |
| 5      | Name all the mandatory committees which insurance company need to establish              | 2     | CO 1 |

**SECTION B**  
(Scan and upload)

(Conceptual based question) 4Q x5M=20 Marks

| Q. No. |   | Marks |      |
|--------|---|-------|------|
| 1      | Differentiate between Standard fire insurance policy & Comprehensive fire Insurance Policy. | 5     | CO 2 |
| 2      | What do you understand by term family floater health insurance policy?                      | 5     | CO 2 |
| 3      | List out all the exclusions mentioned under Motor Insurance.                                | 5     | CO 2 |
| 4      | Differentiate between fleet policy and single vessel policy.                                | 5     | CO 2 |

**SECTION-C**  
(Scan and upload)

(Descriptive/Analytical Questions) 2Qx10M=20 Mark

| Q. No. |  | Marks | CO   |
|--------|--|-------|------|
| 1      | With the passage of time insurance sector in India has witnessed a complete paradigm shift.<br>On the basis of abovementioned statement answer the following<br>a. What were the triggering events which changed the entire insurance sector? (5 | 10    | CO 3 |

|   | Marks)<br>b. Also, explain the paradigm change in the foundational principle of section 45 after 2015 Amendment. (5 Marks)  |                  |      |
|---|---|------------------|------|
| 2   | What do you understand by principle “Science of Fire”? Also, with the help of relevant case laws explain whether the damage caused due to “heat” caused by fire is also covered under fire insurance or the presence of actual fire is required.  | 10               | CO 3 |
| <b>SECTION-D</b>                            |   |                  |      |
| <i>(Scan and upload)</i>                    |   |                  |      |
| (Case Studies/ Application Based Questions) |   | 2Qx25M =50 Marks |      |
| Q.No.                                       |   | Marks            | CO   |
| 1   | <p>Sharma transport Co. Hired a driver Rajan. While hiring Rajan the company has taken all the necessary caution such as taking driving test, checking the other documents such as license, and also medical test has been conducted so in order to confirm that there must not be any deformity. On one fine day while driving lorry, Rajan met with an accident resulting injuries to himself as well as third party. Transport company raised a claim against the insurance company but the claim was rejected on the grounds that Rajan was not holding license at the time of accident and therefore they are not liable to pay the claim neither to the company nor the third party. On the basis of above-mentioned facts and with the help of relevant case laws</p> <p>A. Decide whether the contention raised by the insurance company according to regulatory regime is justified. (5 Marks)</p> <p>B. Also decide whether both the parties are allowed to compensation or not. (5 Marks)</p> <p>C. Explain the difference between not having a valid license and barred from having a license. (15 Marks)</p> | 25               | CO 4 |
| 2   | <p>Mr. Omkar obtained a health insurance on 01-01-2020 which is valid till 31-12-2020. Since in the year 2020 the world is affected by pandemic Covid-19, not only there is loss of lives but there is great economic loss, and because of the same there was huge loss to Mr. Omkar. Due to financial stringency Mr. Omkar is not in a position to renew the insurance. The insurance company provided a 15 days grace period from 01-01-2021 to 15-01-2021 so that the insurance can be renewed. On 10-01-2021 Mr. Omkar fell ill and was hospitalized in Fortis Hospital for 3 days and a bill of total 1.25 lakhs rupees was generated. Mr. Omkar raised a claim against the insurance company but the claim was rejected by the company. On the basis of abovementioned facts and with relevant case laws</p> <p>A. Analyse the rejection of claim by the insurance company in this matter. (12.5 Marks)</p> <p>B. With the help of relevant case laws explain the concept of grace period under health insurance. (12.5 Marks)</p>  | 25               | CO 4 |