

# END TERM EXAMINATION

SEVENTH SEMESTER [LLB] JANUARY 2024

Paper Code: LLB-409(A)

Subject: Banking and Insurance Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt all questions from Part A & B as directed. Internal choice is indicated.

## PART-A

- Q1 Write short notes on the following:- (5x5=25)
- (a) Power of RBI under Banking Regulation Act, 1949
  - (b) Limitation of bank nationalization
  - (c) Banker's right of set off and settlement of mutual debt
  - (d) Doubtful asset and loss asset as category of NPA
  - (e) Application of principle of indemnity and loss minimization in fire insurance

## PART-B

### UNIT-I

- Q2 Explain the legislative and administrative reforms introduced in Indian banking regime in the post-independence era. What are reasons and objectives of policies, committees established by RBI for the same purpose? (12.5)
- OR
- Q3 Explain the relationship between banker & customer is that of lessor and lessee and trustee and beneficiary with cases/examples. Discuss the reasons and on what grounds legal relationship between banker and customer can be terminated. (12.5)

### UNIT-II

- Q4 Discuss the rights and responsibilities of security creditor within the purview of SARFESI Act, 2002 with cases. Explain the significance of remedies available to an aggrieved person under the SARFAESI Act which are expeditious and effective in the light of United Bank of India v. Satyawati Tondon & Ors(2010) 8 SCC 110. (12.5)

### OR

- Q5 Write short notes on the following:-
- (a) Principles of lending process and its challenges in implementation. (6.5)
  - (b) Significance of collateral securities and legal risks involved in loan contract. (6)

### UNIT-III

- Q6 Discuss the legal remedies and punishment for the offence of banking fraud in Indian legal regime. Whether the existing legal regime is adequate enough to prevent and tackle the rising case of banking fraud? Discuss the critical analysis of existing laws pertaining to banking fraud with the help of cases. (12.5)

### OR

- Q7 Explain the following:-
- (a) Right available to aggrieved party in case of banking fraud (6)
  - (b) Cyber frauds in Indian Banking industry (6.5)

### UNIT-IV

- Q8 Explain the rights and liabilities of third party in Motor insurance with the help cases. Does third party insurance cover pillion rider under the motor accident claims? Discuss the same in the light of contemporary judgments. (12.5)

### OR

- Q9 Write short note on the following:-
- (a) Principle of Insurable interest in case of life insurance and medi-claim insurance. (6.5)
  - (b) Non-insurable and insurable risks in the light of insurance contract. (6)

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# END TERM EXAMINATION

SEVENTH SEMESTER [LLE] JANUARY-FEBRUARY 2023

Paper Code: LLB409(a)

Subject: Banking and Insurance Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No.1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write **short notes** on the following: (5x5=25)
- Collateral Security in Indian Banking Regime
  - Salient features and functions of RBI
  - Garnishee order in banking system
  - Principle of Contribution as part Indian Insurance Regime
  - Insurable risk & Non-insurable risk

## PART-B

### UNIT-I

- Q2 Discuss the historical development of banking law in India from the pre-colonial to post-colonial era. What are challenges faced during nationalization & social control process? (12.5)

OR

- Q3 Explain the following
- Discuss the board interrelationship between banker & customer as standard principle of contract law. (6.5)
  - Discuss the principle of confidentiality in the relationship of banker and customer and its exception. (6)

### UNIT-II

- Q4 Discuss the adverse impact of Non-performing assets. Whether the present SARFESI Act is able to tackle the problem of non-performing assets? Substantiate with reasons & case laws. (12.5)

OR

- Q5 Explain the concept of non-performing assets & willful defaulter. How collateral securities play a substantial role in determining loan transaction? What are precautions have to be adopted in overall loan transaction? (12.5)

### UNIT-III

- Q6 Explain the ambit of banking frauds and its types under Indian legal regime. Discuss the responsibility of RBI in reducing, preventing and tackling the cases of banking fraud. (12.5)

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OR

- Q7 Explain the following
- a) Legal regime against internet banking fraud
  - b) Cases related to attempted bank frauds.

(6.5)  
(6)

UNIT-IV

- Q8 Discuss the principle of indemnity, good faith for life & medi-claim insurance. Explain it with the help of cases/examples.

(12.5)

OR

- Q9 Write **short note** on the following
- a) Application of law related to consumer protection in insurance disputes.
  - b) Powers & functions of Insurance Development Authority of India (IRDA).

(6)

(6.5)

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## END TERM EXAMINATION

SEVENTH SEMESTER [LLB] NOVEMBER-DECEMBER 2019

Paper Code: LLB 409(a)

Subject: Banking and Insurance Law

Time: 3 Hours

Maximum Marks: 75

Note: Part A is compulsory. Attempt four question from Part B selecting one question from each unit.

### PART-A

Q.1. Write short notes on the following:

(5x5=25)

- Primary functions of Reserve Bank of India.
- Scope of Garnishee order in banking system.
- Adequacy of Margins
- Risks involved in loan agreement
- Third Party insurance

### PART-B UNIT-I

Q.2. Discuss the legal development of Banking regime in India.

(12.5)

OR

Q.3. Explain the following:

- Discuss the nature and challenges of Bank nationalization in India. How does it help in improving the banking system in India?
- What are the obligations of bankers towards customers? Explain with examples.

(12.5)

### UNIT-II

Q.4. What are the rights & liabilities of secured creditor as per SARFESI Act, 2002 & SARFESI Rules? Discuss the possible challenges that exist in the execution of SARFAESI Act, 2002?

(12.5)

OR

Q.5. Discuss the principle of lending in the banking system. What the challenges involved associated with priority sector lending process?

(12.5)

### UNIT-III

Q.6. How does the Indian Legal System address the issue of financial fraud in banking system? Discuss the responsibilities and limitations of Bank authorities in tackling the issue of bank fraud.

(12.5)

OR

Q.7. Discuss the legal perspective to address the matter of bank fraud or other fraudulent actions in contemporary trends like credit & debit card and internet banking facility.

(12.5)

### UNIT-IV

Q.8. Explain the principle of concept of good faith & insurable interest in life & fire insurance with examples..

(12.5)

OR

Q.9. Discuss the application of law related to Consumer Protection in insurance disputes and how does it serve the interest of insured party as consumer? Explain with help of case law.

(12.5)

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SEVENTH SEMESTER [LLB] NOVEMBER-DECEMBER-2018

Paper Code: LLB-409(A)

Subject: Banking and Insurance Laws

Time : 3 Hours

Maximum Marks :75

Note: Attempt all questions from Part A. Attempt one question from each unit from Part B.

### PART-A

- Q1 Write short notes on the following: (5x5=25)
- (a) 'Banking' and 'Banking Institutions' as per Banking Regulation Act, 1949
  - (b) Doctrine of *uberimae fidei*
  - (c) Liability of Banker under Consumer Protection Act, 1986
  - (d) Need and effects of Nationalisation of Banks.
  - (e) Secured Assets and Security interests under SARFAESI Act, 2002

### PART-B

#### UNIT-I

- Q2 Explain the evolution of banking system in India in pre-independence and post-independence era. (12.5)
- Q3 Discuss the peculiar features of Banking Regulation Act, 1949 in respect to the functions that a commercial bank can undertake and the restriction thereon. (12.5)

#### UNIT-II

- Q4 Briefly explain various types of securities which may be taken by the bank or the financial institution while granting a secured loan, their nature, risks involved and the precautions to be taken at the time of accepting them in security. (12.5)
- Q5 (a) Elaborate 'Borrower', 'Financial Assets' and 'Non-Performing Asset's under SARFAESI Act, 2002. (6)
- (b) Explain the procedure for enforcement of security interests created in favour of secured creditor under SARFAESI Act, 2002 with the help of decided case law. (6.5)

#### UNIT-III

- Q6 Discuss the major elements responsible for the commission of Bank Frauds and the guidelines issued by the Reserve Bank of India to prevent bank frauds. (12.5)
- Q7 Plastic money has replaced paper money. Critically analyze this statement. Also discuss how the credit cards are beneficial to banks, customers & retailers and the limitations of credit cards? (12.5)

#### UNIT-IV


- Q8 Define fire insurance. What are the essentials of a fire insurance policy? (12.5)
- Q9 The Motor Vehicles Act contains special provisions for compulsory insurance of Motor Vehicles against third party risks. Critically analyse those provisions with the help of relevant provisions of the Act. (12.5)

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# END TERM EXAMINATION

NINTH SEMESTER [LLB] NOVEMBER-DECEMBER 2017

Paper Code: LLB 507A


Subject: Banking & Insurance Law

Time : 3 Hours

Maximum Marks :75

Note: Attempt any five questions including Q.No. 1 of Part A which is compulsory. Select any four questions from Part B.

## Part-A

- Q1. Write short notes on the following: (5x5=25)
- a) Banking Ombudsman
  - b) Banking System in India
  - c) Liability Insurance under Motor Vehicles Act, 1988
  - d) Doctrine of Uberrimae Fides
  - e) Securitization
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## Part-B

- Q2. Define 'Banking' and 'Banking Institutions'. Describe the role and functions of banking institutions and restrictions under the Banking Regulations Act, 1949 specifically in granting loans and advances. (12.5)
- Q3. Discuss various aspects of the relationship between Banker and Customer with the help of relevant case laws. (12.5)
- Q4. Explain the need for enactment and object of the Recovery of Debts Due to Banks and financial Institutions Act, 1993. Elucidate the salient features of the Act and procedure for filling of recovery application before DRT. (12.5)
- Q5. a) Discuss the terms 'Borrower', 'Financial Asset', and 'Non-Performing Asset' in the light of SARFAESI Act, 2002. (6)  
b) Explain the procedure for enforcement of security interest created in favour of secured creditor under SARFAESI Act, 2002 with the decided case law. (6.5)
- Q6. Discuss the basic principles of lending and various types of loan/credit facilities undertaken by the banks in India. (12.5)
- Q7. Discuss the basic principles of contract of insurance. Also explain the different kinds of insurance. (12.5)
- Q8. Critically examine the IRDA Act, 2000, its objective and functions. How far the IRDA has been able to achieve its objectives? (12.5)
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## END TERM EXAMINATION

SEVENTH SEMESTER [LLB] NOVEMBER – DECEMBER 2017

Paper Code: LLB-409(A)

Subject: Banking and Insurance Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

### PART-A

- Q1 Write short notes on the following:- (5x5=25)
- (a) Peculiar features of Banking Regulation Act, 1949
  - (b) Collateral Security
  - (c) Social Control over banking
  - (d) Principle of Insurable interest
  - (e) Principle of reinstatement in insurance

### PART-B

#### UNIT-I

- Q2 Explain the historical development of banking system in India in pre-independence era and post-independence era. (12.5)
- Q3 Explain the following:- (12.5)
- (a) Application of Consumer law in resolving banking disputes
  - (b) Relationship between banker and customer in the light of bailor and bailee (with examples)

#### UNIT-II

- Q4 What are the powers of Debt Recovery Tribunal under Recovery of Debts due to Banks and Financial Institutions Act, 1993? What challenges and issues exist in the application of legislation? (12.5)
- Q5 Explain the adverse impact of Non-performing assets. Whether the present SARFESI Act is able to tackle the problem of non-performing assets? Substantiate with reasons and case laws. (12.5)

#### UNIT-III

- Q6 How banking fraud has been understood and interpreted as per Indian legal regime? What is the role of RBI in tackling the major problem of banking fraud? (12.5)
- Q7 Explain the legal aspect to tackle the issue of fraudulent actions and malpractices in internet banking and application of credit card. (12.5)

#### UNIT-IV

- Q8 Explain the principle of concept of loss minimization and proximate cause in fire and property insurance. (12.5)
- Q9 Explain the scope of third party insurance under the Motor Vehicle Act 1988? (12.5)

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## END TERM EXAMINATION

NINTH SEMESTER [LLB] DECEMBER-2015

Paper Code: LLB-09(A)

Subject: Banking and Insurance Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

### PART-A

Q1 Write short notes of the following:-

(5x5=25)

- (a) Concept of liquidity in bank
- (b) Role of banking ombudsman
- (c) Collateral securities
- (d) Insurable interest
- (e) Principle of indemnity under insurance law

### PART-B

#### UNIT I

Q2 Critically analyze the legal relationship between banker and customer keeping in mind the effective implementation of KYC policies. (12.5)

- Q3 (a) What are the important functions of Reserve Bank of India? (6)  
(b) How bankers customer relationship is similar to bailor-bailee relationship. Explain with examples. (6.5)

#### UNIT-II

Q4 Explain the concept of non-performing assets? What are the reasons for its continuous growth? (12.5)

Q5 How securitization processes help in speedy recovery of bad debts? What are their advantage and disadvantages? (12.5)

#### UNIT-III

Q6 Explain the extent of banking fraud in India and whether legal regime available are sufficient in preventing the same or not? (12.5)

Q7 What are the precautions needs to be taken in the preventing frauds in case of internet banking? Explain by referring specific laws and its importance in practice. (12.5)

#### UNIT-IV

Q8 How principle of good faith and insurable interest plays a crucial role in life insurance and fire insurance. (12.5)

Q9 What are the rights available for the third party in motor vehicles insurance and what the limitations? (12.5)



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## END TERM EXAMINATION

NINTH SEMESTER [LLB] DECEMBER 2014

Paper Code: LLB-409(A)

Subject: Banking and Insurance Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

### PART-A

1. (a) Briefly explain the growth and development of Banks in India.
- (b) Explain the Bank duty to customer
- (c) Functions of the Commercial Banks
- (d) E-Banking
- (e) Discuss the nature and characteristics of Insurance

(5x5=25)

### PART-B

#### UNIT-I

2. Explain the power and functions of Reserve Bank of India under the RBI Act, 1934. (12.5)
3. Discuss the Liability of Banks under the Consumer protection Act, 1986. Elucidate your answer with help of case law. (12.5)

#### UNIT-II

4. Discuss the Salient features of Securitization and Reconstruction of Financial Assets Act, 2002. Substantiate your answer with help of case law. (12.5)
5. Write short notes on the following:-
  - (a) Principles of Lending (6)
  - (b) Mechanism for recovery of Debt due to Banks. (6.5)

#### UNIT-III

Elucidate the legal provisions intended to curb Banking Fraud and suggest the measures to check such frauds? (12.5)

Write short notes on the following:-

- (a) Smart card (6)
- (b) Distinction between Credit Card and Debit Card (6.5)

#### UNIT-IV

Explain the advantage and limitations of Insurance. Discuss the role of Insurance in social security empowerment? (12.5)

Discuss the basic principles of contract of Insurance. Elucidate your answer with help of case law? (12.5)