

MBEII Year	MBE-E302/402		Semester-III		
	Legal Aspects of Life Insurance				
Time Allotted for End Semester Examination	Marks Allotted for Internal Assessment	Marks Allotted for End Semester Examination (ESE)	Maximum Marks (MM)	Total Credits	Maximum Hours
3 Hrs.	30(20+10)	70	100	03	40

OBJECTIVE: The course is designed to help the student understand the legal principles and provisions of the life insurance contract.

- Law of Contract: Salient features of the life insurance contract like the principles of indemnity, insurable interest and Utmost Good Faith. Salient features of LIC Act 1956 and IRDA Act 1999. **(8Hours)**
- Life Insurance Legislation abroad and Policy Initiatives in India: Life Insurance laws in UK, USA and the European Community. Provisions of Life Insurance Contract: Proposal and policy – Policy conditions and privileges – like days of grace – lapse and revival – surrender and loans – accident benefits. **(8Hours)**
- Life Insurance policies as property: Life insurance as actionable claim and mortgage – Policy loans – Stamp Act provisions. Claim Settlements: Claims settlement process – Maturity claims – death claims – Presumption of death for missing persons – evidence of title and succession – Minors, Lunatics **Case Study1:** Kamath Shyam, Bachani Jyoti, (2012) "To die with dignity — hospice care for the poor in India" **(8 Hours)**
- Rights and Tax Laws under Life Insurance Policies: Assignment, Nomination and MWP Act provisions – loss of policies. Tax on Income and wealth and life insurance. Protection of consumer's interests: The consumer Protection Act 1986 – defining 'Consumer', 'Service Deficiency', Unfair and Restrictive Trade Practices – System for Redressal of Complaints – Implications of Consumer Protection act – Consumer Protection Councils and Ombudsman. **(8Hours)**
- Insurance Intermediaries: The Contract of Agency – Appointment of agents – IRDA regulations with regard to Licensing of Agents, Brokers and Corporate Agents – authority of Agent – Rights and responsibilities of agents and Principal – Termination of agency and Renewal / Hereditary Commission **Case Study2:** Life Insurance Corporation Of ... vs Escorts Ltd. & Ors **(8Hours)**

SUGGESTED READINGS:

1. Insurance Institute of India. Study material IC 24- Legal Aspects Of Life Insurance. Mumbai.
2. **Case Study1:** Kamath Shyam, Bachani Jyoti, (2012) "To die with dignity — hospice care for the poor in India", Emerald Emerging Markets Case Studies, Vol. 2 Issue: 8, pp.1-9, <https://doi.org/10.1108/20450621211292391> Permanent link to this document: <https://doi.org/10.1108/20450621211292391>
3. **Case Study2:** Life Insurance Corporation Of ... vs Escorts Ltd. & Ors on 19 December, 1985 Equivalent citations: 1986 AIR 1370, 1985 SCR Supl. (3) 909 Author: O C Reddy Bench: Reddy, O. Chinnappa (J), Venkataramiah, E.S. (J), Eradi, V. Balakrishna (J), Misra, R.B. (J), Khalid, V. (J)

NOTE: The list of cases, specific references and books including recent articles will be announced in the class by concerned teachers from time to time.