

2019

B.A. (General)

10th Semester Examination

INSURANCE LAW

Paper - 10.2(OLD)

Full Marks : 80

Time : 3 Hours

*The figures in the margin indicate full marks.
Candidates are required to give their answers
in their own words as far as practicable.*

Answer any five questions.

1. (a) Define the term "Insurance".

(b) Briefly explain the main features of Contract of Insurance.

(c) "Indemnity is the controlling in insurance law, but all insurance contracts are not perfect contracts of indemnity".—Illustrate the statement with giving reasons. 4+4+8=16

2. Discuss whether the Life Insurance Corporation is an agent or department of the Central Government and

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whether the employees of the corporation are the employees of the Central Government. 16

3. (a) What do you understand by warranties in a contract of Marine Insurance ?

(b) Discuss the Perils of the Sea. 8+8=16

4. Explain the aim, organizational structure, regulatory framework of the Insurance Regulatory and Development Authority (IRDA) under the IRDA Act, 1999. 16

5. (a) How does Public Liability Insurance Act, 1991 deal with the Principle of no fault ?

(b) The Workmen's Compensation Act is a social regulation.—Discuss. 8+8=16

6. (a) What is Third Party Risk Insurance under the Motor Vehicle's Act, 1988 ?

(b) Discuss the Liability of owner of the motor vehicle under section 163A of the Motor Vehicles Act, 1988.

(c) Explain the changes introduced in Chapter XI of the Motor Vehicle's Act, 1988 in comparison to 1939 Act. 4+4+8=16

7. (a) What do you mean by 'Social Security' and 'Social Insurance' ?

(b) Discuss the social security and social insurance provided under the Employees Provident Fund and Miscellaneous Provisions Act, 1952, the Employees State Insurance Act, 1948, the Maternity Benefit Act, 1961 and the Payment of Gratuity Act, 1972. 4+12=16

8. Write short notes (any *four*) of the following :

4×4=16

(a) Insurable Interest ;

(b) Re-insurance and Double Insurance ;

(c) Constitution and functions of claims Tribunal under the Motor Insurance ;

(d) Deviation from voyage ;

(e) Utmost good Faith and its necessity in insurance;

(f) Premium ;

(g) Suicide in Life Insurance.
