

**DETAILED SYLLABUS FOR THE POST OF LAW OFFICER IN
KERALA STATE CO-OPERATIVE BANK LTD.**

(CATEGORY NO.192/2025)

TOTAL MARKS 100

MODULE I: LAW RELATING TO CO-OPERATIVE SOCIETIES (20 MARKS)

Cooperative Societies- concept and definition- constitutional provisions. Multi-State Cooperative Societies Act, 2002- Multi-state Cooperative Societies- Central Registrar- Registration- Members: rights duties and liabilities- management of Multi-state cooperative societies- privileges- properties, funds, audit and inspection-winding up- Federal Cooperatives. Kerala Co-Operative Societies Act, 1969- registration process of co-operative societies- Members - rights and liabilities- management, privileges and properties of co-operative societies- offences and penalties- state aid- audit, inquiry and adjudication- execution, appeal, review and revision- co-operative union –amendments to the Act. SARFESI Act- regulation of securitisation and reconstruction of financial assets of banks and financial institutions - enforcement of security interest - central registry - registration by secured creditors and other creditors - offences and penalties.

MODULE II: LAW OF CONTRACTS

(15 MARKS)

Indian Contract Act, 1872- interpretation clause- Formation of Contract – Different aspects of offer and acceptance – Consideration – Valid consideration - Necessity – Classification – Privity – Discharge of Contracts, Doctrine of accord and satisfaction – Essentials of Contract –Free consent- capacity of parties- voidable contracts and void agreements- contingent contracts- quasi contracts- quantum meruit- performance of contracts- modes of discharge- consequences of breach of contract- elements vitiating consent.

Contracts of Indemnity and Guarantee- definition – Rights and Liabilities of the Indemnifier and Indemnified- Continuing Guarantee – Nature and Duration of Liability – Rights and Liabilities of Parties –Surety's liability – Discharge of surety – Rights of surety- Contract of Bailment and Pledge: General features – Division of bailment – Requirements of consideration – Rights and liabilities of bailor and bailee– finder of lost goods- Rights and Liabilities of Pawner and Pawnee- Special property in favour of Pawnee-Pledge by limited owners- Agency: methods of creation of agency- Kinds of agents— Delegation of authority- Rights, Duties and Liabilities of Agents –Fraud of Agent- Rights and duties of Agent and Principal interse- Relations of Principal and Agent

with third person— Breach of warranty of authority - Liability of Principal for act of Agents –Termination, Revocation and renunciation of agency. Sale of Goods– Concept- Sale and Agreement to Sell- Quasi—Contract to sale -Subject Matter of Sale– Formalities, Conditions and Warranties – Passing of Property and Delivery of Goods- Rights of buyer- Rights of Unpaid Seller – Suit for breach of Contract -Partnership– Essentials- types– Formation -Admission of New Members – Partnership Property – Partnership by holding out-Illegal partnership- Limited liability partnership – Relationship of Partners inter se and to third parties – Rights and Liabilities of Partners - Incoming and Outgoing Partners – Dissolution of Partnership firm -Limited liability Partnership Act.

MODULE III: MAJOR SUBSTANTIVE AND PROCEDURAL LAWS (CRIMINAL) (10 MARKS)

Concept of crime- Actus Reus & Mens Rea -General principles of criminal liability- absolute liability, vicarious liability and constructive liability–extent and operation- punishments under BNS, 2023 - general exceptions- abetment-criminal conspiracy- attempt- joint liability- common intention- common object- vicarious liability-Offences against human body-Offences against women and children-Offences against the State and public order-obstruction of public servants, false evidence, public nuisance, rash driving, obscenity-offences against religion- Offences against property.

Classification of offences under the BNSS, 2023- functionaries under BNSS and their powers and functions - arrest - detention- investigation-inquiry- inquest- search and seizure- classification and powers of criminal courts- executive magistrates and their powers- public prosecutors- cognizance of offence and commencement of judicial proceedings -processes to compel the attendance of persons and production of documents- bail -anticipatory bail- fair trial- Conditions requisite for initiation of proceedings - Cognizance of offence by Magistrate- Cognizance of offences by Court of Sessions- Prosecution of Judges and Public Servants- Prosecution of cases against marriage- Prosecution for defamation- Complaints to Magistrates -charge - contents of charge- separate charge for distinct offences-trial for more than one offence-discharge- acquittal- trial of summons case, warrant case and sessions case, summary trial- compoundable offence- plea bargaining- judgment -appeal - reference - revision- inherent powers- execution of sentence- remission- commutation and other connected matters - maintenance of wives, children and parents- victim compensation - special provisions for unsound accused- limitation for taking cognizance- irregular proceedings- POCSO Act.

MODULE IV: MAJOR SUBSTANTIVE AND PROCEDURAL LAWS (CIVIL)

(5 MARKS)

Suits of civil nature- stay of suits- *res judicata*- place of suing- general rules regarding pleadings- plaint- written statement- set off counter claim- parties to suits: joinder of parties, misjoinder of parties, non- joinder of parties- framing of issues- summons-modes of service of summons- appearance and non appearance of parties and its consequences -examination of parties by the court - discovery and inspection- adjournment- amendment of pleadings- judgment, order and decree- execution- modes of execution- precept- garnishee order- caveat- appeal -second appeal- reference- review- revision- inherent powers- arrest and attachment before judgment –injunction-receiver- commission- special proceedings such as suits in particular cases- suit against government- inter pleader suit- suing in forma pauperis- suit by or against minors- representative suits- the Limitation Act, 1963- Specific Relief Act, 1963. Right to information under the Right to Information Act, 2005 – exemptions- powers and functions of Information Commission-Arbitration and Conciliation Act, 1996.

MODULE V: PUBLIC LAW (CONSTITUTIONAL AND ADMINISTRATIVE LAW) AND JURISPRUDENCE

(10 MARKS)

Preamble –citizenship –concept of State and law- fundamental rights- directive principles - fundamental duties - structure, power and functions of Governments - Union Executive, Parliament and Judiciary- State Executive, Legislature and Judiciary- privileges of President, Governors, Parliament and State legislatures- independence of judiciary- Local Self Government Institutions- co-operative societies- Comptroller and Auditor General- Finance Commission- State Finance Commission- GST Council- distribution of legislative and administrative powers- Union List- State List- Concurrent List - National Commission for Scheduled Castes - National Commission for Scheduled Tribes-National Commission for Backward Classes writ jurisdiction- Public Interest Litigation- judicial review. Delegated legislation and its controls- Constitutional law remedies against administrative arbitrariness- doctrine of ultra vires- administrative discretion and its controls- administrative adjudication-principles of natural justice- post decisional hearing – exception to the principles of natural justice- statutory remedies – contractual and tortious liability of the administration – privileges and immunities of administration in suits and to withhold documents- rule of law- legitimate expectation- proportionality - maladministration and remedies- statutory provisions relating to Lokpal, Lokayuktha, CVC and prevention of corruption.

Different schools of thought - foundational legal concepts- the nature of law- theories of law- theories of justice- sources of law - doctrine of *stare decisis* and its exceptions- *ratio decidendi*- *obiter dicta*- overruling – prospective overruling – elements of law including legal right, duty, liability, property, ownership, possession and title- jural postulates- legal personhood of artificial intelligence- general principles of interpretation- grammatical rule- logical rule- golden rule- mischief rule- *ejusdem generis* rule- strict interpretation- beneficial interpretation- interpretation of penal statutes and fiscal statutes- interpretation of Constitution.

MODULE VI: CORPORATE AND LABOUR LAWS (10 MARKS)

Companies Act, 2013- Independent corporate – Personality- limited liability- perpetual succession- right to property- right to contract- right to sue and be sued-doctrine of lifting the corporate veil– Characteristics of companies – Common seal –Types of companies – incorporation of company – Memorandum of Association, Contents and alteration – Articles of Association- Contents and alteration – Promoters — Constructive notice and doctrine of indoor management – Doctrine of ultra vires- prospectus and allotment of securities- public offer and private placement- share capital and debenture- management and administration- appointment and qualifications of directors- key managerial personnel- meetings and resolutions- inspection, inquiry and investigation-prevention of oppression and mismanagement- protection of minority shareholders- winding up- liquidator- contributories- provisions applicable to every mode of winding up- National Company Law Tribunal and Appellate Tribunal.

Law relating to trade union- registration of trade unions – rights, privileges, immunities, duties and liabilities of registered trade union- collective bargaining – industry- industrial dispute- individual dispute- illegal strike and illegal lock-out- lay-off and retrenchment- transfer and closure of undertakings- reference and settlement of industrial dispute – unfair labour practices- machinery for the amicable settlement of industrial disputes - standing orders – employees’ compensation- concept of wages – deduction of wages – minimum wages – payment of bonus and gratuity- Employees State Insurance- Employees Provident Fund- health, safety and welfare measures for workers in factories, plantations, shops and commercial establishments- maternity benefit- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

MODULE VII: INSOLVENCY AND BANKING LAWS (10 MARKS)

Concept of bankruptcy- IBC- Application- corporate insolvency resolution process (CIRP) -initiation-commencement and process- Resolution professionals and duties-

resolution strategy and plan- fast track CIRP- Prepackaged Insolvency Resolution Process- Liquidation Process for Corporate Persons- cross border insolvency- Insolvency resolution and Bankruptcy for Individual and Partnership Firms- Regulation of Insolvency Professionals, Agencies and Information Utilities.

Main provisions of Banking Regulation Act—different types of accounts- Relationship between banker and customer – General and Special rights of banker towards the customer – Fiduciary relationship – Payment of customer's cheque – Garnishee order-pledges- guarantees- documents of title to goods, mortgages- Nature and incidents of banker's lien, termination of lien, waiver of lien– Types of banks – Primary and subsidiary functions. Negotiable Instruments Act, 1881– Definition– Types and its characteristics–Endorsement and different types– Holder and holder in due course– Payment in due course- Impact of material alteration- Liabilities of parties– Discharge and dishonour of cheque– Liability in the case of wrongful dishonor– Statutory protection available to paying and collection banker– Criminal liability in dishonour of cheque and judicial interpretations.

Establishment of SEBI- Powers and Functions- Prohibition of Manipulative and Deceptive Devices, Insider Trading and Substantial Acquisition of Securities - Penalties and Adjudication- Appellate Tribunal.

MODULE VIII: LAW OF PROPERTY INCLUDING INTELLECTUAL PROPERTY (10 MARKS)

Concept of property- general principles of transfer under the Transfer of Property Act, 1882- property that cannot be transferred- effect of transfer – rule against inalienability – doctrine of election – Transfer for benefit of unborn person – Rules against perpetuity – Transfer to a class – Vested interest and contingent interest – Conditional transfers– Principles of apportionment- Limited power of transfer – Transfer where third person is entitled to maintenance – Restrictive covenants – Transfer by Ostensible owner – Doctrine of holding out – Transfer by person having authority to revoke former transfer – Feeding the grant by estoppel – Transfer by co-owner- doctrine of *lis pendence*-fraudulent transfer- doctrine of acceleration- sale of immovable property – mortgage – lease – exchange – gift – charges- actionable claims –provisions relating to easements and licenses under the Indian Easements Act, 1882.

Meaning and nature of intellectual property- intellectual property- law relating to patent, copyright, design, trade mark, service mark, geographical indications, trade secrets, conservation of protection of traditional knowledge, confidential information, plant

varieties, farmers' rights, Industrial designs, non-conventional trademarks.

MODULE IX: LAND AND ENVIRONMENTAL LAWS (10 MARKS)

Acts and Rules relating to land acquisition for public purpose- Right to fair compensation and transparency in land acquisition-Land reforms- Land ceiling- Land utilization laws and rules– Land conservancy– Land assignment– Revenue recovery laws– Building lease and rent control laws- Kerala Paddy and Wet Land Protection Act- sand mining- Rights of forest dwellers.

Constitutional provisions for environmental protection- contributions of judiciary to environmental jurisprudence-polluter pay- precautionary principle- absolute liability- sustainable development- public trust doctrine- public interest litigations- functions and powers of the LSGIs relating to land, buildings and environment- Pollution of environment – laws on prevention and control of pollution – Water, Air, Noise pollution and their remedies under law- Wild life protection- protection of rights of forest dwellers- public liability insurance- Green Tribunal- biological diversity- protection of forests- statutory authorities for the protection of environment, their composition, powers and functions.

NOTE: - It may be noted that apart from the topics detailed above, questions from other topics prescribed for the educational qualification of the post may also appear in the question paper. There is no undertaking that all the topics above may be covered in the question paper.