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Concepts and Basics of Company Law




What is Law ? And Why Shall I Read The Same?


A system of rules which a particular country or community recognizes for regulating the actions of its members and which it may enforce by the imposition of penalties.

- 1) The principles and regulations established in a community by some authority and applicable to its people whether in the form of legislation or customs and policies recognised and enforced by judicial decisions.
- 2) The written or positive rules or collection of rules prescribed under the authority of the state or the nation as by people in its constitution compared by law, statute law.


Why Law is Required Then ?

1. Man used to walk Only
2. Started Using Vehicals
3. Accident & Traffic Jam
4. Damage
5. Wastage





BENEFITS



Safety Matters



Indian Motor Vehicle Act, 1988



The law is not made for preparation sake. **The situation demands the law.** There is history behind every law. If you read the history thoroughly it will help you to understand the law better. Following are the examples of law which came as consequences from the history.

Bhopal Gas tragedy: Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985



It occurred on the night of 2–3 December 1984 at the Union Carbide India Limited (UCIL) pesticide plant in Bhopal, Madhya Pradesh. Over 500,000 people were exposed to methyl isocyanate (MIC) gas and other chemicals. The toxic substance made its way into and around the shanty towns located near the plant.

Estimates vary on the death toll. The official immediate death toll was 2,259. The government of Madhya Pradesh confirmed a total of 3,787 deaths related to the gas release. A government affidavit in 2006 stated that the leak caused 558,125 injuries, including 38,478 temporary partial injuries and approximately 3,900 severely and permanently disabling injuries.[4] Others estimate that 8,000 died within two weeks, and another 8,000 or more have since died from gas-related diseases.



Dowry in India: Dowry Prohibition Act, 1961



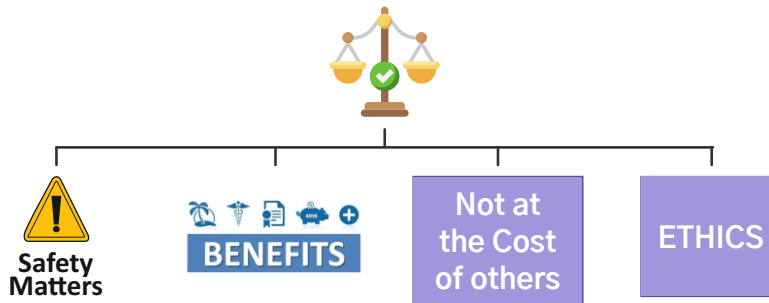
The Dowry Prohibition Act 1961, prohibits the request, payment or acceptance of a dowry, "as consideration for the marriage", where "dowry" is defined as a gift demanded or given as a precondition for a marriage. Gifts given without a precondition are not considered dowry, and are legal. Asking or giving of dowry can be punished by an imprisonment of up to six months, or a fine of up to ₹5000 (US\$74, £52 or A\$100). It replaced several pieces of anti-dowry legislation that had been enacted by various Indian states. Murder and suicide under compulsion are addressed by India's criminal penal code.











Terrorism in India: The Prevention of Terrorism Act, 2002



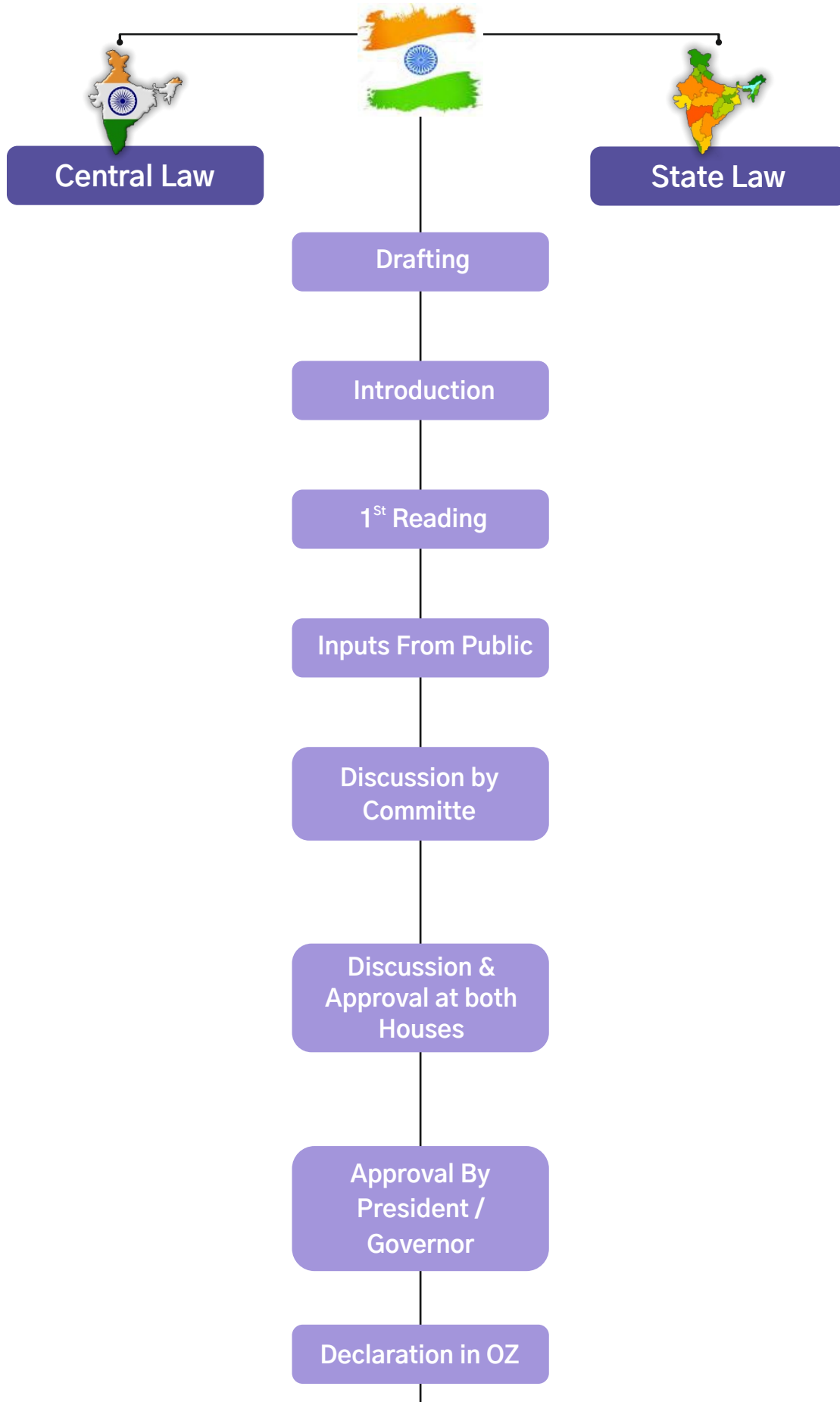
The Prevention of Terrorism Act, 2002 (POTA) was an Act passed by the Parliament of India in 2002, with the objective of strengthening anti-terrorism operations. The Act was enacted due to several terrorist attacks that were being carried out in India and especially in response to the attack on the Parliament. The Act replaced the Prevention of Terrorism Ordinance (POTO) of 2001 and the Terrorist and Disruptive Activities (Prevention) Act (TADA) (1985–95), and was supported by the governing National Democratic Alliance. The Act was repealed in 2004 by the United Progressive Alliance coalition.

So what are the factors on which law is based?

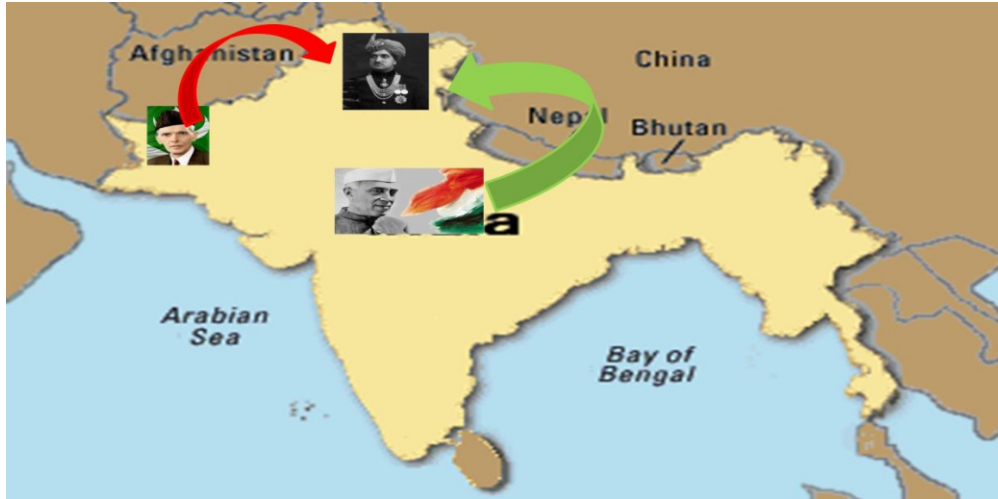


Factor	Law 1	Law 2	Law 3	Law 4
 Safety Matters				
 BENEFITS				
Whether Law?				
Preference				

Then What is the process to prepare the law in India?



As we have read Contract Act, 1872 and we came to know that some laws are not applicable to the state of Jammu & Kashmir; why sir?



 Take Note :

आप भी जानिये

- जम्मू-कश्मीर की विधानसभा का कार्यकाल 6 वर्षों का होता है जबकि जम्मू-व भारत के अन्य राज्यों की विधानसभाओं का कार्यकाल 5 वर्षों का ही होता है
- जम्मू-कश्मीर के नागरिकों के पास दोहरी नागरिकता होती है
- जम्मू-कश्मीर का राष्ट्रध्वज अलग होता है
- जम्मू-कश्मीर के अन्दर भारत के राष्ट्रध्वज या राष्ट्रीय प्रतीकों का अपमान अपराध नहीं होता
- भारत के उच्चतम न्यायालय के आदेश जम्मू-कश्मीर के अन्दर मान्य नहीं होते हैं
- भारत की संसद जम्मू-कश्मीर के संबंध में अत्यंत सीमित क्षेत्र में कानून बना सकती है
- कश्मीर में महिलाओं पर शरीया कानून लागू है
- कश्मीर में पंचायत के अधिकार नहीं हैं
- कश्मीर में चपरासी को 2500 ही मिलते हैं
- कश्मीर में अल्पसंख्यकों (हिन्दु-सिख) को 16% आरक्षण नहीं मिलता
- जम्मू-कश्मीर की कोई महिला यदि भारत के किसी अन्य राज्य के व्यक्ति से विवाह करले तो उस महिला की नागरिकता समाप्त हो जायेगी, इसके विपरीत यदि वह पाकिस्तान के किसीव्यक्ति से विवाह करले तो उसे जम्मू-कश्मीर की नागरिकता मिल जायेगी
- धारा 370 की वजह से कश्मीर में आरटीआई लागू नहीं है, आरटीई लागू नहीं है और सीएजी लागू नहीं होता भारत का कोई भी कानून लागू नहीं होता
- धारा 370 की वजह से कश्मीर में बाहर के लोग जमीन नहीं खरीद सकते हैं
- धारा 370 की वजह से पाकिस्तानियों को भी भारतीय नागरिकता मिल जाती है इसके लिए पाकिस्तानियों को केवल किसी कश्मीरी लडकी से शादी करनी होती है



