

Roll No. ....

Total No. of Questions – 7

Total No. of Printed Pages – 4

Time Allowed – 3 Hours

Maximum Marks – 100

## JCR

Answers to questions are to be given only in English except in the case of candidates who have opted for Hindi medium. If a candidate has not opted for Hindi medium, his / her answers in Hindi will not be valued.

Question No. 1 is compulsory.

Attempt any **five** questions from the remaining **six** questions.

- |  | <b>Marks</b> |
|--|--------------|
| 1. (a) Sunil borrowed a sum of ₹ 3 lakh from Rajendra. Sunil appointed Rajendra as his agent to sell his land and authorized him to appropriate the amount of loan out of the sale proceeds. Afterwards, Sunil revoked the agency. Decide under the provisions of the Indian Contract Act, 1872 whether the revocation of the said agency by Sunil is lawful ? | <b>5</b>     |
| (b) Anson Limited held equity shares in Booban Limited. Lateron Anson Limited became a subsidiary company of Booban Limited. Decide under the Companies Act, 1956 whether it is necessary for Anson Limited to surrender the equity shares of Booban Limited ?   | <b>5</b>     |
| (c) State with reasons whether the following statements are correct or incorrect :   |              |
| (i) “Consumer Interest” and “Public Interest” are synonymous.  | <b>3</b>     |
| (ii) The phrase “Iron Law of Responsibility” means that the institution of business exists only because it performs invaluable services towards its promoters.   | <b>2</b>     |
| (d) What important factors should be considered to make oral communication effective ?   | <b>5</b>     |



(2)

**JCR**

**Marks**

2. (a) (i) Nimbaheda Textiles Limited has three separate units at three separate places in the country. Every unit of the said company prepares and maintains separate Balance Sheet and Profit and Loss Account. One of these units is incurring continuous losses and hence bonus is not paid to the employees of this unit. Decide, under the Payment of Bonus Act, 1965 whether the employees of the said unit can claim bonus on the ground that the unit incurring loss is a part of one single establishment ? **4**
- (ii) Aswani who was an employee of Sun Televisions Limited, retired on 1<sup>st</sup> January, 2013 after 30 years of continuous service. The company did not pay the amount of gratuity to Aswani till the end of December, 2013. Now, Aswani claims the amount of gratuity along with interest. Decide, under the Payment of Gratuity Act, 1972 whether Aswani will succeed in his claim ? **4**
- (b) What problems may arise at work place when ethical behaviour is not adopted ? **4**
- (c) Briefly explain the "Grapevine Chains" propounded by the experts in relation to informal way of communication. **4**
3. (a) Explain the law relating to liability of joint promisors in a contract. 'D', 'E' and 'F' who are partners in a firm, jointly promised to pay ₹ 1,50,000/- to 'A'. Lateron 'F' became insolvent and his private assets are sufficient to pay only 1/5<sup>th</sup> of his share of debt. 'A' recovers the whole amount from 'D' through a legal action. Decide, under the provisions of the Indian Contract Act, 1872 the extent to which 'D' can recover the amount from 'E'. **8**
- (b) What are the objects of the "Central Consumer Protection Council" in relation to protection of rights of the consumers ? **4**
- (c) Explain those elements which can be used to influence an "Organisational Culture". **4**

4. (a) State the provisions relating to "Information Memorandum" under Section. 60 B of the Companies Act, 1956. 8
- (b) What do you understand by the term "Acid Rain" ? How does it adversely affect the environment ? 4
- (c) Draft a notice for calling the meeting of the Board of Directors of a company. In this meeting following transactions have to be proposed : 4
- (i) Mr. X to be co-opted as an Additional Director.
- (ii) Decision to be taken to buy-back company's equity shares.
5. (a) (i) 'A' issued a cheque for ₹ 5,000/- to 'B', 'B' did not present the cheque for payment within reasonable period. The Bank fails. However, when the cheque was ought to be presented to the bank, there was sufficient fund to make payment of the cheque. Now, 'B' demands payment from 'A'. Decide the liability of 'A' under the Negotiable Instruments Act, 1881. 4
- (ii) Ram has ₹ 2,000/- in his bank account and he has no authority to overdraw. He issued a cheque for ₹ 5000/- to Gopal which was dishonoured by the bank. Point out whether Gopal must necessarily give notice of dishonour to Ram under the Negotiable Instruments Act, 1881 ? 4
- (b) Which matters are considered to be "Ordinary" matters at the Annual General Meeting of a company ? What kind of resolution is required to be passed for 'ordinary business' and for 'special business' in an Annual General Meeting under the Companies Act, 1956 ? 4
- (c) What do you understand by "Discrimination" ? Which basic elements are involved in discrimination in employment ? 4



6. (a) What restrictions are applicable under the Companies Act, 1956 when Articles of Association of a company are altered ? 8
- (b) Draft a 'Gift Deed' assuming your own facts regarding parties and subject matter relating to gift. 4
- (c) State whether the following statements are correct or incorrect : 4
- (i) The concept of legal personality of a company is of absolute nature.
- (ii) Contracts entered into by a company after its incorporation and before it is entitled to commence business are not binding until the company becomes entitled to commence business.
- (iii) A minor on his attaining majority can validate any agreement which was entered into when he was minor and which was void.
- (iv) Maintenance and Champerty are void in England but not in India, till they are not opposed to public policy.
7. Attempt any **four** of the following :
- (a) Solar Industries Limited sold its unit to Mars Industries Limited and contributed 30% contribution in the Pension Scheme. The transferee company refused to bear the balance 70% contribution in the Pension Scheme. Decide, under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952, the liability of remaining contribution. 4
- (b) What is "Return of Allotment" ? List the documents which have to be enclosed when shares are allotted on discount. 4
- (c) Decide, under the Companies Act, 1956 whether Mr. Prabhu can incorporate a new company using the phrase "Electoral Trust" with the name of the company. 4
- (d) What are the guidelines for "Active Listening" ? 4
- (e) Which threats are existing in environment which adversely affect the fundamental principles of ethics ? 4