

Roll No.

Total No. of Questions – 7

Time Allowed – 3 Hours

Total No. of Printed Pages – 6

Maximum Marks – 100

ALR

Answers to questions are to be given only in English except in the case of candidate 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.

- | | Marks |
|---|-------|
| 1. (a) 'Amit' stands surety for 'Bikram' for any amount which 'Chander' may lend to 'Bikram' from time to time during the next three months subject to a maximum amount of ₹ 1,00,000 (one lakh only). One month later 'Amit' revokes the surety, when 'Chander' had already lent to 'Bikram' ₹ 10,000 (ten thousand). Referring to the provisions of the Indian Contract Act, 1872. Decide : | 5 |
| (i) Whether 'Amit' is discharged from all the liabilities to 'Chander' for any subsequent loan given to 'Bikram' ? | |
| (ii) What would be your answer in case 'Bikram' makes a default in paying back to 'Chander' the already borrowed amount of ₹ 10,000 ? | |

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- (b) MNO Private Limited, a subsidiary of PQR Limited, decides to give a loan of ₹ 4,00,000 to the HR (Human Resource) Manager, who is not a Key Managerial Personnel (KMP) of MNO Private Limited, drawing salary of ₹ 30,000 per month, to buy 500 partly paid-up Equity Shares of ₹ 1000 each in MNO Private Limited. Examine the validity of company's decision under the provisions of the Companies Act, 2013. 5
- (c) State with reasons whether the following statements are correct or incorrect :
- (i) Business Ethics helps to promote public reputation. 3
- (ii) In the long-run, those business entities which responds to society needs favorably will survive. 2
- (d) State reasons for selecting oral mode of communications instead of written mode of communications. 5
2. (a) (i) State with reasons whether the following persons are entitled to receive bonus under the Payment of Bonus Act, 1965 : 2+2=4
- (I) A retrenched employee.
- (II) A dismissed employee reinstated with back wages.
- (ii) Mr. X was an employee of Green Sugars Ltd. The whole of undertaking of Green Sugars Ltd. was takeover by a new company named Modern Sugars Ltd. The services of Mr. X remained continuous in the new company. After serving for one year Mr. X met with an accident and became permanently disabled. Mr. X applied to the new company for the payment of Gratuity. The new company refused to pay Gratuity on the ground that Mr. X has served only for a year in the new company. 4
- Examine the validity of the refusal of the company in the light of the provisions of the Payment of Gratuity Act, 1872.

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- (b) Explain the pragmatic reasons for maintaining ethical behaviour in marketing through marketing executives. 4
- (c) Write short notes on the following : 2×2
=4
- (I) Proxemics
- (II) Haptics
3. (a) (i) Under what circumstances the original contract need not be performed as stated under section 62 to 67 of the Indian Contract Act, 1872 ? 4
- (ii) Mr. U offered to sell his house to Mr. X for ₹ 15,00,000. Mr. X accepted the offer by post. On the very next day Mr. X sent a telegram revoking the acceptance which reached Mr. U before the letter of acceptance. Is the revocation of acceptance valid ? Would it make any difference if both the letter of acceptance and the telegram of revocation of acceptance reach Mr. U at the same time ? 4
- (b) (i) Explain any four sources of ethical standard. 4
- (ii) List out the characteristics of group personality under Group Dynamics. 4
4. (a) (i) Explain the concept of Deemed Prospectus under the Companies Act, 2013. Under what circumstances such prospectus need not be issued ? 4
- (ii) Diminution of share capital does not constitute a reduction within the meaning of Companies Act, 2013. State in what respects they differ from each other. 4

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- (b) What is meant by 'Critical thinking' ? Suggest the measures to develop critical thinking. 4
- (c) Prepare a check list for organizing the messages in a business firm as a job of composing business messages being assigned to you. 4
5. (a) (i) Mr. A is the payee of an order cheque. Mr. B steals the cheque and forges Mr. A signatures and endorses the cheque in his own favour. Mr. B then further endorses the cheque to Mr. C, who takes the cheque in good faith and for valuable consideration. Examine the validity of the cheque as per the provisions of the Negotiable Instruments Act, 1881 and also state whether Mr. C can claim the privileges of a Holder-in-Due course ? 4
- (ii) Explain the concept and different forms of Restrictive and Qualified endorsement. 4
- (b) Examine the validity of the following referring to the provisions of the Companies Act, 2013 and/or Rules : 4
- "The Articles of Association of X Ltd. contained a provision that upto 4% of issue price of the shares may be paid as underwriting commission to the underwriters. The Board of Directors of X Ltd. decided to pay 5% underwriting commission."
- (c) Discuss different environmental phenomena of ethical concern ? 4
6. (a) What is the importance of registered office of a company ? State the procedure for shifting of a registered office of the company from one state to another state under the provisions of the Companies Act, 2013. 8

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- (b) Draft a notice for convening the Board of Directors Meeting of M/s. Growmore Limited where the agenda is to consider buy-back of company's equity share capital to an extent of 5% of its issued share capital and also where Mr. Anand is to be co-opted as an additional director. 4

- (c) State whether the following statements are correct or incorrect : 1×4
=4
- (i) A limited company can become a partner in a partnership firm.
 - (ii) A special resolution is one, to pass, requires the votes cast in favour be twice the votes cast against it.
 - (iii) A cheque marked "Not negotiable" is not transferable.
 - (iv) A promissory note duly executed in favour of a minor, is valid.

7. Answer any **four** of the following :

- (a) State the provisions of Employees' Provident Funds and Miscellaneous Provisions Act, 1952 regulating the quantum of contribution to be made by the employer and employee to the Provident Fund. Is it possible for an employee to increase the amount of his contribution to the Provident Fund more than the minimum contribution as statutorily prescribed ? 4
- (b) A company refuses to register transfer of shares made by Mr. X to Mr. Y. The company does not even send a notice of refusal to Mr. X or Mr. Y respectively within the prescribed period. Has the aggrieved party any right(s) against the company for such refusal ? Advise as per the provisions of the Companies Act, 2013. 4

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| (c) | When is an allotment of shares treated as an irregular allotment ?
Briefly state the effects of an irregular allotment. | 4 |
| (d) | Explain the practices widely recognized as discriminatory in employment. | 4 |
| (e) | What are the basic principles of inter-personal communication ? | 4 |

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