

(4)

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5. (a) "The company in general meeting may declare dividends, but no dividend shall exceed the amount recommended by the Board." Comment on this statement stating the provisions relating to dividend under Companies Act, 2013. Also state the difference between Final dividend and Interim dividend. (CO5)
- (b) What is meant by 'Winding up of a Company' ? How does it differ from Dissolution of a Company ? (CO5)
- (c) Write short notes on the following : (CO5)
- (i) Postal Ballot
 - (ii) Corporate Identification Number (CIN)

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Roll No.

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B. COM. (HONS.)

(FOURTH SEMESTER)

END SEMESTER

EXAMINATION, June, 2023

COMPANY LAW

Time : Three Hours

Maximum Marks : 100

Note : (i) All questions are compulsory.

(ii) Answer any *two* sub-questions among (a), (b) and (c) in each main question.

(iii) Total marks in each main question are **twenty**.

(iv) Each sub-question carries 10 marks.

1. (a) "A company can do everything what a natural person can do except certain acts which require personal execution." Explain this statement and state the characteristics of a company. (CO1)

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- (b) "Where a fraudulent and dishonest use is made of the legal entity, the individuals concerned will not be allowed to take shelter behind the corporate personality." Explain the doctrine invoked in this statement with special reference to any *one* decided case law. (CO1)
- (c) Write short notes on the following : (CO1)
- (i) Foreign Company
 - (ii) Listed Company
2. (a) "The role of the promoter is to make a detailed investigation of the weakness and the strong points of the idea and determine the amount of capital to be invested and estimate the operating expenses and probable incomes." Explain the rights and duties of promoter in view of this statement. (CO2)
- (b) Write a detailed note on Pre-incorporation Contracts. How are they different from Provisional Contracts ? (CO2)
- (c) Write short notes on the following : (CO2)
- (i) Articles of Association

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- (ii) Doctrine of Constructive Notice
3. (a) State the detailed procedure for issue of shares through Private Placement. (CO3)
- (b) What do you understand by Forfeiture of shares ? What is the legal effect of forfeiture of shares ? Also state the provisions related to reissue of forfeited shares. (CO3)
- (C) Write short notes on the following : (CO3)
- (i) Abridged Prospectus
 - (ii) Issue of shares at discount
4. (a) State the criteria for appointment of Independent Director. (CO4)
- (b) Explain in brief, the provisions relating to frequency, convening and conduct of the board meeting as mentioned under the Companies Act, 2013 and the rules framed thereunder. (CO4)
- (c) Write short notes on the following : (CO4)
- (i) Resident Director
 - (ii) First Directors