

Write the following information in the first page of Answer Script before starting answer

ODD SEMESTER EXAMINATION: 2020-21

Exam ID Number _____

Course _____ Semester _____

Paper Code _____ Paper Title _____

Type of Exam: _____ (Regular/Back/Improvement)

Important Instruction for students:

1. Student should write objective and descriptive answer on plain white paper.
2. Give page number in each page starting from 1st page.
3. After completion of examination, Scan all pages, convert into a single PDF, rename the file with Class Roll No. **(2019MBA15)** and upload to the Google classroom as attachment.
4. Exam timing from 10am – 1pm (for morning shift).
5. Question Paper will be uploaded before 10 mins from the schedule time.
6. Additional 20 mins time will be given for scanning and uploading the single PDF file.
7. Student will be marked as ABSENT if failed to upload the PDF answer script due to any reason.

**BA LLB
SEVENTH SEMESTER
COMPANY LAW
BLB-706**

Duration : 3 hrs.

Full Marks : 80

(PART-A : Objective)

Time : 30 min.

Marks : 30

Choose the correct answer from the following:

1X10=10

1. Which of the following Companies Act introduced for the first time the concept of 'One Person Company'?
 - a. Companies Act, 1956
 - b. Companies Act, 2010
 - c. Companies Act, 2013
 - d. None of the above
2. Which Section of the Companies Act, 2013 deals with Articles of Associations?
 - a. Section 5
 - b. Section 11
 - c. Section 9
 - d. Section 12
3. Which clause of the 'Memorandum of Association' provides for the Doctrine of Ultra Vires?
 - a. Object clause
 - b. Name clause
 - c. Liability clause
 - d. Registered clause
4. Which Section of the Companies Act, 2013 deals with 'Act to override memorandum, articles, etc.'?
 - a. Section 3
 - b. Section 11
 - c. Section 26
 - d. Section 6
5. Which Section of the Companies Act, 2013 deals with 'Red-herring' Prospectus?
 - a. Section 29
 - b. Section 32
 - c. Section 30
 - d. Section 31
6. Which of the following documents doesn't include particulars of the quantum or price of the securities?
 - a. Red-herring Prospectus
 - b. Memorandum of Association
 - c. Shelf Prospectus
 - d. Articles of Associations
7. What are the minimum numbers of members required to constitute an 'Index of Members' under Section 88 of the Companies Act, 2013?
 - a. 30
 - b. 40
 - c. 50
 - d. 60
8. Which of the following provisions deals with 'Dividend' under the Companies Act, 2013?
 - a. Section 2(30)
 - b. Section 2(35)
 - c. Section 2(40)
 - d. Section 2(45)
9. Which Section of the Companies Act, 2013 deals with Director Identification Number?
 - a. Section 150
 - b. Section 156
 - c. Section 154
 - d. Section 161

10. What are the minimum numbers of directors in a Public Company?
- a. 3
 - b. 1
 - c. 2
 - d. 6

Answer the following: (Use descriptive answer sheet)

2X10=20

1. Why Memorandum of Association is considered to be the 'Charter of the Company'?
2. Whether a company can sue and be sued in its own name. Justify.
3. How does Articles of Association contain regulations of the Company? Justify.
4. What do you understand by the concept of 'Subscription Clause' under the 'Memorandum of Association'?
5. What are the exceptions to the doctrine of 'Indoor Management'?
6. Write two important essentials of a 'Prospectus' under the Companies Act, 2013.
7. Write two important distinctions between 'Share' and 'Stock'.
8. What do you mean by the term 'Share Capital' under the Companies Act, 2013?
9. Write two important liabilities of a 'Director' in a Company.
10. What is the concept of 'Women Director' in a company?

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(PART-B : Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

[Answer the following questions]

1. What do you mean by a 'Company'? Write a note on features of a 'Company' with the help of the referred case of Solomon -vs- Solomon and Co. Ltd. 10
- Or
- Write short notes on: (*any two*) 5+5=10
1. Whether 'State' is a company under Article 12 of the Constitution of India.
 2. Doctrine of Lifting the Corporate Veil.
 3. Corporate Liability.
2. Write briefly about the doctrine of 'Ultra Vires' with the help of decided case laws. What are the consequences of it? 7+3=10
- Or
- Write the differences between 'Memorandum of Association' and 'Articles of Association'. Discuss the binding effects of Memorandum of Association and Articles of Association. 4+6=10
3. Write short notes on: (*any two*) 5+5=10
- i) Advertisement of Prospectus
 - ii) Doctrine of Constructive Notice
 - iii) Misstatement in Prospectus
- Or
- Discuss the Doctrine of Indoor Management with the help of decided case laws. Write briefly about the applicability of this doctrine in a Company. 10
4. What do you understand by the term 'Transfer of shares'? Discuss the procedures for transfer of shares as provided under the Companies Act, 2013. 2+8=10
- Or
- Write short notes on: (*any two*) 5+5=10
- i) Individual and collective rights.
 - ii) Statutory restrictions on allotment.
 - iii) Modes of acquiring membership.
5. Directors are the managers of the Company. Discuss the legal position of the directors in a company with the help of some provisions under the Companies Act, 2013. 10
- Or
- Discuss the procedure of appointment of 'Directors' in a company. Write briefly about the resignation of the 'Directors' under the Companies Act, 2013. 6+4=10