

63/1 (SEM-3) CC7/COMHC3076

2023

COMMERCE

Paper : COMHC3076

(Company Law)

Full Marks : 80

Pass Marks : 32

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

- 1. Choose the correct answer from the following
(any six) :** **1×6=6**

(a) Registration of a company is

(i) optional

(ii) compulsory

**(iii) compulsory for private companies
only**

**(iv) compulsory for public companies
only**

(2)

(b) A company incorporated by the Act of Parliament is

- (i) statutory company
- (ii) chartered company
- (iii) government company
- (iv) private company

(c) Dividend is declared by the

- (i) Board of Directors
- (ii) shareholders
- (iii) promoters
- (iv) auditors

(d) Under Section 149 of the Companies Act, 2013, every company shall have how many woman directors?

- (i) One
- (ii) Four
- (iii) Three
- (iv) Two

(3)

(e) The minimum number of members required to be present for a meeting is called as

- (i) Quorum
- (ii) Proxy
- (iii) Company Secretaries
- (iv) Board of Directors

(f) The maximum number of members in case of public company is

- (i) two
- (ii) seven
- (iii) no limit
- (iv) fifty

(g) Which of the following documents is not required to file with the registrar at the time of incorporation?

- (i) Memorandum of Association (MOA)
- (ii) Articles of Association (AOA)
- (iii) Prospectus
- (iv) Statutory Declaration of Compliance

(4)

- (h) The first director of a public company is appointed by the
- (i) Central Government
 - (ii) Registrar of Companies
 - (iii) Shareholder in General Meeting
 - (iv) Auditor
- (i) Minimum paid-up capital of a public company is
- (i) one lakh
 - (ii) two lakhs
 - (iii) three lakhs
 - (iv) no limit
- (j) Which of the following cannot be a member of a company?
- (i) Subscriber of MOA
 - (ii) Shareholder
 - (iii) Insolvent person
 - (iv) Every person whose name is entered in the register of member

(5)

2. Answer any *five* of the following questions :
2×5=10

- (a) Write the full form of GDR and its meaning.
- (b) What do you mean by lifting of corporate veil?
- (c) What is share warrant?
- (d) What is perpetual succession of a company?
- (e) What do you understand about forfeiture of share?
- (f) What is Memorandum of Association?
- (g) What is AGM?

3. Answer any *six* of the following questions :
5×6=30

- (a) Write a short note on National Company Law Tribunal (NCLT).
- (b) State the contents of auditor's report.
- (c) Write the importance of a company's promoter.
- (d) Define private company and state the privileges enjoyed by it under the Companies Act, 2013. 1+4=5

(6)

- (e) Comment on the below mentioned statement :

"A company is an artificial person created by law with a perpetual succession and a common seal."

- (f) Mention the important clauses that are associated with Memorandum of Association (MOA).
- (g) Write a short note on doctrine of constructive notice.
- (h) What are the advantages of an incorporated company?
- (i) Briefly explain the different types of meetings of a company.
- (j) Describe the legal position of directors in a company.

4. Answer any *two* of the following questions :
10×2=20

- (a) What are the legal provisions relating to the appointment of auditors? Explain in detail.
- (b) What is audit report? Discuss the importance and users of audit report.
2+8=10
- (c) Define whistleblowing. Explain the 'vigil' mechanism established under the Companies Act, 2013.
2+8=10
- (d) What is insider trading? Discuss the legal provisions relating to it.
2+8=10

(7)

5. Answer any *one* of the following questions : 14

- (a) What are the objectives of holding annual general meeting? Discuss the legal provisions relating to the annual general meeting.
6+8=14
- (b) Discuss the powers and duties of directors of a company under the Companies Act, 2013.
7+7=14
- (c) State the functions of a promoter in relating to the formation of a company. Also, explain the procedures followed for the alteration of 'name clause' and 'registered office clause' under the Companies Act.
4+5+5=14
