

Roll No. 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Total No. of Pages : 02

Total No. of Questions : 08

**B. Com.(Honours) (Sem.-4)**

**COMPANY LAW**

**Subject Code : BCOM-402-18**

**M.Code : 77410**

**Date of Examination : 18-06-21**

**Time : 2 Hrs.**

**Max. Marks : 60**

**INSTRUCTIONS TO CANDIDATES :**

**1. Attempt any FIVE question(s), each question carries 12 marks.**

1. *“The fundamental attribute of corporate personality is that the company is a legal entity distinct from the members.”* Elucidate the above statement.
2. *“A certificate of incorporation is conclusive evidence that all the requirements of the Companies Act have been complied with”.* Comment.
3. You are required to give the word or a term used to describe the following:
  - a) A resolution in which the votes cast in favour of such resolution by members are required to be not less than three times the number of the votes, if any, cast against the resolution by members so entitled and voting.
  - b) A Prospectus which does not include complete particulars of the quantum or price of the securities included therein.
  - c) A Prospectus in respect of which the securities or class of securities included therein are issued for subscription in one or more issues over a certain period without the issue of a further prospectus.
  - d) A Prospectus which is like a memorandum containing such salient features of a prospectus as may be specified by the Securities and Exchange Board by making regulations on this behalf.
  - e) The option is given to the directors, officers, or employees of a company or of its holding company or subsidiary company or companies, if any, which gives such directors, officers or employees, the benefit or right to purchase, or to subscribe for, the shares of the company at a future date at a pre-determined price.

- f) Equity shares issued by a company to its employees or directors at a discount or for consideration, other than cash for providing know-how or making available rights in the nature of intellectual property rights or value additions, by whatever name called.
  - g) An issue of capital to be offered to the existing shareholders of the company through a letter of offer.
  - h) When a company is prosperous and accumulates large distributable profits, it converts these accumulated profits into capital and divides the capital among the existing members in proportion to their entitlements. Members do not have to pay any amount for such shares.
4. Elaborate on the relationship between Memorandum of Association and Articles of Association. Also, point out the main areas of distinction between Memorandum of Association and Articles of Association.
  5. Describe in detail various kinds of share capital. Also, explain different methods by which a company can raise its share capital.
  6. Mr. Jugnu wants to be a Director of a company, you are required to discuss, how a company director is appointed and what are the main qualifications of a Director under the provisions of the Companies Act, 2013?
  7. In a company, having a paid-up capital of Rs.1000 Crore, what are the qualifications of a person to be appointed as an auditor? Describe in detail the duties of an auditor also.
  8. Describe in brief the provisions regarding Voluntary winding up and Compulsory winding up of a company.

**Note: Any student found attempting answer sheet from any other person(s), using incriminating material or involved in any wrong activity reported by evaluator shall be treated under UMC provisions.**

**Student found sharing the question paper(s)/answer sheet on digital media or with any other person or any organization/institution shall also be treated under UMC.**

**Any student found making any change/addition/modification in contents of scanned copy of answer sheet and original answer sheet, shall be covered under UMC provisions.**