

SET - II

Paper 3-Fundamentals of Laws and Ethics

Time allowed : 3 Hours

Full Marks : 100

- I. Choose the correct answer from the given four alternatives: [10 × 1 = 10]
- The term "Quid Pro quo" is applied in connection with---
 - consideration
 - capacity of the parties
 - free consent
 - legality of object
 - A agrees to pay B ₹ 1000 if it rains today, otherwise B pays A ₹ 1500. This is a ____
 - Gambling
 - Wagering agreement
 - speculation
 - game of chance
 - A enters into a contract with B, a celebrated painter who agrees to paint a picture for A for an agreed sum on the canvas and material supplied by A. This is a contract ____
 - sales
 - works and labor
 - exchange of services and goods
 - agreement of sales.
 - If the words "not negotiable" are used with special crossing in a cheque, the cheque is ____
 - not transferable
 - transferable
 - negotiable under certain circumstances
 - none of the above.
 - In the absence of specific provision in the partnership deed, at what rate interest on advances given by the partners would be allowed?
 - @8%
 - @10%
 - @6%
 - Nil

6. A Industries Ltd. has more than five hundred workers ordinarily employed; one of the employee got injured while performing his duties, there should be provided by the management
 - (a) An ambulance room
 - (b) A first-aid box
 - (c) A doctor
 - (d) An ambulance van

7. XYZ Ltd to which the payment of Wages Act,1936 is applicable, fixes the wages period of 36 days. You as a Cost and Management Accountant of the Company, how would advice the company.
 - (a) There is no problem in the above act of the Company
 - (b) As per Section 4(2) of the Act, no wage period can exceed 30 days. So the company would be advised accordingly
 - (c) The wages period can be more than 30 days subject to approval of appropriate Government.
 - (d) The company should take permission of Inspector of the factory

8. As per the Minimum Wages Act, Adolescent means a person who has completed the age of 14 years but not completed age of _____
 - (a) 15
 - (b) 14
 - (c) 21
 - (d) 18

9. The primary liability of paying employee's and employer's contribution is of—
 - (a) Immediate employer
 - (b) The principal employer
 - (c) Central Government
 - (d) Appropriate Government

10. The relevance of ethics is in its:
 - (a) Context
 - (b) Principles
 - (c) Application
 - (d) Understanding

II. Fill in the blanks:

[10 × 2 = 20]

1. Past consideration is valid in _____
2. _____ is a person who is employed by the seller to raise the price by fictitious bids.
3. A bearer instrument is negotiated by _____
4. _____ is the real test of existence of partnership.
5. A _____ means a person who is either a child or an adolescent.

6. No fine shall be imposed on any employed person who is under the age of _____ years according to Payment of Wages act.
7. A _____ worker is one who is capable of working efficiently and supervises efficiently the work of skilled employees.
8. Any contribution payable under ESI Act may be recovered as an arrear of _____
9. According to Child Labour (Prohibition and Regulation) Act, 1986 the Occupations listed in Part A of Schedule I are _____
10. The study of ethics is a _____ science.

III. Match the following

[5 x 1 = 5]

	Column 'A'		Column 'B'
1.	Anticipatory Breach of Contract	A	Sec. 20 of Factories Act, 1948
2.	Grace Days	B	Constructive Breach of Contract
3.	Spittoons	C	28 th March, 1937
4.	Payment of Wages Act	D	15 th March, 1948
5.	Minimum Wages Act	E	3 days

IV. State whether the following statement is True (or) False.

[10 x 1 = 10]

1. In case of quasi contracts the essential elements for formation of contracts are absent.
2. Symbolic delivery is also called as delivery by attornment.
3. When documents of title or other documents relating to goods are attached, it is clean bill.
4. The sharing of profit is prima facie evidence but not conclusive evidence of Partnership.
5. The Factories Act, 1948 applies to the whole of India except to the State of Jammu and Kashmir.
6. Central Government has power to make rules under the Payment of Wages Act, 1936.
7. The term wages under the Minimum Wages Act, 1948 excludes Dearness Allowance.
8. Chairman of ESI Corporation is appointed by the Central Government.
9. Offences under Child Labor (Prohibition and Regulation) Act, 1986 are tried by a court inferior to that of a Metropolitan Magistrate or a Magistrate of first class.
10. Ethics and morals are used as synonyms.

V. Define any Five of the following:

[5 x 3 = 15]

1. Contingent Contract
2. Document of Title to Goods under Sale of Goods Act, 1930
3. Ambiguous Instrument

4. Sub-Partner
5. Young Person under Factories Act, 1948
6. Confinement under ESI Act, 1948
7. Family under Child Labour (Prohibition and Regulation) Act, 1986
8. Business Ethics

VI. Answer any four of the following questions. [4 x 10 = 40]

1. What is meant by Revocation? Explain the modes of Revocation of offer. **10**
2. Explain the Doctrine of Caveat Emptor. State the exceptions to it. **10**
3. (a) Write a comparative analysis of Promissory Note, Bill of Exchange and Cheque. **6**
(b) Explain the difference between Dissolution of Partnership and Dissolution of firm. **4**
4. (a) Explain the provisions relating to Health under the Factories Act, 1948. **7**
(b) Define Wage according to Payment of Wages Act, 1936. **3**
5. (a) Explain the minimum rates fixed by the appropriate government as per Minimum Wages Act, 1948, **5**
(b) What happens when the number of employee falls below 10? Can the factory or establishment escape from the application of ESI Act, 1948. **5**
6. Explain the interface between Law and Ethics. **10**