

Paper 13 – Corporate Laws and Compliance

Paper 13 – Corporate Laws and Compliance

Full Marks : 100

Time allowed: 3 hours

**Answer Question No. 1 which is compulsory carries 20 marks and
answer any 5 Question from Q. No 2 to Q. No. 8**

(1) Answer all questions mentioned below

[10x2=20]

- A. Every listed Public Company shall have 'Independent Directors' of at least
- (i) 1/3 rd of the total number of Directors
 - (ii) 2/3 rd of the total number of Directors
 - (iii) ¼ th of the total number of Directors
 - (iv) 2/4 th of the total number of Directors
- B. Export under Foreign Exchange Management Act, 1999 means:
- (i) the taking out of India to a place outside India any goods.
 - (ii) provision of services from India to any person outside India.
 - (iii) both the above
 - (iv) none of the above
- C. Unless the Articles require a larger number of members, Quorum of a General Meeting of a Producer Company shall be
- (i) 5 members
 - (ii) one third of total membership
 - (iii) one-fourth of total membership
 - (iv) half of total membership
- D. Unfair competition under the Competition Act, 2002 means adoption of practices like
- (i) collusive price fixing
 - (ii) allocation of markets
 - (iii) discriminatory pricing
 - (iv) all the above
- E. Every company shall hold the first meeting of the Board of Directors within how many day's of the date of incorporation:
- (i) 15 day's
 - (ii) 30 day's
 - (iii) 45 day's
 - (iv) 60 day's
- F. Any person aggrieved by any order of Appellate Tribunal may file an appeal to the Hon'ble Supreme Court within how many days; from the date of receipt of the order of Appellate Tribunal
- (i) 30 days
 - (ii) 60 days
 - (iii) 90 days
 - (iv) 120 days
- G. The Insolvency and Bankruptcy Code, 2016, does not cover
- (i) Financial Institutions,
 - (ii) Insurance Company,
 - (iii) Mutual Funds & Pension Funds.
 - (iv) None of the above
 - (v) All the above

- H. The Companies Act, 2013 specified 'Small Shareholder' as a shareholder holding shares of nominal value of not more than:
- (i) Rs. 15,000
 - (ii) Rs. 20,000
 - (iii) Rs. 25,000
 - (iv) Rs. 30,000
- I. No banking company shall create any charge upon its
- (i) Paid up capital
 - (ii) Unpaid capital,
 - (iii) Only (i) above
 - (iv) Only (ii) above
- J. SEBI specified Listing pursuant to public issue as:
- (i) Minimum application size Rs.1 million
 - (ii) Number of allottees shall be more than 200
 - (iii) Both the above
 - (iv) None of the above
- (2) (a)** On recommendation of the Board of Directors of Joy Company Ltd., Mr. Rajeev is appointed at the company's annual general meeting held on 01-Oct-2015 as the company's auditor for a period of 10 years. A resolution to this effect was passed unanimously with no vote against the resolution. Explain the provisions of the companies act, 2014 relating to the appointment and re-appointment of auditors:
- (i) Examine the validity of the above resolution.
 - (ii) What shall be your answer in case an audit firm R & Associate is appointed as the company's auditor.
- (b)** State the objectives of the Insolvency and Bankruptcy Code, 2016 (8+8)
- (3) (a)** Can a Company pay compensation to its Directors for loss of office?
State briefly the respective provisions of The Companies Act, 2013 in this regard.
- (b)** What is Internal Audit and who can be appointed as Internal Auditor? (8+8)
- (4) (a)** State the prohibitions on Acceptance of Deposits from Public as specified u/s 73 of the Companies Act.
- (b)** Zeda Company Ltd in its Annual General Meeting appointed all its directors by passing one single resolution. No objection was made to the resolution. Examine the validity of the appointment of directors explaining the relevant provisions of the Companies Act, 2013. Will it make any difference, if Zeda Company was a private company? (10+6)
- (5) (a)** State the Functions of the Insurance Regulatory and Development Authority.
- (b)** What are the Objectives of The Competition Act, 2002? (8+8)
- (6) (a)** What do you mean by 'Connected Person' according to SEBI (Prohibition of Insider Trading) Regulations, 2015
- (b)** State the modes of payment allowed for receiving Foreign Direct Investment in an Indian Company under the Foreign Exchange Management Act, 1999. (10+6)
- (7) (a)** State the OECD Principles of Corporate Governance.
- (b)** State the National Voluntary Guidelines, 2011 on Social, Environmental and Economic Responsibilities of Business? (10+6)

(8) Write short notes on: (4 Questions are to be answered)

(4x4=16)

- (i) Foreign Currency Convertible Bond under FEMA, 1999
- (ii) Indemnity & Subrogation under the Insurance Act, 1938
- (iii) Casual Vacancy U/s 161(4) of the Companies Act, 2013
- (iv) The Principle of Non-interference under the Companies Act, 2013
- (v) Maintenance of cash reserve by non-scheduled banks under the Banking Regulation Act, 1949