

Paper 13 – Corporate Laws and Compliance

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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) 'Small Company' means a Company of which:
- (i) Paid-up-share capital is Rs. 50 Lakhs to 5 Crores
 - (ii) Turnover is Rs. 2Crores to 20 Crores
 - (iv) None of the above
 - (v) Both the above
- (B) Any allotment of securities made on the basis of Prospectus should be void if permission of listing is not granted by the Stock Exchange before expiry of
- (i) 12 weeks from the closure of the issue
 - (ii) 10 weeks from the closure of the issue
 - (iii) 8 weeks from the closure of the issue
 - (iv) 30 days from the closure of the issue
- (C) Every Company shall hold the first Board meeting within
- (i) 3 months of its incorporation
 - (ii) 30 days of its incorporation
 - (iii) 15 days of its incorporation
 - (iv) 4 months of its incorporation
- (D) Strategy to tackle black money under the Prevention of Money Laundering Act, 2002:
- (i) Preventing generation of black money
 - (ii) Effective detection, investigation & adjudication of black money
 - (iii) Both the above
 - (iv) None of the above
- (E) According to the Insolvency and Bankruptcy Code, 2016, corporate insolvency resolution process shall be completed within a period of:
- (i) 365 days from the date of admission of the application to initiate such process,
 - (ii) 270 days from the date of admission of the application to initiate such process,
 - (iii) 180 days from the date of admission of the application to initiate such process,
 - (iv) 90 days from the date of admission of the application to initiate such process.
- (F) As per SEBI (ICDR) Regulations, 2009 in case of Initial Public Offer/IPO, the minimum promoters' contribution should not be:
- (i) less than 15% of the post issue capital
 - (ii) less than 20% of the post issue capital
 - (iii) less than 25% of the post issue capital
 - (iv) less than 30% of the post issue capital
- (G) Every Nidhi shall maintain members not less than
- (i) 500
 - (ii) 200
 - (iii) 100
 - (iv) 50

- (H) Companies Act, 2013 contemplated penalties which are of
- (i) 10 types
 - (ii) 5 types
 - (iii) 7 types
 - (iv) 3 types
- (I) Rule 3 of the Companies (Appointment and Qualification of Directors) Rules, 2014 provides that companies shall appoint at least one woman director:
- (i) Where paid-up share capital is at least Rs.100 crore
 - (ii) Turnover of the company is at least Rs 300 crore
 - (iii) Both the above
 - (iv) None of the above
- (J) As per The Securities Exchange Board of India Act, 1992 Revised Clause 49 (VI) is applicable to:
- (i) Top 100 companies by market capitalisation
 - (ii) Top 200 companies by market capitalisation
 - (iii) Only (i) above
 - (iv) Only (ii) above
- (2) (a)** What do you mean by 'Small Company'? (9+7)
- (b)** The Board of Directors of Nirma Ltd. proposes to transfer more than 10% of the profits of the company to the reserves for the current year. Advise the Board of Directors by mentioning relevant provisions of the Companies Act, 2013.
- (3) (a)** What do you mean by Memorandum of Producer Company? (6+10)
- (b)** State the Rule of keeping 'Women Director' in the Board.
- (4) (a)** State the Power of Securities and Exchange Board of India to make regulations.
- (b)** State the evaluation of appropriate adverse effect on competition as per the Competition Act, 2002. (9+7)
- (5) (a)** Mr. Rao is a director Rawa Ltd. He has approached Housing Finance Co. Ltd. for a loan amounting to Rs. 60 lacs, to be utilised for the construction of his personal residence. The authorities if Housing Finance Co. Ltd. sanctioned the loan on condition that Rawa Ltd. should be the guarantor of Mr. Rao; in case he fails to repay the loan. Is it justified? Advise Mr. Rao.
- (b)** State the Salient Features of the Insolvency and Bankruptcy code, 2016. (8+8)
- (6) (a)** How does Money Laundering actually take place?
- (b)** What constitutes Competition Law and Policy?
- (c)** Explain transfer of certain pending proceedings of NCLT under Section 434. (8+3+5)
- (7) (a)** What does it mean by the 'Absentee Shareholder Primacy and Protection'; provided for the Corporate Governance Practices under the Companies Act, 2013?
- (b)** CSR and Sustainability are closely entwined; explain. (8+8)
- 8.** Write short notes on: (4 Questions are to be answered) (4x4=16)
- (i) Mediation & Conciliation
 - (ii) Suspicious Transaction Reports
 - (iii) Cognizable offence and Non-Cognizable Offence
 - (iv) Central Registry under SARFAESI Act, 2002
 - (v) Investment Vehicle under FEMA, 1999.