

**SET - I**

**Paper 3-Fundamentals of Laws and Ethics**

**Full Marks: 100**

**Time allowed: 3 Hours**

- I. Choose the correct answer from the given four alternatives: [10 × 1 = 10]
- Under Section 2(b) if the person to whom the proposal is made signifies his assent the proposal is said to have been \_\_\_\_\_.
    - accepted
    - agreed
    - provisionally agreed
    - tentatively accepted.
  - Which of these are essential conditions of a valid contract—?
    - free consent
    - competency of parties
    - consideration
    - all the three
  - 'Delivery' within the meaning of section 2(1) of the Sale of Goods Act, 1930, can be \_\_\_\_\_.
    - actual
    - constructive
    - symbolic
    - either (a) or (b) or (c).
  - A bill of exchange contains a/an \_\_\_\_\_.
    - unconditional undertaking
    - unconditional order
    - conditional undertaking
    - conditional order.
  - For every district \_\_\_\_\_ shall be an Inspector for the Factories Act, 1948.
    - District Judge
    - District Magistrate
    - District Collector
    - District Inspector General
  - The Payment of Wages Act, 1936, is based on the recommendation of \_\_\_\_\_.
    - Sacchar Committee
    - The Royal Committee on labor
    - Ministry of Women & Child Development
    - International Labor Organisation

7. The responsibility for fixing minimum rates of wages lies with \_\_\_\_\_.
  - (a) Appropriate Government
  - (b) Central Government
  - (c) Union parliament
  - (d) Labor commissioner
  
8. Dependants benefit is paid at the rate of \_\_\_\_ % of wages.
  - (a) 100
  - (b) 90
  - (c) 85
  - (d) 66
  
9. The period of work of a child labour can not spread over \_\_\_\_\_.
  - (a) more than 7 hours
  - (b) more than 5 hours
  - (c) more than 6 hours
  - (d) 4 hours
  
10. Business malpractice does not include \_\_\_\_\_.
  - (a) Black marketing
  - (b) Adulteration
  - (c) Advertising
  - (d) Duplication

**II. Fill in the blanks:**

**[10 × 2 = 20]**

1. Every promise and every set of promises, forming the consideration for each other, is a \_\_\_\_\_.
2. X purchased 10 dozens of pencil sharpeners. The sharpeners were found to be blunt and not able to sharpen the pencils. This is a breach of \_\_\_\_\_ according to Sale of Goods Act.
3. An instrument incomplete in one way or other is called \_\_\_\_\_.
4. The document containing agreement between the partners is called \_\_\_\_\_.
5. The state government may appoint qualified \_\_\_\_\_ to be "Certifying Surgeons" for the purpose of factories act.
6. The payment of wages is applicable to \_\_\_\_\_.
7. For the purpose of defining "manufacturing process" under the ESI Act, 1948, reference is made to \_\_\_\_\_.
8. Appropriate Government in relation to an establishment other than under the control of the Central Government or a railway administration or a major port or a mine or oilfield, is the \_\_\_\_\_.
9. Section \_\_\_\_\_ of the The Child Labour (Prohibition and Regulation) Act, 1986 prohibit employment of child in certain process or occupations.
10. 'It is difficult but not impossible to conduct strictly honest business' is famous quote by \_\_\_\_\_.

**III. Match the following**

**[5 x 1 = 5]**

	<b>Column 'A'</b>		<b>Column 'B'</b>
1.	Actual Breach of Contract	A	Corporate Ethics
2.	Sleeping Partner	B	Converting and order instrument into bearer one.
3.	Condition	C	Present Breach
4.	Material Alteration	D	It is essential to the main purpose of the contract.
5.	Business Ethics	E	Dormant Partner

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

**[10 x 1 = 10]**

1. Acceptance can precede an offer.
2. Trade mark, copy right, patents have been treated as goods as per various judgements.
3. When a bill is drawn, accepted, or endorsed for consideration it is a genuine bill.
4. A partner has right to prevent admission of new partners/expulsion of existing partners.
5. Drinking Water shall be situated within seven metres of any washing place, urinal, latrine, spittoon, open drain carrying sullage or effluent.
6. No wage-period shall exceed thirty days.
7. Every inspector shall be deemed to be a public servant.
8. The subject Employees' insurance is included in list III at entry no. 24 Schedule 7 of Constitution of India.
9. The child employed in an establishment is entitled for a holiday of one whole day in each week.
10. Ethics also known as moral philosophy is a branch of philosophy that involves systematizing, defending and recommending concepts of right and wrong conduct.

**V. Define any Five of the following:**

**[5 x 3 = 15]**

1. Voidable Contract.
2. Coercion
3. 'Delivery' under Sale of Goods Act, 1930.
4. Promissory Note
5. Child under Factories Act, 1948
6. Competent Authority
7. Contribution under ESI Act
8. Minor Partner

**VI. Answer any four of the following questions.**

**[4 x 10 = 40]**

1. Define Offer. Explain the rules relating to valid offer. **10**
2. "Nemo dat quod non habet" – State the exceptions to it. **10**
3. (a) Define Cheque. Explain the essential features of cheque. **6**

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|---|-----------|
| (b) Explain the procedure for registration of Partnership firm.                       | <b>4</b>  |
| 4. (a) Define factory according to Factories Act, 1948.                               | <b>3</b>  |
| (b) Explain the duties of Inspector according to Minimum Wages Act, 1948.             | <b>7</b>  |
| 5. (a) Explain the provisions relating to fines under the Payment of Wages Act, 1936. | <b>6</b>  |
| (b) Explain the objectives of Child Labor (Prohibition and Regulation) Act, 1986.     | <b>4</b>  |
| 6. Explain the differences between Ethics and Morals.                                 | <b>10</b> |