

Paper 3 - Fundamentals of Laws and Ethics

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Full Marks :100

Time allowed: 3 hours

I. Choose the correct answer from the given four alternatives: [10 x 1 = 10]

1. Workers will be entitled to overtime wages if they have worked for more than _____.
 - (a) Forty – eight hours in any four week.
 - (b) Forty-eight hours in any three week.
 - (c) Forty-eight hours in any two week.
 - (d) Forty-eight hours in any week.

2. The Payment of Wages Act, 1936 came into effect from _____.
 - (a) 1st April, 1936
 - (b) 1st March, 1937
 - (c) 28th March, 1937
 - (d) 1st May, 1937

3. Maternity benefit is payable for a period of _____ months.
 - (a) 3 Months
 - (b) 6 Months
 - (c) 9 Months
 - (d) 12 Months

4. Day means a period of _____ hours.
 - (a) 12
 - (b) 24
 - (c) 18
 - (d) 10

5. Ethics has evolved with evolution of _____.
 - (a) Culture
 - (b) Value
 - (c) Moral
 - (d) Society

6. 'X' threaten to kidnap Y's son if he does not sell his flat worth ₹50 lakh to him for ₹5 lakh. This contract is void due to _____.
 - (a) Inadequacy of consideration
 - (b) Absence of free consent
 - (c) Incompetence of parties
 - (d) All the three

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7. The Rule laid down in Clayton's case is applied in England for _____
 - (a) Appropriation of payment.
 - (b) Discharge of contract
 - (c) Determination of damages.
 - (d) Goodwill valuation

8. Section 2(7) of the Sale of Goods Act, 1930 the term 'goods' does not include _____.
 - (a) Stock and Share
 - (b) Growing crops
 - (c) Grass
 - (d) neither (a) nor (b) nor (c)

9. The milk sold by 'X' contained germs of typhoid, this is a breach of _____.
 - (a) Condition as to wholesomeness
 - (b) Condition as to fit for a particular purpose
 - (c) Condition as to merchantability
 - (d) Free from encumbrance

10. When an instrument is drawn conditionally or for a special purpose as a collateral security and not for the purpose of transferring property therein it is called a _____.
 - (a) Escrow instrument
 - (b) Inchoate instrument
 - (c) Ambiguous instrument
 - (d) None of these

II. Fill in the blanks:

[10 x 2 = 20]

1. The term consideration is defined in Section _____ of the Indian Contract Act, 1872
2. The term Actionable Claim is defined in _____ Act.
3. Hundi's are Indigenous Instrument written in _____ language.
4. The Partnership Act, 1932 came into force with effect from _____
5. Factory is included in List III entry No. _____
6. No adult worker shall be required to work more than _____ hours in a day.
7. As per the Minimum Wages Act, Child means a person who has not completed the age of _____
8. The Employee's Share of Contribution to ESI Fund is _____
9. Child Labour Technical Advisory Committee consists of one Chairman and _____ members.
10. The word Ethics is derived from Greek word _____

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III. Match the following

[5 x 1 = 5]

Column 'A'		Column 'B'	
1.	Contract	A	A partner who lends his name to the firm.
2.	Special endorsement	B	90% of wages
3.	Nominal Partner	C	Section 2(h) of Indian Contract Act
4.	Welfare Officers	D	500 or more workers
5.	Temporary Disablement Benefit	E	Full endorsement

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

[10 x 1 = 10]

1. Noting is a formal notarial certificate attesting the dishonor of a bill or note.
2. A condition is a stipulation which is subsidiary (or) collateral to the main purpose of the contract.
3. The term fraud includes all intentional or wilful misrepresentation of facts which are material for the formation of a contract.
4. A promises to bring moon on earth if 'B' pay him ₹ 5,100. This agreement is void due to impossibility of Act.
5. No child is required or permitted to work between 7AM to 8 PM.
6. Rajiv Gandhi Shramik Kalyan Yojana is a scheme of unemployment allowance.
7. In every factory wherein five hundred or more workers are ordinarily employed the occupier shall employ in the factory such number of welfare officers.
8. Dissolution of Partnership between all the partners of the firm is called Dissolution of the firm.
9. Writing of a persons name on the face or back of an instrument or on a slip of paper attached to it is known as negotiation.
10. An agreement and contract are one and the same thing.

V. Define any Five of the following:

[5 x 3 = 15]

1. Valid Contract.
2. 'Price' under Sale of Goods Act, 1930.
3. Cheque
4. Adult, as per Factories Act, 1948
5. Free Consent
6. 'Child' under Child Labor (Prohibition and Regulation) Act, 1986.
7. Value-free Ethics
8. Appropriate Government, as per ESI Act

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- VI. Answer any four of the following questions. [4 x 10 = 40]**
1. Define Contract. Explain the essential elements of a valid contract. **10**
 2. Explain the differences between Sale and Agreement to Sell. **10**
 3. (a) Define Negotiable Instrument. Explain the essentials of Negotiable Instrument. 6
(b) Explain the effect of Non Registration of a firm. **[6+4 = 10]**
 4. (a) Who is an Occupier under the Factories Act, 1948.
(b) Explain the permissible deductions under the Payment of Wages Act? **[4+6 = 10]**
 5. (a) What is the punishment for false statement under the Employees State Insurance Act?
(b) State the penalties for contravention of provisions under Child Labor (Prohibition and Regulation) Act, 1986. **[5+5 = 10]**
 6. Explain the need for business ethics. **10**