



**Paper 13- Corporate Laws And Compliance**

## Paper-13: Corporate Laws And Compliance

Full Marks: 100

Time allowed:3 hours

### Section A

1. Answer all questions mentioned below. Mark the correct answer (only indicate A or B or C or D) and give justification. [2 × 10 = 20]

#### Multiple choice question

- (i) A company shall have its Registered Office from the date \_\_\_\_\_ of its incorporation
- (A) 7<sup>th</sup> day
  - (B) 15<sup>th</sup> day
  - (C) 30<sup>th</sup> day
  - (D) One Month
- (ii) Board of every Company shall ensure that the company spends in every financial year on account of CSR Policy at least
- (A) 5 % of average Net Profit
  - (B) 3 % of average Net Profit
  - (C) 2.5% of average Net Profit
  - (D) 2 % of average Net Profit
- (iii) The Chairman of the Insurance Regulatory and Development Authority shall hold office for a term of \_\_\_\_\_ from the date on which he enters upon his office and should be eligible for reappointment.
- (A) 3 Years
  - (B) 4 Years
  - (C) 5 Years
  - (D) 6 Years
- (iv) Corporate Governance is a blend of the Internal and external Corporate Governance
- (A) Techniques
  - (B) Mechanisms
  - (C) Systems
  - (D) Methods
- (v) Any person aggrieved by any order of Appellate Tribunal, may file an appeal to the Hon'ble Supreme Court within days, from the date of receipt of the order of Appellate Tribunal.
- (A) 30 days
  - (B) 60 days
  - (C) 90 days
  - (D) 120 days

- (vi) Unfair competition under the Competition Act, 2002 means adoption of practices viz.
- (A) collusive price fixing
  - (B) allocation of markets
  - (C) discriminatory pricing etc
  - (D) All of the above.
- (vii) 'Small Company' means a Company of which
- (A) Paid-up- Share capital is Rs 50 Lakhs to Rs 5 Crores
  - (B) Turnover is Rs 2 Crores to Rs 20 Crores
  - (C) Both the above
  - (D) None of the above
- (viii) Every Nidhi shall maintain Net Owned Funds(excluding the proceeds of any preference share capital of not less than
- (A) Rs 10,00,000
  - (B) Rs.15,00,000
  - (C) Rs. 20,00,000
  - (D) Rs 25,00,000
- (ix) Export under Foreign Exchange Management Act, 1999 means :
- (A) the taking out of India to a place outside India any goods.
  - (B) provision of services from India to any person outside India
  - (C) both the above
  - (D) none of the above
- (x) The Director prepares the annual accounts in Director Responsibility Statement on a/an
- (A) Money measurement basis
  - (B) Going concern basis
  - (C) Accrual Basis
  - (D) Business Entity basis

### Section B

**Answer any Five Question [16 X 5 =80]**

**2(a)** Minu Limited was incorporated by furnishing false informations. As per the Companies Act, 2013, state the power of the Tribunal in this regard. **[8]**

**(b)** A producer company was incorporated on 1st September, 2009. At present the paid-up Share Capital of the company is Rs 10 lakhs consisting of 1,00,000 Equity Shares of Rs10 each fully paid -up held by 200 individuals and 20 producers institutions. You are required to answer the following with reference to the provisions of the Companies Act, 1956:

- (i) What is the time limit for holding the First Annual General Meeting and the subsequent Annual General Meetings?
- (ii) What is the Quorum for the Annual General Meeting?
- (iii) State the manner in which the voting rights of the members are determined.
- (iv) Is it possible to remove a member? **[8]**

**3(a)** Mention the list of assets which will not form part of liquidation assets as per Insolvency and bankruptcy Code, 2016 [8]

**(b)** Can a Company pay compensation to its Directors for loss of office? Explain briefly the relevant provisions of the Companies Act, 2013 in this regard. [8]

**4(a)** Registration of offer of scheme involving transfer of shares as per section 238 [9]

**(b)** Removable of Members under Section 417 of Companies Act, 2013 [7]

**5(a)** What are the penalties envisaged under SEBI Act, 1992 [10]

**(b)** Discuss the Acts which were taking place outside India but having an effect on competition in India [6]

**6(a)** State the kind of approval required for the following transactions under the Foreign Exchange Management Act, 1999:

**(I)** L, a famous playback singer of India wants to perform a musical night in Paris for Indians residing there. Foreign exchange to the extent of USD 20,000 is required for this purpose.

**(II)** M requires USD 5,000 to make payment related to 'call back services' of telephone. [5+3]

**(b)** State the "Insurable Interest" based on Insurance Act, 1938 [8]

**7(a)** Explain the OECD principles of Corporate Governance. [8]

**(b)** (i) Whether XBRL is mandatory in all the Companies. If not, state the Companies where XBRL is mandatory.

**(ii)** What are the advantages of XBRL? [2+6]

**8. Write short notes any four of the following :** [4X4=16]

**(a)** Difference between Mediation and Conciliation

**(b)** Life Insurance Business

**(c)** Strategy to tackle black money

**(d)** Activities not to be considered as CSR Activities

**(e)** Disadvantages of the family Businesses over non-family Businesses