



**Paper 6- Laws and Ethics**

## Paper-6: -Laws and Ethics

Full Marks: 100

Time allowed:3 hours

### Section -A

1. Answer all questions mentioned below.

(a) Multiple choice question

[1 × 10 = 10]

- (i) Which of the following is not the discharge by operation of law?  
(A) By merger  
(B) By insolvency  
(C) By breach of contract  
(D) By the unauthorized alternation of items of a written document.
- (ii) Which one of the following is the subject matter of the contract?  
(A) Existing or future goods;  
(B) Goods perishing before making contract;  
(C) Goods perishing before sale but after agreement to sell  
(D) Any of the above
- (iii) The liability on the instrument may be discharged -  
(A) By cancellation  
(B) By release  
(C) By payment  
(D) By any one of the above methods.
- (iv) Intimation of the reconstitution of change in a registered partnership is to be given to the registrar of firms-  
(A) No time limit;  
(B) Within 30 days;  
(C) Within 60 days;  
(D) Within 90 days
- (v) The minimum number of designated partners in an LLP shall-  
(A) 1;  
(B) 2;  
(C) 7;  
(D) 15.
- (vi) Gratuity is payable to an employee  
(A) On his superannuation;  
(B) Retirement  
(C) Retrenchment  
(D) In all the above cases.

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- (vii) While filing appeal to EPF Appellate Tribunal the employer has to deposit \_\_\_\_ of the amount due from him.
- (A) 25%  
(B) 50%  
(C) 75%  
(D) None of the above
- (viii) Which, among the following, will not be included in the definition of wages?
- (A) Payment made on authorized leave ;  
(B) Travelling allowance;  
(C) Payment made on lock out;  
(D) Payment made for lay off.
- (ix) The maximum bonus payable during an accounting year is \_\_\_\_ of the salary.
- (A) 8.33%  
(B) 12%  
(C) 15%  
(D) 20%
- (x) The tenure of director appointed by small share holders shall be-
- (A) Up to the date of next AGM  
(B) 1 year  
(C) 3 years  
(D) 5 years

**(b) Match and Pair:**

**[1 X 5 = 5]**

	<b>Column I</b>		<b>Column II</b>
<b>(1)</b>	<b>Presentment</b>	<b>(A)</b>	<b>Determines acceptable conduct in business organization</b>
<b>(2)</b>	<b>Form no. INC -23</b>	<b>(B)</b>	<b>Issue of global depository receipt</b>
<b>(3)</b>	<b>Continuing guarantee</b>	<b>(C)</b>	<b>Bill of exchange</b>
<b>(4)</b>	<b>Business ethics</b>	<b>(D)</b>	<b>Shifting of registered office within the same state</b>
<b>(5)</b>	<b>Section 41 of the Companies Act</b>	<b>(E)</b>	<b>Guarantee which extends to a series of transactions</b>

**(c) State where the following statements are True or False:**

**[1 X 5 = 5]**

- (i) A sleeping partner is not entitled to share profits of the firm.
- (ii) The seller of the goods is not bound to accept the deliver them until the buyer applies for the delivery.
- (iii) Currency is a bill of exchange.
- (iv) For the purpose of calculation of gratuity 26 days are taken as a month.
- (v) The PF scheme is applicable to the factories in the State of Assam.

(d) Fill in the blanks:

[1 X 5 = 5]

- (i) The two types of establishments under the Payment of Bonus Act are \_\_\_\_, \_\_\_\_
- (ii) If the Company is not able to allot securities' the application money shall be refunded within \_\_\_\_ days from the date of completion \_\_\_\_ days.
- (iii) The company shall maintain a Register of Employee Stock Option in Form No. \_\_\_\_.
- (iv) The maximum age limit of Managing Director is \_\_\_\_ years.
- (v) Continuous improvement or \_\_\_\_ is a popular theme.

## Section B

Answer any Five Question [15 X 5 =75]

2. (a) Does silence amount to fraud? Explain with exception and types of silence amount of fraud. [9]  
(b) Differentiate between contract of indemnity and contract of guarantee. [6]
- 3(a) Discuss Buyer's remedies against Seller for Breach of Contract. [9]  
(b) X, by inducing Y, obtains a Bill of Exchange from him fraudulently in his (X) favour. Later, he enters into a commercial deal and endorses the bill to Z towards consideration to him (Z) for the deal. Z takes the Bill as a holder in due course. Z subsequently endorses the bill to X for value, as consideration to X for some other deal. On maturity, the bill is dishonored. X sues Y for recovery of money. With reference to the provisions of Negotiable Instruments Act, decide whether X will succeed in the case. [6]
- 4(a) Elaborate the procedure for fixing and revising minimum wages [8]  
(b) Under what circumstances advances and withdrawal made from the PF fund. [7]
- 5(a) What are the documents to be submitted to Registrar of Companies for incorporation of a company [8]  
(b) Explain the provisions relating to pay commission in connection with the subscription to the securities, by a company [7]
- 6(a) Discuss the provisions of the Companies Act, 2013 regarding disqualifications for appointment of director. [9]  
(b) What are the duties of a director in a company? [6]
- 7(a) Describe the seven principles of public life. [10]  
(b) Explain the provisions relating to exemption given to the employer from the liability in certain cases from payment of gratuity. [5]

8. Write short notes any three of the followings :

5X3=15

- (a) Contingent contract
- (b) Alternation of Share Capital
- (c) Revocation of license
- (d) Cleanliness of factory:

