



BRAINWARE UNIVERSITY

Course – M. Com.

Company Laws & Practices (MCM 204)

(Semester – 2)

Time allotted: 3 Hours

Full Marks : 70

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group – A

(Multiple Choice Type Question)

1. Answer all the questions:

10 x 1 = 10

- I. The certificate of capital will be issued by
 - a) Registrar of companies act
 - b) Controller of companies act
 - c) Registrar of capital issues
 - d) Controller of capital issues
- II. The Articles of Association needs to be signed by
 - a) All proposed directors
 - b) Registrar
 - c) Subscribers of Memorandum
 - d) None of the above
- III. Which of the following is not a clause of MOA?
 - a) Situation
 - b) Capital
 - c) Subscription
 - d) Director
- IV. Thw liability of the members of the company can be restricted by
 - a) Share
 - b) Gurantee
 - c) Both of the above
 - d) None of the above
- V. The shares of a ____ company can be freely trnsferable
 - a) Private Ltd
 - b) Public Ltd
 - c) Partnership
 - d) None of the above

- VI. The prospectus must be issued to the public within ____ days of its date
 a) 30
 b) 60
 c) 90
 d) 100
- VII. Par value of shares mean the ____ value of shares
 a) Actual
 b) Face
 c) Market
 d) Dividend
- VIII. ____ means the total amount of called up share capital which is actually paid to the members of the company
 a) Equity
 b) Non preference
 c) Preference
 d) All of the above
- IX. A company is known as the ____ company of another company if it has control over that other company.
 a) Subsidiary
 b) Holding
 c) Controlling
 d) Statutory
- X. Which of the following clause of MOA can not be altered
 a) Name
 b) Object
 c) Situation
 d) Liability

Group – B

(Short Answer Type Question)

3 x 5 = 15

Answer any three questions:

2. Aman, Raman and Shraman are three brothers. They are in the process of subscribing to the memorandum of association of a proposed new company, Glamour (Pvt.) Ltd. They have been asked to file an affidavit in this regard. Stating the contents of the affidavit decide whether the affidavit has to be filed individually or jointly.
3. What is Doctrine of Ultra-Vires. Explain it.
4. Who is an Independent Director? What is Digital Signature?
5. What is Corporate Social Responsibility? Who is an Independent Director?
6. What is e-filing? What is the general structure of e-filing process under MCA-21?

Group – C**(Long Answer Type Question)****3 x 15 = 45****Answer any three questions**

7. What is MOA? What are the different clauses of MOA? Explain them

8. a) Yogesh, the Company Secretary of Bigleap Ltd. convened a general meeting of the company after discussing the matter with some of the directors even though there was no express approval of the Board for convening such a meeting. Discuss with reason the validity of such a meeting. [8]

b) e registered office of a company was shifted from one State to another. A labour litigation was pending before the court. So, the employees objected to the transfer. Whether the objection of the employees is sustainable why? [7]

9. Write short notes on the followings (5 marks each)

- Public financial institutions
- Resident Director
- Punishment for failure to distribute dividend and exceptions

10. Board of directors of Acute (Pvt.) Ltd., incorporated under the Companies Act, 2013, decides to convert the company into a one person company (OPC). Explain the procedure as provided under the Companies Act, 2013 to be followed in this regard.

11. Distinguish between the followings: (3 marks each)

- a. 'Partnership firm' and 'limited liability partnership'.
- b. 'Nominal capital' and 'reserve capital'.
- c. 'Book closure' and 'record date'.
- d. 'Winding-up' and 'dissolution'.
- e. 'Public issue' and 'private placement'