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BRAINWARE UNIVERSITY

Term End Examination 2025-2026

Programme – LL.B.-2024

Course Name – Company Law

Course Code - LLB305

(Semester III)

Library

Brainware University
398, Ramkrishnapur Road, Barasat
Kolkata, West Bengal-700125

Full Marks : 60

Time : 2:30 Hours

[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 x 15=15

1. Choose the correct alternative from the following :

- (i) Identify the meaning of Ultra Vires.
- | | |
|-------------------------------------|---------------------|
| a) Beyond the power | b) within the power |
| c) both beyond and within the power | d) none of these |
- (ii) Identify the section of the Companies Act, 2013 that defines Company.
- | | |
|------------------|-----------------|
| a) Section 2(20) | b) section 2(4) |
| c) section 2(24) | d) section 2(6) |
- (iii) Select the authority that issues the Certificate of Incorporation for a company in India.
- | | |
|--|---------------------------------|
| a) Ministry of Corporate Affairs (MCA) | b) Registrar of Companies (ROC) |
| c) Securities and Exchange Board of India (SEBI) | d) Reserve Bank of India (RBI) |
- (iv) Identify the maximum time period within which a company must file its Memorandum of Association and Articles of Association to the Registrar after incorporation.
- | | |
|-------------|-------------|
| a) 15 days | b) 1 month |
| c) 2 months | d) 6 months |
- (v) Identify the minimum paid-up capital requirement for a private limited company.
- | | |
|-----------------|----------------|
| a) Rs. 1 lakh | b) Rs. 5 lakhs |
| c) Rs. 10 lakhs | d) Rs. 1 crore |
- (vi) As per the Companies Act of 2013, Select the maximum number of members allowed in a private limited company.
- | | |
|--------|--------|
| a) 50 | b) 100 |
| c) 200 | d) 500 |
- (vii) Locate the person who will become the nominee in the event of the death of the sole member in an OPC (One Person Company)?
- | | |
|--------------------------------------|---|
| a) The first director of the company | b) The existing shareholders of the company |
|--------------------------------------|---|

- c) The creditor with the highest claim
- d) As per the choice of the sole member, specified in the Memorandum of Association
- (viii) Select the minimum number of directors required for a public company as per the Companies Act, 2013.
- a) 1
- b) 2
- c) 3
- d) 5
- (ix) Identify the procedure by which company can issue new shares to the public and raise capital.
- a) IPO (Initial Public Offering)
- b) Rights Issue
- c) Private Placement
- d) All of these
- (x) Identify what the financial statement that shows the financial position of a company at a specific date is called.
- a) Profit and Loss Statement
- b) Cash Flow Statement
- c) Balance Sheet
- d) Income Statement
- (xi) Choose from the alternatives: A company incorporated outside India but having a place of business in India is termed as.
- a) Foreign Company
- b) Indian Subsidiary
- c) Holding Company
- d) Government Company
- (xii) Choose which section of the Companies Act, 2013, explicitly mentions the doctrine of ultra vires.
- a) Section 10
- b) Section 33
- c) Section 62
- d) Section 79
- (xiii) Choose which of the following is bound by a contract with the company through the Memorandum of Association.
- a) Customers
- b) Suppliers
- c) Shareholders
- d) Competitors
- (xiv) Identify which of the following can be done by altering the Memorandum of Association of a company.
- a) Change the registered office of the company
- b) Alter the company's name
- c) Increase the share capital of the company
- d) All of these
- (xv) Identify the regulatory authority in India that oversees and approves mergers and acquisitions.
- a) Ministry of Corporate Affairs (MCA)
- b) Reserve Bank of India (RBI)
- c) Securities and Exchange Board of India (SEBI)
- d) Competition Commission of India (CCI)

Group-B

(Short Answer Type Questions)

3 x 5=15

2. State the purpose of conducting an "Annual General Meeting (AGM)" for a company under the Companies Act, 2013. (3)
3. Discuss a Defunct Company. (3)
4. Explain the requirements and procedure for a company to issue a Statement in Lieu of Prospectus under the Companies Act, 2013. (3)
5. Explain the different types of mergers commonly seen in corporate scenarios and provide a brief explanation of each. (3)
6. List the contents of Articles of Association as per the Companies Act, 2013. (3)

OR

- Compare and contrast a "Public Limited Company" and a "Private Limited Company" under the Companies Act, 2013. (3)

Group-C

7. Define the meaning of "ultra vires" and how it affects a company's operations. (5)
8. Explain the role of constructive notice in ensuring transparency and accountability in company operations. (5)
9. Evaluate the part SEBI (Securities and Exchange Board of India) plays in keeping track of and controlling cases of insider trading. (5)
10. Analyze the function of a whistleblower in stopping unethical business activities. (5)
11. "A promoter stands with a fiduciary relation with his company"- Discuss. (5)
12. Explain the process of liquidation of a company (5)

OR

Determine the documents required for the incorporation of a company and their significance in the registration process. (5)

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