

Sem-IV

SYBAF sem IV Reg & A.T.K.T. Exam March - 2020

SYBAF

Time: 2½ Hours. 13/3/20 Company Law-I [SYBAF-Sem.IV].

Max. Marks : 75

N.B.:1. All questions are compulsory. 2. Figures to the right indicate full marks. 3. Illustrate answers with examples where necessary. 4. Answer each question on a new page. 5. Write full question No. + its sub-No. in margin before answering.

Q.1A Answer any 08 of the 10 Fill in the blanks.

(8)

- 1.a. A company _____ sue and be sued in its own name..
- 1.b. _____ limited company may issue prospectus for raising capital.
- 1.c. The date mentioned in the Certificate _____ is taken as the date of birth of the company.
- 1.d. Company registered under the Companies Act, 2013 will get independent _____ personality.
- 1.e. On _____ under the Companies Act, 2013 the company gets perpetual succession.
- 1.f. In a public company the directors are collectively called _____.
- 1.g. The records of the beneficial ownership may be served by such _____ on the company by means of electronic or other modes.
- 1.h. A company shall, in relation to any alteration of its memorandum regarding change of name, file with the Registrar, the _____ resolution passed by the company.
- 1.i. Maximum number of members in a private company, excluding the employee members, cannot be more than _____.
- 1.j. _____ is required where the company is formed is to be One Person Company.

Q.1B Answer any 07 of the 10 stating whether the following are True or False

(7)

1. Accounting standards does not permit uniformity.
2. Indian Depository Receipts only help Indian companies.
3. OPC can become a private company.
4. Small company cannot have share capital over INR 50 lakhs.
5. Object clause talks of the profits of the company.
6. Constructive notice protects the company and doctrine of indoor management protects outsiders.
7. A prospectus may be issued to an individual or public.
8. A company may issue a red herring prospectus prior to the issue of prospectus.
9. Both civil and criminal remedies are available for misstatements in the prospectus.
10. Shares include stock.



Q.2a Define a Company. Explain essential features of a company.

(15)

OR

Q.2b Discuss a Promoter's position in relation to the company which he promotes.

Q.3a What is Memorandum of Association?

(15)

OR

Q.3b Explain the doctrine of ultra vires. What are the effects of Ultra vires transactions?

Q.4.a What is a prospectus? What does not constitute a prospectus?

(15)

OR

Q.4.b Explain criminal liability for mis-statements of a company in prospectus?

Q5 Write explanatory notes on any Three:

(5 marks each)

5a. Pre-incorporated contracts.

5b. Sweat Equity Shares.

5c. Types of preference share

5d. Nomination

5e. Transfer and transmission of Shares.