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**Presidency University**

**Bengaluru**

 **SCHOOL OF COMMERCE**

**Summer Term End Term Examinations, August 2024**

**Winter Semester**: 2023 - 24

**Course Code**: LAW9006

**Course Name**: Corporate Law

**Program & Sem**: BBA, Sem-III

**Date**: 05-08-2024

**Time**: 9.30AM -12.30PM

**Max Marks**: 100

**Weightage**: 50%

 **Instructions:**

1. *Read the all questions carefully and answer accordingly.*
2. *Question paper consists of three parts.*
3. *Scientific and Non Programable Calculators are Permitted.*
4. *Do not write any information on the question paper other than roll number.*

**Part A**

**Answer any FIVE Questions. (5 Q x 2 M = 10 M)**

1. Explain Director Identification Number (DIN). (C.O.No.2) [Remembering]

2. What do you understand by Oppression? (C.O.No.3) [Remembering]

3. What is the Majority rule in a company? (C.O.No.3) [Remembering]

4. Explain Corporate Social Responsibility (CSR). (C.O.No.5) [Remembering]

5. What is meant by winding up? (C.O.No.4) [Remembering]

6. Define Company. (C.O.No.1) [Remembering]

7. Explain One Person Company. (C.O.No.1) [Remembering]

**Part B**

**Answer any FIVE Questions. (5 Q x 10 M = 50 M)**

8. Explain in detail the characteristics of a company. (C.O.No.1) [Understanding]

9. Enumerate any five different types of directors and explain their roles in the company. (C.O.No.2) [Understanding]

10. Explain doctrine of ultra-vires and doctrine of constructive notice. (C.O.No.1) [Understanding]

11. Enumerate and elucidate the various instances in which courts lift the corporate veil. (C.O.No.1) [Understanding]

12. Critically evaluate the role and powers of the National Company Law Tribunal (NCLT) in preventing oppression and mismanagement. (C.O.No.3) [Analyzing]

13. Explain the provisions related to the appointment of a liquidator and his/her powers and functions during the winding-up process. (C.O.No.4) [Understanding]

14. Discuss the grounds of compulsory winding-up of a company with reference to statutory provisions and decided cases. (C.O.No.4) [Understanding]

**Part C**

**Answer any TWO Questions. (2 Q x 20 M = 40 M)**

15. Analyze the case of *Foss v. Harbottle*. Explain the majority rule propounded by Foss v. Harbottle. What are the justifications for the principle of non-interference adopted by the Courts? (C.O.No.3) [Analyzing]

16. Explain the Memorandum of Association and describe its various clauses. How can an alteration in the Memorandum of association be made? (C.O.No.1) [Understanding]

17. India is the only country that mandates Corporate Social Responsibility (CSR) by law. The roots of CSR can be traced to Gandhi, who believed in creating a self-sustaining society and encouraged the 'trusteeship' model. Post-independence, CSR became a philanthropic activity by few families like Tata, Birla, Godrej, Bajaj etc. In some cases, the aim was to improve public image. Then, there were also those who made false disclosures. Thus, it was felt necessary to initiate laws around corporate social responsibility. Eventually, it was mandated that all organizations must spend 2% of their average net profit for social good. In the light of this statement, explain the development of CSR in India and its current legal position under the Companies Act, 2013. (C.O.No.5) [Analyzing]