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PRESIDENCY UNIVERSITY BENGALURU

 **SET-A**

SCHOOL OF LAW

**END TERM EXAMINATION – MAY/JUNE 2024**

**Semester :** Semester IV - 2022

**Course Code :** LAW3007

**Course Name :**  Company Law-I

**Program :** BA LLB Honors

**Date :** June 14, 2024

**Time :** 9:30 am - 12:30 pm

**Max Marks :** 100

**Weightage :** 50%

**Instructions:**

1. *Read all questions carefully and answer accordingly.*
2. *Question paper consists of 3 parts.*
3. *Scientific and non-programmable calculator are permitted.*
4. *Do not write any information on the question paper other than Roll Number.*

**PART A**

**ANSWER ANY FOUR QUESTIONS 4Q X 5M = 20 MARKS**

* 1. Explain the historical evolution of corporate law in India, highlighting key legislative milestones and their impact on business structures.

(CO1) [Knowledge]

* 1. Discuss the role of promoters in the formation of a company? Briefly explain their position and initial responsibilities for the formation of the companies as prescribed by the Companies Act, 2013.

(CO2) [Knowledge]

* 1. Explain the rule laid down in Royal British Bank v. Turquand and state the exceptions to the rule.

(CO3) [Knowledge]

* 1. Discuss in brief the factors that contribute to the effectiveness of company meetings. Compare these to the components of a valid meeting.

(CO4) [Knowledge]

* 1. Explain the role of the National Company Law Tribunal in the winding-up process of a company as prescribed under the Companies Act, 2013.

(CO5) [Knowledge]

* 1. Discuss the legal and ethical considerations involved in preventing insider trading activities in India.

(CO6) [Knowledge]

**PART B**

**ANSWER ANY FOUR QUESTIONS 4Q X 10M = 40 MARKS**

* 1. “*The ‘certificate of incorporation’ alone is not sufficient to commence the business of a company.*” Critically analyze this statement with relevant case laws.

(CO2) [Application]

* 1. Analyze the rights and liabilities of promoters during the pre-incorporation stage of a company. Explain the legal obligations do promoters owe to the future corporation.

(CO2) [Application]

* 1. Explain the various features of debentures? Describe in brief the various types of debentures that may be issued by the company as prescribed under the Companies Act, 2013.

(CO3,CO1) [Application]

* 1. Define the concept of an extraordinary general meeting? Under what circumstances and by whom may an extraordinary general meeting be called and convened?

(CO4) [Application]

* 1. Define the terms 'merger' and 'amalgamation'. Critically analyze the causes of mergers and amalgamations with reference to relevant case laws.

(CO5) [Application]

* 1. Explain how technological advancements impact corporate governance practices and regulatory compliance of corporate law. Discuss the types of information that qualify as material non-public information and the consequences of insider trading violations in India with relevant case laws.

(CO6) [Application]

**PART C**

**ANSWER ANY TWO QUESTIONS 2Q X 20M = 40 MARKS**

* 1. Describe the various kinds of companies available under Indian corporate law, and discuss the factors that influence the choice between public and private company structures.

(CO2,CO1) [Analysis]

* 1. “*Doctrine of ‘constructive notice’ and of ‘doctrine of indoor management’ are conflicting doctrines*”. Critically examine this statement and state what matters would not be covered by the respective doctrines.

(CO3,CO4) [Analysis]

* 1. *“Good corporate governance is embedded in the very existence of a sound company.”* Illustrate this statement by highlighting the core principles, key components, and key strategies for effective corporate governance.

(CO5,CO6) [Analysis]