



POSTAL TEST PAPER

FINAL

SYLLABUS 2022

PAPER - 13

CORPORATE AND ECONOMIC LAWS

Time Allowed: 3 Hours

Full Marks: 100

The figures in the margin on the right side indicate full marks.

Answer Question No. 1 and 8 are compulsory and any four from Question No. 2, 3, 4, 5, 6 & 7.

SECTION – A

Please answer the following questions with brief justification as directed and/or reference to the relevant legal provision as appropriate. [10×2=20]

1. (a) Multiple Choice Question:

- i. In order to be a Govt. Company, 51% shares shall be held by:
 - a. Central Govt.
 - b. State Govt.
 - c. Both Central and State Govt. jointly
 - d. Any or all of the above

- ii. Company which do not have any significant accounting transaction is called:
 - a. Asocial Company
 - b. Non-functional company
 - c. Dormant company
 - d. Sleeping company

- iii. A statutory Auditor shall be:
 - a. ACS
 - b. CMA
 - c. Practicing CA
 - d. Any of the above

- iv. A women director has to be there is the company is:
 - a. A listed company
 - b. With turnover of `300 crore or more
 - c. Either of the above
 - d. None of the above

- v. Sitting fee of Board meetings and Board Committee meetings:
 - a. shall have to be same
 - b. may not be same
 - c. shall have to be different
 - d. None of the above



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- vi. Interim dividend is decided by:
- Board of Directors
 - AGM
 - CMD
 - Audit Committee
- vii. Articles of association can be altered by:
- Ordinary resolution
 - Special resolution
 - Resolution requiring special notice
 - None of the above
- viii. The following institutions are insolvency professional agency:
- Institute of Cost Accountants of India
 - Institute of Chartered Accountants of India
 - Institute of Company Secretaries
 - All of them.
- ix. A person under IBC is:
- a Hindu Undivided Family
 - a company
 - a trust
 - All of the above
- x. Clause 49A which was the first major compliance of corporate governance by listed companies was on the basis of recommendation of:
- Narayan Murthy committee
 - Kotak committee
 - Kumar Mangalam Birla committee
 - Rahul Bajaj Committee

SECTION – B

- 2.(a) Differentiate between a private company and a public limited company. What steps the private company need to take if it wants to be converted into a public limited company? [10]
(b) Dividend must be paid only out of profits. Explain. [6]
- 3.(a) Write a detailed note on independence of Auditor. [8]
(b) Discuss the purpose and objective of the Insolvency and Bankruptcy code. [8]



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4. (a) Write short notes on need for sustainable management by Indian corporate sector. [10]
(b) What are three requirements of a company which wants to make public issue for the first time? [6]
- 5.(a) Discuss in brief, the role of Director General of Investigation of CCI. [8]
(b) Discuss provisions for parking of ECB till cattaail utilisation. [8]
- 6.(a) Explain how RBI controls the monetary system. [8]
(b) What is purpose of SARFESI Act? [8]
- 7.(a) List out the objects and functions of IRDA. [10]
(b) Explain the classification of micro, small and medium industry. [6]

SECTION – C

- 8.(a) Mr. Ramesh Agarwal is a business having various kinds of businesses as proprietor. He has taken secured loan as follows: -
i. SBI- ₹10 lakhs
ii. PNB- ₹15 lakh
iii. BOB – ₹10 lakh
iv. HDFC – ₹10 lakh
He has not paid a single instalment due. The SBI wants to initiate an action against him under IBC. SBI approaches you as a consultant to advice on the following. Please advise-
1. Is the case covered under IBC?
2. Is IP necessary?
3. What is the role of Bankruptcy trustee?
4. Who can be bankruptcy trustee?
5. Whether secured loan will be treated separately?
6. Is public notice necessary? [12]
- (b) Modern Technologies, an unlisted Indian company, having a capital of Rs. 23 crores are negotiating with foreign investor for 20 % stake in the company by issue of fresh shares at a price to be negotiated. The Company is in high tech area where there no limit on foreign investment. You are the CFO of the company. Please prepare a note for directors, whether the issue is possible and if so, the steps to be taken. [4]