

2018

(Pre-CBCS)

(4th Semester)

COMMERCE**(Industrial and Company Law)***Full Marks : 75**Time : 3 hours***(PART : A—OBJECTIVE)***(Marks : 25)**The figures in the margin indicate full marks for the questions***SECTION—A***(Marks : 10)*

Tick (✓) the correct answer in the brackets provided :

1×10=10

1. Section 2(1)(d) of the Employees Compensation Act, 1923 defines dependant as to mean any of the following relatives of a deceased employee :

- (a) A widow ()
- (b) A minor legitimate son ()
- (c) An unmarried daughter ()
- (d) All of the above ()

2. Industrial dispute means any dispute or difference between _____ connected with employment or non-employment or the terms of employment or with the connections of labour, of any persons.

- (a) employers and employers ()
- (b) employers and workmen ()
- (c) workmen and workmen ()
- (d) All of the above ()

3. ____ shall fix the minimum rates of wages payable to employees employed in a scheduled employment.
- (a) The appropriate Government ()
 - (b) The State Government ()
 - (c) The Central Government ()
 - (d) The employer ()
4. As per the Factories Act, 1948, young person means a person who is
- (a) a child ()
 - (b) an adolescent ()
 - (c) Either (a) or (b) ()
 - (d) Neither (a) nor (b) ()
5. ____ contains rules, regulations and bye-laws regarding the internal management of companies.
- (a) Memorandum of Association ()
 - (b) Articles of Association ()
 - (c) Prospectus ()
 - (d) Certificate of Incorporation ()
6. The total face value of the shares which the company is authorised to issue by its Memorandum of Association is
- (a) nominal capital ()
 - (b) issued capital ()
 - (c) subscribed capital ()
 - (d) paid up capital ()
7. The Directors of a Company are selected according to the ____ and provisions of the Companies Act.
- (a) memorandum of association ()
 - (b) articles of association ()
 - (c) prospectus ()
 - (d) certificate of incorporation ()

8. The quorum for a meeting of the Board of Directors of a Company shall be
- (a) one-third ()
 - (b) one-half ()
 - (c) two-third ()
 - (d) None of the above ()
9. The Company Law Board is empowered to end oppression of minority and to prevent mismanagement and has the power to
- (a) regulate the conduct of company's affair in future ()
 - (b) purchase shares and interests of any members of the company ()
 - (c) reduce share capital if the company purchases shares ()
 - (d) All of the above ()
10. An application for the winding up of a company can be made to the court by
- (a) the company ()
 - (b) any creditor or creditors ()
 - (c) the registrar ()
 - (d) All of the above ()

SECTION—B

(Marks : 15)

Write short notes on the following :

3×5=15

1. Employer
2. Provision of washing facilities regarding the welfare of workers
3. Mortgage
4. Minutes
5. Oppression

(PART : B—DESCRIPTIVE)

(Marks : 50)

The figures in the margin indicate full marks for the questions

Answer any **one** question from each Unit

Unit—I

1. Explain briefly employer's liability for compensation as per the Employees Compensation Act, 1923. 10
2. Describe briefly the authorities provided in the Act for adjudication of industrial disputes. 10

Unit—II

3. Discuss the salient features of the Minimum Wages Act of 1948. 10
4. Briefly enumerate provisions of the Factories Act, 1948 ensuring health of the workers in a factory. 10

Unit—III

5. Who is a promoter? Write a note on the liabilities of promoters. 3+7=10
6. What is share? Compare preference shares with equity shares. 2+8=10

Unit—IV

7. Explain the rights and duties of Director. 10
8. Explain the following : 5+5=10
 - (a) Resolutions
 - (b) Quorum for meetings

Unit—V

9. Explain clearly the meaning of majority powers and minority rights. 5+5=10
10. What are the modes of winding up? Discuss the circumstances in which a company may be wound up by the court. 2+8=10

★ ★ ★