

INTERMEDIATE EXAMINATION

December 2024

*P-5(BLE)
Syllabus 2022*

BUSINESS LAWS AND ETHICS

Time Allowed: 3 Hours

Full Marks: 100

*The figures in the margin on the right side indicate full marks.
Where considered necessary, candidates may make appropriate assumptions and
clearly state them in the respective answer.*

Answer Question No. 1 and any FIVE from Question No. 2 to Question No. 8.

Section-A

(Compulsory)

1. Choose the correct option from the four alternatives given:

2×15=30

- (i) The term 'Alternative Disputes Resolution' takes in its fold, various modes of settlement including, _____, Arbitration, Conciliation and mediation.
 - (A) Panchayat
 - (B) Khaap
 - (C) Lok Adalats
 - (D) Confession
- (ii) Under which of the following cases, a contract may not be discharged by operation of law?
 - (A) Death
 - (B) Insolvency
 - (C) Waiver
 - (D) Merger
- (iii) In order to push up the sales generally there is a practice of sending goods to the customer with the clear cut understanding that he has option to approve or return the goods within a given period. This type of sales is known as _____.
 - (A) Sample Goods
 - (B) Free Trial Goods
 - (C) Gift Goods
 - (D) Approval or sale or return
- (iv) In case the back of a negotiable instrument is full of indorsements, a slip of paper may be attached to the instrument for signing indorsements. Such a slip is legally known as _____.
 - (A) Allonge
 - (B) Escrow
 - (C) Zikri chit
 - (D) Peth

- (v) An individual shall give his consent to become a designated partner in _____.
(A) Form – 8
(B) Form – 9
(C) Form – 10
(D) Form – 11
- (vi) According to Section 67 of the Factories Act, 1948, a child who has completed his _____ shall be required or allowed to work in any factory.
(A) 13th year
(B) 14th year
(C) 15th year
(D) 18th year
- (vii) Withdrawal from the provident fund is not allowed for _____.
(A) purchase of a dwelling house
(B) marriages of children
(C) repayment of loans in special cases
(D) withdrawal within one year before the retirement
- (viii) Which one of the following is not correct in regard to share certificate?
(A) The Company Secretary shall issue the share certificate.
(B) The share certificate shall be issued in pursuance of a resolution of the Board.
(C) Every share certificate shall be distinguished to its distinctive number.
(D) The shares may be in the dematerialized form.
- (ix) The One Person Company (OPC) gives the individual entrepreneurs all the benefits of _____.
(A) a sole proprietorship
(B) a partnership
(C) an LLP
(D) a company
- (x) A poll demanded on any question shall be taken within _____ from the time when the demand was made.
(A) 36 hours
(B) 12 hours
(C) 24 hours
(D) 48 hours

- (xi) Under Section 2(51) of the Companies Act, 2013, who is not defined as a part of Key Managerial Personnel?
- (A) Managing Director
 - (B) Whole-time Director
 - (C) Independent Director
 - (D) Company Secretary
- (xii) If any inspection is refused or if any copy required is not furnished within the specified time, the company shall be liable to a penalty of _____.
- (A) ₹ 10,000
 - (B) ₹ 25,000
 - (C) ₹ 50,000
 - (D) ₹ 1,00,000
- (xiii) Which one of following is not the criterion for the appointment of independent director?
- (A) He shall not be a promoter of the company.
 - (B) He shall relate to the promoters of the company.
 - (C) He shall not have any pecuniary relationship with the company or their promoters or directors during two immediately preceding financial year.
 - (D) His relatives have not held any pecuniary relationship with the company amounting to 2% or more of its gross turnover.
- (xiv) Almost every company now has a business ethics program, mostly because technology and digital communication have made it easier to identify and publicize _____.
- (A) moral duties
 - (B) ethical missteps
 - (C) corporate behavior
 - (D) corporate duties
- (xv) A proper foundation of ethics requires a standard of _____ to which all goals and actions can be compared to.
- (A) value
 - (B) living
 - (C) life
 - (D) speech

SECTION – B

Answer any FIVE questions from Question No. 2 to Question No. 8.

Each question carries 14 marks.

5×14=70

2. (a) What are different ingredients of the E-contracts? 7
- (b) Discuss the circumstances under which the liability of the surety is considered to be discharged and the liability of the surety is not considered to be discharged. 7

3. (a) Demonstrate the procedure of appointment of auditor as per the Limited Liability Partnership Act, 2008. 7
(b) Discuss the various types of instruments mentioned in the Negotiable Instruments Act, 1881. 7
 4. (a) Demonstrate claims made under The Code on Wages, 2019 and procedure thereof. 7
(b) Describe the regulations relating to the payment of gratuity and explain how the gratuity amount is calculated. 7
 5. (a) Analyse the relevance and the circumstances for 'Lifting of the Corporate Veil' under the Companies Act, 2013. 7
(b) Examine various aspects relating to Directors' remuneration as per the Companies Act, 2013. 7
 6. (a) Outline the provisions relating to Board's report as per the Companies Act, 2013. 7
(b) Examine Cancellation or Surrender or Deactivation of DIN. 7
 7. (a) Interpret the relationship between ethics and law. 7
(b) Describe the different kinds of business ethics. 7
 8. (a) Mr. X drew a cheque payable to Mr. Y on order. Mr. Y lost the cheque and was not aware of the loss of the cheque. The person who found the cheque forged the signature of Mr. Y and endorsed it to Mr. Z as the consideration for goods bought by him from Mr. Z. Mr. Z encashed the cheque, on the very same day from the drawee bank. Mr. Y intimated the drawee bank about the theft of the cheque after three days. **Review** the liability of the drawee bank. 7
(b) Mr. A is a director of PQR Ltd. appointed by its shareholders by passing an ordinary resolution. Only after six months of his appointment, a news was published in a local daily mentioning his name. As per the news, Mr. A asked for a bribe of huge amount from a supplier of the company. Following this, a month later, shareholders of the company removed Mr. A from the office of the director and appointed Mr. B in his place for the time being at the said meeting.
Now, Mr. A is arguing that his removal before completion of his tenure on the basis of media reports is not only unfortunate but also illegal as the allegation has not yet been proved.
Present your view on the removal of Mr. A and also state whether the temporary appointment of Mr. B is valid or not. 7
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