



UNIVERSITY OF PETROLEUM AND ENERGY
STUDIES

End Semester Examination, December 2021

Course: Company Law 1
Program: B. Tech., LL.B-CSE& IPR
Course Code: CLCC3001

Semester : VII
Duration : 03 hrs.
Max. Marks: 100

Instructions: 1. Read the questions carefully and answer.

SECTION A
(Scan and upload)

5Q x4M=20 Marks

Q. No.	Attempt all the questions.	Marks	CO
1.	Write a short note on "Underwriting".	4	CO3
2.	What is a Government Company? Is it different from 'public company'?	4	CO2
3.	Differentiate between 'Transmission of shares' and 'Transfer of Shares'	4	CO3
4.	Explain the term Promoter as per Companies Act, 2013.	4	CO2
5.	Write a note on 'shelf prospectus'.	4	CO2

SECTION-B
(Scan and upload)

4Qx10M=40 Mark

Q. No.	Attempt all the questions.	Marks	CO
6.	Discuss the notion of corporate entity of a company in the light of the decision given in <i>Salomon v. Salomon & Co. Ltd.</i>	10	CO1
7.	Explain the legal requirements with respect to membership for formation of One-person company.	10	CO2
8.	'Memorandum and Articles are the public document.' Explain this statement and discuss the doctrine of 'indoor management'.	10	CO2
9.	Answer any one of the Below: i). It is not compulsory for a public company to issue a prospectus, while a private company is even not permitted to issue it.' Analyse and explain the statement. Also explain the consequences of misstatement in prospectus.	10	CO3

	OR		
	ii). What is meant by ‘minimum subscription’ State the provisions of Companies Act regarding refund of minimum subscription.		
SECTION-D			
<i>(Scan and upload)</i>			
2Qx20M =40 Marks			
Q. No.	Attempt all the questions.	Marks	CO
10.	<p>State with reference to the relevant provisions of the Companies Act, 2013 whether the following persons can be appointed as a director of a public company: [4Q x 5 Marks]</p> <p>a. Mr. A, who has huge personal liabilities far in excess of his assets and properties, has applied to the Court for adjudicating him as an insolvent and such application is pending.</p> <p>b. Mr. B, who was caught red-handed in a shop lifting case 2 years ago, was convicted by a Court and sentenced to imprisonment for a period of 8 weeks.</p> <p>c. Mr. C, former bank executive, was convicted by a Court 8 years ago for embezzlement of funds and sentenced to imprisonment for a period of 1 year.</p> <p>d. Mr. D is a director of DLT Ltd., which has not filed its annual returns pertaining to the annual general meetings held in the calendar years 2016, 2017 and 2018.</p>	20	CO4
11.	<p>A General Meeting was called by a Company in December, 2017. The meeting was adjourned to march 2018 and then held. Subsequently the meeting was held in 28 February 2019. Referring to the provisions of the Act decide:</p> <p>a) Is the company liable for any irregularity? Explain with the help of relevant Provisions [10 Marks]</p> <p>b) Explain the consequences in case of irregularity in holding the meeting? [5 Marks]</p> <p>c) Advise the company about the date of dispatch of notice in order to meeting the requirements under Companies Act 2013 for a valid notice. [5 Marks]</p>	20	CO4