

V 2043 ✓

M.B.A. DEGREE EXAMINATION, JANUARY 2005.

First Semester

BA 106 — LEGAL ASPECTS OF BUSINESS

Time : Three hours

Maximum : 100 marks

Answer ALL questions.

PART A — (10 × 2 = 20 marks) .

1. What is Law? - 1
2. What is Interpretation of Statutes? - 1
3. Define consideration. - 1
4. What is voidable contract? - 1
5. What is a foreign company? - 2
6. When is an agent held to be liable personally? - 1
7. Define the term 'Occupier' as used in the Factories Act. - 3
8. Define the term 'Retrenchment' as used in the Industrial Disputes Act. - 3
9. Who are the authorities under the Income Tax Act? - 4
10. What do you mean by Tax planning? - 4

PART B — (5 × 16 = 80 marks)

11. Write short notes on the following : (4 × 4 = 16)
 - (i) Law making by Legislatures.
 - (ii) Damages.
 - (iii) Holder in due course.
 - (iv) Sales Tax Act.

12. (a) (i) What are the legal rules as to acceptance? — 1 (8)
- (ii) Explain Coercion. — 1 (4)
- (iii) A offers by a letter to sell his car to B for Rs. 15,000. B, at the same time, offers by a letter to buy A's car for Rs. 15,000. The two letters cross each other in the post. Is there a concluded contract between A and B? — 1 (4)

Or

- (b) (i) How an agency is terminated? — 1 (12)
- (ii) A contracted to make and deliver 500 pairs of shoes to B January 1, A strike of A's employees prevented him from fulfilling his contract. In a suit by B for breach of contract, A claimed that the contract was terminated by impossibility of performance. Was his defence good? — 1 (4)
13. (a) (i) Briefly explain the conditions and warranties implied by law in a contract for the sale of goods. — 1 (8)
- (ii) Does the sale of Goods Act Provide any Rules as to delivery of goods? If so, what are they? — 1 (4)
- (iii) State the rules regarding Sale by Auction. — 1 (4)

Or

- (b) (i) What are the rights and duties of agent? — 1 (8)
- (ii) What are the characteristics of Negotiable instruments? — 1 (4)
- (iii) What is material alteration in Negotiable instruments? — 1 (4)
14. (a) (i) Describe the characteristics of a company. — 2 (8)
- (ii) What are the special privileges of a private company? — 2 (4)
- (iii) The promoters of a company, before its incorporation, enter into an agreement with P to buy a plot of land on behalf of the company. After incorporation the company refuses to buy the said plot of land. Has P any remedy against the promoters or against the company? — 2 (4)

Or

- (b) (i) Describe the contents of a prospectus. - 2 (8)
- (ii) Briefly state the provisions of the Companies Act, 1956, regarding duties and powers of Directors. - 2 (8)
15. (a) (i) State the provisions of the Factories Act, 1948, with regard to safety of the workers. - 3 (8)
- (ii) Write a detailed note on the "bonus formula" given in the payment of Bonus Act, 1965. - 3 (8)

Or

- (b) Explain the following words as used in the Industrial Disputes Act 1947 :
(4 × 4 = 16)
- (i) Lay-off. } - 2
- (ii) Industrial Tribunal. }
- (iii) Unfair Labour Practice. }
- (iv) Industry. }
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