

Reg. No. :

**Question Paper Code : 30080**

M.B.A. DEGREE EXAMINATIONS, NOVEMBER/DECEMBER 2022.

First Semester

BA 4105 – LEGAL ASPECTS OF BUSINESS

(Regulations 2021)

Time : Three hours

Maximum : 100 marks

Answer ALL questions.

PART A — (10 × 2 = 20 marks)

1. All contracts are agreements but all agreements are not contracts. Give your comment.
2. What is the extent of the liability of the principal when his agent exceeds authority?
3. State the reasons for passing the competition Act 2002.
4. What are the duties and liabilities of a promoter?
5. Who are certifying surgeons? What are their duties?
6. Enumerate the essentials of layoff.
7. What is UIN? How is it different from GSTIN?
8. Who are the persons required to obtain registration as tax-payer under GST laws?
9. What are the objects of the central consumer protection council?
10. How do digital signatures acquire legal recognition?

PART B — (5 × 13 = 65 marks)

11. (a) Explain the essential elements of a valid contract.

Or

- (b) Venkat drawn on Raju a bill payable three months after sight. It passes through several hands before Nikil becomes its holders. On presentation by Nikil, Raju refuses to pay. Discuss the rights of Nikil as a holder in due course on the bill.

12. (a) A promoter signed a circular inviting subscription for shares in a company which stated that about one-third of the capital had already been subscribed in the U.S.A. In fact, a third of the capital had been subscribed but not in cash. The promoter, however, believed honestly that the statement was true. P subscribed on the faith of the circular and the company became insolvent after sometime. P sued the promoter for fraud. Decide.

Or

- (b) The competition commission of India has received a complaint that M/s. XYZ Company has been abusing its dominant position in the food processing industry. Explain briefly the factors that will be considered by the commission to ascertain whether Ms. XYZ Company enjoys a dominant position in the industry.
13. (a) Explain the special provisions of the Payment of Bonus Act, 1965 in respect of new establishments.

Or

- (b) State how an employee can take action if he is getting wages less than the minimum wages. What is the procedure for the final determination of the dispute?
14. (a) Explain how GST has solved the problem of cascading effect of indirect taxes in India.

Or

- (b) How will you perform tax planning for your company?
15. (a) State the procedure for the settlement of disputes by consumer dispute redressal agencies.

Or

- (b) Outline the powers vested in the central information commission/state information commission as the case may be, while inquiring into any matter under the RTI Act.

PART C — (1 × 15 = 15 marks)

16. (a) Suman instructs his lawyer in another town to sell his house in that town. Accordingly, the lawyer selects Vishal, the leading estate agent of the town, for the purpose. Vishal is able to sell the house for a good price. But he delays to remit the purchase amount to Suman and meanwhile becomes insolvent. Suman holds his lawyer responsible for the loss. How would you decide? State your reasons.

Or

- (b) Jose was the owner of a ginning factory. Certain men were engaged in putting the ginned cotton into what are called bojhas and they were engaged for that work not by Jose but the merchants who owned cotton. Jose did not show their names in the attendance register of the factory. Are the labour employed by the merchants workers within the meaning of the Factories Act 1948? Discuss.