



Bar Council of India 22nd Qualifying Examination for Indian Nationals Holding Foreign Law Degrees

Paper – III – Company Law

PART - A

Answer any 5 of the following:

(5 x 5 = 25)

1. What are the circumstances in which courts often lift the veil to see what really lies behind?
2. Define 'Share' and briefly explain the process of share allotment.
3. Explain the kinds of share capitals mentioned under Companies Act?
4. Highlight the position & duties of promoters with reference to Erlanger New Sombrero Phosphate Case.
5. Briefly discuss the provisions related to borrowing under Companies Act.
6. What are the procedures and requirements for altering the Memorandum of Association?

PART - B

Answer any 3 of the following:

(3 x 15 = 45)

7. "Whether the position of the deceased as sole governing director made it impossible for him to be the servant of the respondent company in the capacity of chief pilot of that company". Discuss with the help of relevant case laws.
8. Explain the doctrine of indoor management and the rule of constructive notice and their respective extent. Also state the defences against the application of doctrine of indoor management.
9. Explain the current status of 'Corporate Social Responsibility' (CSR) and discuss the following:
 - (a) Legal Provision of Companies Act, 2013 related to CSR
 - (b) CSR Activities under Schedule VII of the Companies Act, 2013
10. "Just and equitable" is one of the grounds for compulsory winding up of a company. This ground is resorted to when no specific ground for winding up is efficacious." Elucidate the statement and cite circumstances that may be acceptable

to the court in passing an order of winding up on this ground. Support your answer with relevant case laws.

PART - C

Answer any 1 of the following:

(1 x 30 = 30)

11. What do you mean by meeting and what are the different types of meetings as stipulated in the Companies Act? Also explain the essential conditions for a valid meeting, and the procedure for calling company meetings.
12. a) Explain the provisions related to duties and liabilities of a 'Directors' given under Companies Act, 2013.
b) "Countries around the world are making efforts to increase the representation of women on corporate boards." Briefly state the initiatives the government has taken to promote women on corporate boards in India with help of the provisions of Companies Act, 2013 regarding the appointment of women director.