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**3/H-76 (viii) (Syllabus-2015)**

**2016**

**( October )**

**COMMERCE**

**( Honours )**

**( Business Laws )**

**( BC-302 )**

**Marks : 75**

**Time : 3 hours**

*The figures in the margin indicate full marks  
for the questions*

**Answer all questions**

1. (a) Define a contract. How does it differ from an agreement? 3+6=9
- (b) What are the various ways of constituting an agency? 6

**Or**

- (a) Define coercion. Distinguish between coercion and undue influence. 2+6=8
- (b) What are the rights and responsibilities of a person who finds the goods belonging to another and takes them into his custody? 7

( 2 )

2. (a) Define a contract of sale and agreement to sell. What are the points of distinction between the two?  $2+2+6=10$

(b) On 1st January, Mr. A sells goods to Mr. B for ₹ 10,000 for which Mr. B pays ₹ 5000 in cash and sends a promissory note for the balance. On January 15, while the goods are still in A's possession, B is declared insolvent. What are the rights of A in respect of goods? 5

Or

(a) Who is an unpaid seller? What are the rights of an unpaid seller?  $3+5=8$

(b) What is meant by caveat emptor? Explain and illustrate the exceptions to this rule.  $3+4=7$

3. (a) Define the following under the Workmen's Compensation Act, 1923 :  $4+4=8$

(i) Dependant

(ii) Partial disablement

(b) What do you understand by the term 'conciliation officer' under the Industrial Dispute Act? What are his duties?  $2+5=7$

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( Continued )

( 3 )

Or

(a) Briefly state the provisions of the Factories Act, 1948 relating to the regulation of working hours of workers. 8

(b) State the rules for the payment of wages under the Minimum Wages Act, 1948. 7

4. (a) What is meant by 'negotiable instrument'? State the rights of a holder of a negotiable instrument which has been lost or destroyed or mutilated.  $3+5=8$

(b) State the privileges of a holder in due course. 7

Or

(a) What are the various modes of discharge from liabilities of parties to negotiable instrument? 10

(b) Briefly explain the effect of material alteration in a negotiable instrument. 5

5. (a) "A promoter stands in a fiduciary position towards the company he promotes." Discuss the legal position of a promoter in relation to the company he promotes. 8

(b) What services are excluded from the purview of the Consumer Protection Act? Write some instances of the services which are covered under the act.  $4+3=7$

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( Turn Over )

( 4 )

Or

- (a) "Directors are not only agents but also in some sense trustees of the company." Discuss.

7

- (b) What is meant by 'extraordinary general meeting'? Under what circumstances can such a meeting be requisitioned?

3+5=8

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