

Total No. of Questions : 6]

SEAT No. :

PA-2919

[Total No. of Pages : 4

[5956]-405

S.Y. M.Com.

COMMERCIAL LAWS AND PRACTICES (Group B)

405 : Recent Advances in Commercial Laws and Practices

(2019 Pattern) (Semester - IV) (CBCS)

Time : 3 Hours]

[Max. Marks : 60

Instructions to the candidates:

- 1) Question No.1 and Question N. 6 are compulsory.
- 2) Solve any three questions from No. 2 to Question No. 5.
- 3) Figures to the right indicate full marks.

Q1) Fill in the blanks by selecting suitable choice (any 6 out of 8) : [6]

- 1) As per The Competition Act, 2002 “acquisition” means, directly or indirectly, acquiring or agreeing to acquire i) _____ of any enterprise; or ii) control over management or control over assets of any enterprise.
 - a) Shares only
 - b) Voting Rights only
 - c) assets only
 - d) shares, voting rights or assets
- 2) As per The Competition Act, 2002 “goods’ means goods as defined in the _____.
 - a) Sale of Goods Act, 1930
 - b) Indian Contract Act, 1872
 - c) Consumer Protection Act, 1986
 - d) GST Act, 2017

P.T.O.

- 3) As per the provisions under The Special Economic Zones Act, 2005 the Board of Approval has to be constituted by _____.
- Central Government
 - State Government
 - Jointly by Central and State Government
 - Supreme Court of India
- 4) As per the provisions of The Special Economic Zones Act, 2005, the notification regarding Constitution of Authority has to be published in the _____.
- National Newspaper
 - Official Gazette
 - Official website of the Govt. of India
 - Regional Newspaper
- 5) As per the provisions of The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 “_____” means acquisition by any asset reconstruction company of any right or interest of any bank or financial institution in any financial assistance for the purpose of realisation of such financial assistance.
- asset reconstruction
 - asset reconstruction company
 - central Registry
 - debt securities
- 6) Security interest created in favour of any secured creditor may be enforced without the intervention of the _____, by such creditor in accordance with the provisions of The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
- | | |
|----------------------|------------------|
| a) court only | b) tribunal only |
| c) court or tribunal | d) RBI |

- 7) “_____” means a Recovery Officer appointed by the Central Government for each Tribunal under sub-section (1) of section 7 of The Recovery of Debts Due to Banks and Financial Institutions Act, 1993.
- a) Recovery Officer
 - b) Tribunal
 - c) Appellate Tribunal
 - d) Financial Institution
- 8) As per the provisions of _____ the Recovery Officer shall, on receipt of the copy of the certificate under sub-section (7) of section 20, proceed to recover the amount of debt specified in the certificate.
- a) The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002
 - b) The Special Economic Zones Act, 2005
 - c) The Recovery of Debts Due to Banks and Financial Institutions Act, 1993
 - d) The Competition Act, 2002

Q2) State the provisions of The Competition Act, 2002 relating to abuse of dominant position by any enterprise and regulation of combinations. [14]

Q3) Explain in detail the provisions under The Special Economic Zones Act, 2005 regarding the establishment of Special Economic Zones (SEZs).[14]

Q4) State the provisions regarding registration of Asset Reconstruction Companies and Cancellation of Certificate of Registration under The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. [14]

Q5) Explain the Jurisdiction, Powers and Authority of Tribunals under The Recovery of Debts Due to Banks and Financial Institutions Act, 1993.[14]

Q6) Write Short Notes (Any 2 out of 4) :

[2 × 6 = 12]

- a) The Provisions of The Competition Act, 2002 relating to establishment and composition of Competition Commission of India and its chairperson.
- b) The provisions for setting up of a unit under The Special Economic Zones Act, 2005.
- c) Provisions relating to Central Registry under The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
- d) Different Modes of Recovery under The Recovery of Debts Due to Banks and Financial Institutions Act, 1993.

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