

IMPORTANT INSTRUCTIONS TO CANDIDATES

Answers to both the sections are to be written in the same answer book.

Question No. 1 is compulsory.

Answer any FOUR questions from the remaining FIVE questions.

Section A – (60 marks)

Q.1 (a) Akhil grants a power of attorney to his creditor Chintan authorising the Chintan to sell a certain property belonging to him and appropriate the sale proceeds towards his indebtedness. He also agrees not to institute any legal proceedings against Chintan challenging either the Chintan's actions or its statements of account. The property is sold for a low price and Chintan calls upon the Akhil to pay the balance. Can Akhil institute legal proceedings against Chintan questioning the sale?

(4 Marks)

(b) Kartik was the holder of nearly all (except one) shares of a MV Private Ltd. He was also a major creditor of the company. Kartik insured the company's huge machinery in his own name. Fire occurred and the whole factory including the huge machinery got destroyed. Kartik claimed insurance compensation in his own name. Will Kartik succeed? Explain under the provisions of Companies Act, 2013.

(4 Marks)

(c) What will be the effect on Contract of sale of Destruction of Goods under Sale of Goods Act?

(4 Marks)

Q.2 (a) State the ways of Discharge of Contract

(7 Marks)

(b) Explain any ten characteristics of LLP.

(5 Marks)

Q.3 (a) State four points of distinction between Dissolution of Partnership & Dissolution of Firm

(2 Marks)

(b) Explain Authority of partner and state Limitations of Partner's Implied Authority

(4 Marks)

(c) Mr.Sharma and his wife went to England for a vacation, and his wife became ill and needed medical attention. They made an agreement that Mrs Sharma was to remain behind in England when the husband returned to India and that Mr Sharma would pay her ₹20,000 a month until he returned. This understanding was made while their relationship was fine. However, the relationship later soured and the husband stopped making the payments. The wife sought to enforce the agreement. Later the parties separated. The wife brought this action for the money her husband had promised to pay to her but had failed to do so. Explain under the provisions of Indian Contract Act, whether Mrs. Sharma will succeed.

(6 Marks)

Q.4 (a) Define the term Goods and explain various Classification of goods.

(6 Marks)

(b) Rahul, Rahim and Ron are partners in a firm. They decide to dissolve the partnership with effect from 10th October, 2019. The partners do not give a public notice of the dissolution, but continue the business. During the course of business, Rahul, Rahim and Ron endorse certain Bills of Exchange of the partnership to a third party Myra, who was not aware of the dissolution. Myra, the third party, had supplied certain raw material to the firm. The Bills of Exchange are dishonoured. The third party Myra wants to claim the money. Decide under the provisions of Indian Partnership Act, 1932, whether the firm will be liable to pay for the bills of exchange?

(6 Marks)

Q.5 (a) Answer the following questions with reason under Sale of Goods ACT, 1930:

- 1) Fatima agrees to sell a dog to Feroz on a condition that Feroz will keep it for 10 days on trial basis and have the option to return on the expiry of 10 days, if he does not find it suitable. After 3 days of entering into contract, dog died without any fault of Fatima or Feroz. Who will bear the risk?
- 2) Pritam agrees to sell oranges to Prem at price to be fixed by Nikita. Subsequently, Nikita refuses to value the goods and fix the price. Is agreement valid or void? What will be consequences if Nikita was willing to value the apples but she was prevented from evaluating by wrongful act of Pritam?
- 3) Ravi gave a bike to Vikrant (his mercantile agent) stating that the bike should not be sold below ₹40,000 to anyone. Vikrant agreed for the same, but later on he sold the bike to Gaurav at ₹25,000 who bought it in good faith and Vikrant absconded with money. Whether Ravi can recover car from Gaurav?

(6 Marks)

(b) Describe under Companies Act, 2013, the consequences where company was registered by providing false information.

(6 Marks)

Q.6 (a) As per Section 25 of Indian Contract Act, 1872, a contract without consideration is void. State the Exceptions.

(5 Marks)

(b) Write 8 points of differences between Partnership and Joint Stock Company?

(4 Marks)

(c) Which type of companies are following, under Companies Act, 2013. Also state the definitions:

- 1) A company in which 35% of share capital is held by Government of Maharashtra and 20% of share capital is held by Government of India
- 2) Reliance Ltd. holds 55% of Kavin Ltd. and 32% of Navya Ltd.
- 3) Mercer Inc. Incorporated in Ireland and has a office in Mumbai.

(3 Marks)

SECTION – B: BUSINESS CORRESPONDENCE AND REPORTING**Question No. 7 is compulsory****Answer any three questions from the remaining four questions****Q.7 (a) Read the passage carefully and answer the questions given below:**

Indians have a long history of travelling, trading and establishing settlements abroad. They penetrated most of Central and East Asia. Several Hindu dynasties ruled parts of Indonesia and South East Asia. Hindu businessmen established themselves in Afghanistan and parts of Central Asia. Indian contacts with East Africa were among the oldest and the closest. According to one Arab tradition, Aristotle advised Alexander the great to establish a Greek colony in the island of Sokorta off north Eastern Africa. The enthusiastic Greeks subdued the Indians who were established there, took possession of Sokorta and removed a colossal idol to which Indians paid homage. As the famous periplus of the Erythrean Sea makes clear, Indian traders continued to visit trading centers along the East African coast well into the first century A.D. Chinese blue and white-porcelain that found its way to east Africa during the medieval period owed its origin largely to Gujarati ships. Gujarati commercial establishments existed in Africa from the thirteenth century onwards, and Gujarati businessmen, many of them muslims, acted as bankers, moneychangers and money-lenders. Their business acumen endeared them to the Arabs who had acquired a hold over the coastal areas of East Africa and who offered them protection and commercial immunity in return for finance and successful economic management. Indian merchants mainly muslims, also financed some of the Arab slave traders by 1860.

They said to have contract Indian traders married or had liaisons with African women, and their off spring were to be found not only on the East African coast where they were called “Chotara” but also in the coastal regions of Gujarat where there racially mixed features earned them the name of “habsi” or “habi” like people.

1. When did Gujaratis’ ships sail to East Africa?
(1 Mark)
2. Whom did the Indian merchants in Africa finance?
(1 Mark)
3. Who are the ‘Chotaras’?
(1 Mark)
4. Write a summary of the above passage.
(2 Marks)

(b) Read the Passage:

1. Make Notes using Headings, Subheadings and abbreviations wherever necessary.

(3 Marks)

2. Write Summary

(2 Marks)

The Union Cabinet approved a new national education policy recently after a big gap of 34 years. After long deliberations and two committees since 2014, the union cabinet has finalized a comprehensive policy that strives to direct the education system in India in the 21st century. With an aim to make India a knowledge superpower, the policy proposes some fundamental changes within the education system.

Education is fundamental for achieving full human potential, developing an equitable and just society, and promoting national development. The pursuit of knowledge (Jnan), wisdom (Pragya), and truth (Satya) was always considered in Indian thought and philosophy as the highest human goal. World-class institutions of ancient India such as Takshashila, Nalanda, Vikramshila, Vallabhi, set the highest standards of multidisciplinary teaching and research and hosted scholars and students from across backgrounds and countries. The leaders of the freedom struggle also thought of education as an important aspect of nation-building. Especially Mahatma Gandhi thought of education as a process of realization of the best in man- body, soul, and spirit. He put forth the idea of “Buniyaadi Shiksha”. Post-independence modern India also focused on education through various commissions such as the Radhakrishnan Commission, Kothari Commission, etc. Part IV of the Indian constitution, article 45 and 39(f) have provision for state-funded education with equitable and accessible character. The 42nd amendment to the constitution moved education from state list to concurrent list-making way for overall standardization on the national level. The 86th amendment made the right to education an enforceable fundamental right (Article 21A). Subsequently, the Right to Education Act, 2009 provides for universal education to all children between ages 6 and 14. Education has been one of the foundational sectors in the national developmental planning.

The educational policy has recognized the importance of formative years along with necessary learning conditions like nutrition and expert teachers. A very important and potentially game-changing policy initiative is the inclusion of vocational courses in the school curriculum. This will help in encouraging disadvantaged sections who see no value in education to send their kids to school. It has expanded the ambit of universal education from 6-14 years to 3-18 years which is a welcome step. One of the major

points of conflict on the medium of instruction has been dealt with and there is a categorical support for three-language formula and suggestion of teaching in mother tongue/local language for at least 5th class. This is a significant policy suggestion when the Indian education system is moving away from excessive English-medium orientation. There is an increasing neglect of local languages and mother tongue and illogical and unscientific hysteria towards English medium schools. The higher education regulatory system is set to change for good by eliminating the concentration of functions in UGC.

Q.8 (a) What is the origin and meaning of “Communication”? What does the effectiveness of communication style depend on?

(2 Marks)

(b)

1. Choose the word which best expresses the meaning of the given word:

(1 Mark)

Nimble

- i. Unrhythmic
- ii. lively
- iii. quickening
- iv. clear

2. Select a suitable antonym for the word given in the question:

(1 Mark)

Relinquish

- i. Abdicate
- ii. Renounce
- iii. Possess
- iv. Deny

3. **Change the following sentence to indirect speech:**

“What exactly is it that you want to do?” asked his father.

(1 Mark)

(c) Write a precis and give appropriate title to the passage given below:

(5 Marks)

Artificial Intelligence is intelligence exhibited by machines. In computer science, an ideal "intelligent" machine is a flexible rational agent that perceives its environment and takes actions that maximize its chance of success at some goal. Thus, when a machine mimics a human-like behaviour e.g. learning, planning, reasoning, problem-solving, the perception of the environment, natural language processing etc., then it falls under the category of Artificial Intelligence.

Artificial Intelligence (AI) is transforming the nature of almost everything which is connected to human life e.g. employment, economy, communication, warfare, privacy, security, ethics, healthcare etc. However, we are yet to see its evolution in long-term, whether it's leading humanity towards making this planet a better place to live or a place which is full of disaster. Every technology has its advantages and disadvantages but advantages always outweigh disadvantages for the technology to survive in the market. Nonetheless, for Artificial Intelligence we are not yet sure whether in the long-term positive effects will always keep outweighing the negative effects and if that is not the case then we are in serious trouble. If we look around us, on the one hand, we seem to embrace the change being brought by technology, be it smart home, smart healthcare, Industry 4.0 or autonomous cars. On the other hand, we often find ourselves protesting against the government in the context of unemployment, taxes, privacy etc. As AI development is speeding up, more robots or autonomous systems are being born and replacing the human labour. This is the current situation; however, in long-term, results seem to get more interesting.

recent bid for the acquisition of a German robotic company Kuka by a Chinese company called Midea Group was \$ 5 billion. Kuka is one of the world's largest robotic companies. China is famous for low-paid migrant labour and Chinese enterprises want to automate the manufacturing process because they do not see any point to rely on such a huge low-paid migrant labour. According to International Federation of Robotics, China is the largest importer of robots. The IFR's calculations show that China has 326 robots per 10000 workers while the US and South Korea have 164 and 478 robots respectively for the same number of workers. Thus, enterprises are seeing a lot of potential in automation of their processes but it will have a negative impact on employment.

Q.9 (a) Write a note on Star Network of communication. Illustrate the same with a simple diagram.

OR

“Human behaviour is not under the sole control of emotion or deliberation but results from the interaction of these two processes.” Examine this statement by Loewenstein, as a characteristic of communication.

(2 Marks)

(b) Choose the word which best expresses the meaning of the given word.

1. Preposterous

- i. heartless
- ii. absurd
- iii. impractical
- iv. abnormal

(1 Mark)

2. Annihilated

- i. disremembered
- ii. reduced
- iii. destroyed
- iv. split

(1 Mark)

3. Change the following sentence into indirect speech:

The man said, “I didn’t pick the jewelled fruits and flowers.”

(1 Mark)

(c) Draft a Newspaper Report on “India wins Asia Cup”. This report will be published in Times News Network.

(5 Marks)

Q.10 (a) How do personal attitudes of employees affect communication within the organization? How can they be addressed?

(2 Marks)

(b) i. Change the sentence from Active to Passive Voice:

That created in me a sense of connectedness with a larger world.

(1 Mark)

ii. Change the sentence from Passive to Active Voice:

His father would undoubtedly be left shaking his head.

(1 Mark)

iii. Classify the following sentence as Simple, Compound or Complex:

After one month, he started selling computers again with a vengeance.

(1 Mark)

(c) Write a letter to all your existing as well as potential clients inviting them to the opening of your new showroom, sharing glimpses of inaugural offer etc.

(5 Marks)

Q.11(a) How would you describe Aesthetic Communication and Appearance; as a part of Nonverbal Communication.

(2 Marks)

(b) Select the correct meaning of idioms/phrases given below:

1. **To cast pearls before a swine**

i. to spend recklessly

ii. to spend a lot of money on the upkeep of domestic hogs

iii. to waste money over trifles

iv. to offer a person a thing which he cannot appreciate

(1 Mark)

2. **On the wane.**

i. all its peak

ii. growing less

iii. growing more

iv. at rock bottom

(1 Mark)

3. Change the voice:

Have you practised pointillism?

(1 Mark)

4. Choose the word which best expresses the meaning of the given phrase:

To take the wind out of another's sails

- i.** to manoeuvre another on the high seas
- ii.** to cause harm to another
- iii.** to defeat the motives of another
- iv.** to anticipate another and to gain advantage over him

(1 Mark)

- (c) Draft a resume using functional format, for your friend; Vivek Deshpande who has served in two corporates and possesses 5 years of experience.

(4 Marks)