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Question Paper Code : 20195

M.B.A. DEGREE EXAMINATIONS, NOVEMBER/DECEMBER 2024.

First Semester

BA 4105 – LEGAL ASPECTS OF BUSINESS

(Common to : Master of Business Administration (Apparel Management)/Master of Business Administration (Business Analytics)/Master of Business Administration (Retail Management)/Master of Business Administration (Textile Management)/Master of Business Administration (Artificial Intelligence and Data Science))

(Regulations 2021)

Time : Three hours

Maximum : 100 marks

Answer ALL questions.

PART A — (10 × 2 = 20 marks)

1. What are the essential elements of a contract according to the Indian Contract Act of 1872?
2. What is a quasi contract?
3. Why is a company referred to as an 'Artificial Person'?
4. What is meant by chartered Company?
5. What is the main objective of the Factories Act?
6. What does the Payment of Bonus Act regulate?
7. What is the purpose of the Input Tax Credit in GST?
8. What is the reverse charge mechanism under GST?
9. What are the main rights provided to consumers under the Consumer Protection Act?
10. What is the purpose of the IT Act, 2000 and 2008, in addressing cyber-crimes?

PART B — (5 × 13 = 65 marks)

11. (a) Explain the essential elements of a valid contract under the Indian Contract Act, 1872, with suitable examples.

Or

- (b) Analyze the nature and key elements of a sales contract under the Sale of Goods Act, 1930. with emphasis on the concepts of risk of loss, guarantees, warranties, and the rights of an unpaid seller.

12. (a) Explain the importance of the Memorandum and Articles of Association.

Or

- (b) Evaluate the objectives and impact of the Competition Act, 2002, focusing on the concepts of “dominant position” and “combinations.”

13. (a) Explain the key provisions of the Industrial Disputes Act and discuss its role in addressing disputes between employers and employees.

Or

- (b) Evaluate the objectives and significance of the Payment of Wages Act in ensuring fair labour compensation.

14. (a) Discuss the importance of corporate tax planning in today’s business environment, focusing on its impact on financial performance and compliance with tax regulations.

Or

- (b) Evaluate the key provisions of the GST framework, including the levy and collection of CGST and IGST.

15. (a) Explain the procedures for consumer grievance redressal under the Consumer Protection Act, including the types of redressal forums and their functions.

Or

- (b) Analyze the scope and importance of Intellectual Property Rights (IPR) laws.

PART C — (1 × 15 = 15 marks)

16. (a) Case Study: Breach of Contract and Consumer Rights

Swift Electronics, a prominent electronics manufacturer, signed a contract with ElectroMart, a large retail chain, to supply 500 units of a new mobile phone model by the end of the month. This model was in high demand, and ElectroMart launched a promotional campaign, allowing customers to pre-order the phones. However, due to unforeseen supply chain disruptions, Swift Electronics could only deliver 300 units on time. ElectroMart faced significant backlash from disappointed consumers, many of whom had prepaid for their orders. ElectroMart suffered financial losses, with their reputation also at risk and filed a claim against Swift Electronics for breach of contract.

As a result of unfulfilled orders, frustrated consumers began filing complaints with the Consumer Protection Forum, citing ElectroMart's failure to deliver their preorders on time. ElectroMart sought redressal from Swift Electronics, while at the same time needing to address consumer grievances. ElectroMart also handled complaints from customers who had placed their orders through its online platform, raising potential concerns under Cyber Laws about data security and grievance redressal for online transactions.

Questions:

(i) How can ElectroMart seek redressal for breach of contract from Swift Electronics under the Indian Contract Act, and what remedies are available? (8)

(ii) What rights do consumers have under the Consumer Protection Act in this case, and how can they file grievances for unfulfilled orders? (7)

Or

(b) Case Study: Intellectual Property Infringement and GST Compliance

CreativePrint, a small printing business specializing in sustainable packaging, developed an innovative eco-friendly packaging design, which was granted a patent. This unique design gained popularity, enhancing CreativePrint's brand reputation and market value. However, a year after obtaining the patent, CreativePrint discovered that a competitor, EcoPack Solutions, was producing packaging with a remarkably similar design. CreativePrint suspected patent infringement and filed a case against EcoPack Solutions. EcoPack, however, denied any infringement and claimed that their design was independently developed.

Simultaneously, CreativePrint underwent a tax audit, revealing discrepancies in their GST filings, specifically related to input tax credit claims. CreativePrint was notified by tax authorities to address these discrepancies and comply with the required documentation and filing standards. The company now faced the dual challenge of protecting its intellectual property while ensuring compliance with GST regulations to avoid penalties and maintain its financial standing.

Questions:

- (i) What legal actions can CreativePrint pursue under Intellectual Property Rights (IPR) laws to protect their patented design, and what are their rights in case of infringement? (8)
 - (ii) In light of GST compliance requirements, what steps should CreativePrint take to resolve discrepancies in their GST filings, particularly concerning input tax credit claims? (7)
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