

B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
B.A. LL. B. Sem - VII :SUMMER- 2022
SUBJECT : MERGER & ACQUISITION

Day : Monday

Date : 13/06/2022

S-12497-2022

Time : 10:00 AM-12:30 PM

Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) The Corporate Restructuring is the process of making changes in the composition of a firm's in one or more business portfolios. State the different modes of corporate restructuring.

OR

b) "Reorganization of any structure of organization fetch more profit from its operation". Comment.

Q.2 a) There is no applicability of stamp duty to merger under Companies Act which gives the power to the government to provide for amalgamation of companies in the national interest. Enumerate the exemptions from tax in this regard.

OR

b) Section 2(1B) of Income Tax Act 1961, states the concept and importance of Amalgamation. Elaborate with case laws.

Q.3 a) Explain the regulation of Combinations under Competition Act, 2002. Also explain how the variation in the Threshold limit affects the foundation of an efficient working market structure.

OR

b) The commission has the power to impose penalty and oppose the combination from taking place under the Competition Act, 2002. Explain with relevant provisions and case laws.

Q.4 a) Clause 40 A and 40 B of the Listing Agreement amounts to the minimum public shareholding as per the clause. Enumerate the procedure for the same along with provisions.

OR

b) The Foreign Exchange Management Act, 1999 looks into the objective of facilitating external trade. How this objective of the Act accelerate the Mergers of the company.

Q.5 a) Explain :
i) Demergers.
ii) Open offer process.

OR

b) MOA and AOA are considered to be the public documents. They are open and accessible to all. Explain.

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