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B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)

B.A. LL. B. Sem - VII : WINTER- 2022

SUBJECT : MERGER & ACQUISITION

Day : Monday

Time : 10:00 AM-12:30 PM

Date : 21-11-2022

W-12497-2022

Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) XYZ Co. Ltd. plans to change its capital structure through organic route by reducing its capital. Advise the directors about the various provisions they need to follow as prescribed under Companies Act, 2013.

OR

b) Two companies are planning to go for a horizontal merger. However the combination which will be formed as a result of such merger crosses the combination thresholds specified under Competition Act. Advise the board of directors of the companies related to compliance to be done under Competition Act for the merger.

Q.2 a) Define Memorandum. Explain the various clauses of Memorandum of Association.

OR

b) What is an open offer process? When does it get triggered?

Q.3 a) Does the central government have power to order amalgamation of companies? If Yes, how?

OR

b) Define Sick Company. Explain the revival of sick company through scheme of amalgamation.

Q.4 a) Write short notes :

- i) Corporate Restructuring
- ii) Capital Gains

OR

b) Write short notes :

- i) FEMA 20
- ii) Due Diligence Report

Q.5 a) What is Demerger? Explain the procedure for demerger of company as provided under Companies Act, 2013.

OR

b) What is Stamp Duty? Discuss the levy of stamp duty in case of mergers and amalgamations.

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