

**TEST PAPER – I/6/CIA/2008/T-3**

Time Allowed: 3 Hours

Full Marks: 100

**COMMERCIAL & INDUSTRIAL LAWS – (50 Marks)**

**Q.No.1 is compulsory and any two questions from rest.**

**Q1) a. Comment on following statement** **18**

(1) Gratuity can be withheld by the employer for non vacation of official quarter by the Employee

(2) Some contracts without consideration are valid.

(3) Can workmen be punished during pendency of proceedings? What procedure is to be followed by the aggrieved workmen to have their grievances redressed?

(4) Mr. X coerces Mr.Y to enter in to a contract to sell Y's house worth Rs.50 lakhs to X for Rs.20 lakhs.

(5) A complainant means any person in terms of consumer protection act 1986.

(6) All contracts caused by bilateral mistake are void comment.

(7) On 1st March an airline corporation declared a lockout with effect from 2nd March on the ground that its workmen have gone on strike from 28th Feb. Discuss the legality of lockout.

(8) Adjudication of claims and appeals as provided under payment of wages Act 1935.

(9) Comment on Limited liability Partnership Act.

b. Difference between bill of exchange and cheque. **4**

**Q2) a. What are the remedies available to a worker who has paid less than the minimum? rates of wages. State the procedure for determination of dispute.** **4**

(b) Who is occupier of a factory under Factories act? When can he be exempted from liability. **4**

(c) Discuss rights of consumer under consumer protection act. **3**

- (d) Discuss rights of unpaid seller. 3
- Q3)** a. State the provisions of employer's liability for compensation under workmen compensation Act. 4
- b. Explain the legal provisions of Notice of dishonour under Negotiable instrument Act. 4
- c. Explain the difference between Misrepresentation and fraud. 3
- d. Elaborate the provisions of warranties under sale of goods act. 3
- Q4)** a. Write note on Employee's Provident Funds and the Employee's Provident Fund Scheme. 4
- (b) Explain the principle of 'Caveat Emptor' under Sale of Goods Act. 4
- (c) Distinguish between Cheque and Promissory Note. 3
- (d) Distinguish between Strike and Lockout. 3
- Q5)** a. Partnership firm once formed can not be dissolved in any circumstances. State legal provisions. 4
- b. A bill of exchange dated 31st August 2007 was made payable at 3 months after date. What was the date of maturity? 3
- c. What are the objectives of competition and commission act? 4
- d. Differentiate between sale and agreement to sale. 3

### **Section- II-AUDITING- ( 50 Marks )**

**Q.No.1 is compulsory and any two questions from rest.**

- Q1)** State with reasons whether the following statement are TRUE or FALSE (Any six) 18
- (i) Internal Audit is entrusted to the employees of the organization.
- (ii) When there is a Statutory Audit, introduction of Internal Audit is not necessary at all.
- (iii) Evaluation of the performance is called as operational audit.
- (iv) To examine whether the transactions have been done in conformity with the established standard is nothing but the proprietary Audit.
- (v) Certified statements showing turnover of the company fall under the category of the compliance audit
- (vi) The companies (Auditor's Report) order 2003 applies to all companies.

(vii) The CARO extend the scope of audit even further than that of traditional approach.

(viii) To be successful, the internal audit department must have adequate management support.

(ix) Audit to internal audit function is considered necessary.

(x) Statistical sampling in Auditing relieves an auditor from the load of work but not from the risk.

(xi) Internal Audit is similar to that of internal control.

(xii) Internal check is necessary only to comply with the provisions of the CARO

(xiii) Audit Committee is only the luxury to the company.

(xiv) Detection of frauds is the duty of the Statutory Auditor and not necessarily that of an internal auditor.

**Q2) What is an Internal Audit ? Explain the necessity and scope of Internal Audit. 16**

**Q3) How would you verify the following items –**

(i) Plant and Machinery

(ii) Goodwill

(iii) Investments

(iv) Sundry Debtors

(v) Stock in Trade

**16**

**Q4) What is computer assisted audit technique? Explain the different computer assisted techniques available 16**