

UNIT-II

9. What is the difference between transfer of property and possession?
10. What are the fundamental elements of insurance?

UNIT-III

11. What are the rules for preparing an article of association?
12. What are provisions with respect to appointment and removal of a director of a company?

UNIT-IV

13. Explain the rules of custom and excise taxation system in India.
14. Explain the constitutional framework of taxation in the country.

SECTION-C

15. Case study :

The NSEL scam is a systematic and premeditated fraud perpetrated in the commodity market on the National Spot Exchange that is based in Mumbai, India. The NSEL is a company promoted by Financial Technologies India Ltd and the NAFED. The NSEL scam is estimated to be a Rs. 5600 crore fraud that came out to light after the National Spot Exchange failed to pay its investors in commodity pair contracts. An estimated number of 15000 investors, along with public sector units like MMTC and PEC, were victims of this NSEL scam.

Police filed an FIR against all the directors of the NSEL and Financial Technologies India Ltd including Jignesh Shah, Joseph Massey and Shreekant Javalgekar. The Grant Thornton forensic audit report also indicated the board of directors/promoters including Mr. Jignesh Shah who were present in all the crucial meetings, including the ones where fraudulent pair trade contracts were introduced, and money was allowed to be sanctioned to NK Protein Ltd. It is worthy to note that the owner of NK protein Ltd is also the son-in-law of the then Chairman Shri Shankarlal Guru of NSEL.

Questions :

1. NSEL, being a separate and independent entity, then how police filed FIR against all the directors?
2. What are the common law exceptions in lifting of corporate veil?