

Seat No: _____

Enrollment No: _____

PARUL UNIVERSITY
FACULTY OF LAW

I-B.A.LL.B./ I-B.Com.LL.B/ I-B.B.A.LL.B Winter 2019 – 20 Examination

Semester: 7

Date: 27/11/2019

Subject Code:17300430

Time: 10.30 am to 1.00 pm

Subject Name: Merger & Acquisition and Competition Law

Total Marks: 60

Instructions:

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 Do as directed. (1 marks each. All Compulsory)

(15)

1. The merger of two companies in the same industry that make products required at different stages of the production cycle is called

- A) economies of scope.
- B) vertical integration.
- C) economies of scale.
- D) horizontal integration.

2. If an acquisition is made using cash payment then the acquisition is:

- A) taxable
- B) viewed as exchanging of shares and is not taxed
- C) a tax-free transaction as no capital gains or losses are recognized
- D) none of the above

3. A dissident group solicits votes in an attempt to replace existing management. This is called a:

- A) Proxy fight
- B) Shareholder derivative action
- C) Tender offer
- D) Management freeze-out

4. Explain Leveraged Buyout

5. Define Doctrine of Due Diligence

6. Define Valuation

7. Define Buyout.

8. Define Liquidation.

9. Explain Spin off.

10. Define Takeover.

11. Define Tender off.

12. Define Conglomerate.

13. Define Vertical Acquisition.

14. Define Anti Dumping.

15. Define Dominant Position.

Q.2 Answer the following (Each of three mark) (15)

1. Explain Cartel.
2. Explain Bid Ragging.
3. Explain Predatory Price.
4. Explain Anti Competitive Agreement.
5. Explain Combination.

Q.3 A). What is abuse of dominant position? What is the procedure for inquiry into abuse of dominant position? (08)

OR

A) Discuss the salient features of Competition Act 2002? Explain in detail.

B) What is the role of Indian Competition Commission in regulating unfair competition ? (07)

OR

Discuss the Legal and Procedural Aspects of Mergers as per Companies Act, 2013.

Q.4 A) Discuss Cement Companies Cartelization case. (07)

B) Answer the following (Any FOUR) (Each of two mark) (08)

1. Is there any interface between the merger control regime under the Competition Law and Companies Act in India?
2. What is Corporate Restructuring?
3. What is Takeover Code?
4. Explain Amalgamation.
5. Explain types of merger.
6. What do you mean by the term 'Compromises' and 'Arrangement'?