

AR19

Code: 19MBA1007

SET-I

**ADITYA INSTITUTE OF TECHNOLOGY AND MANAGEMENT, TEKKALI
(AUTONOMOUS)**

I MBA I Semester Regular Examinations, December-2019

LEGAL ENVIRONMENT OF BUSINESS AND INDIAN ETHOS

Time: 3 Hrs

Max. Marks: 60

**Answer any Five questions
All questions carry EQUAL marks
Question No. 8 is Compulsory**

- | | | | |
|----|----|---|----|
| 1. | a) | What do you understand by 'Acceptance?' Discuss the provisions of the Contract Act regarding 'Acceptance.' | 6M |
| | b) | All contracts are agreements, but all agreements are not contracts,' Discuss this statement and explain the essential of a valid contract | 6M |
| 2. | a) | What is a cheque? How it differs from a promissory note? | 6M |
| | b) | Distinguish between a sale and a hire purchase agreement. | 6M |
| 3. | a) | Define a contract of indemnity. Distinguish between a contract of guarantee and indemnity. | 6M |
| | b) | What are the different ways of terminating an agency? | 6M |
| 4. | a) | Elaborate with examples some principles followed by ethical companies in India | 6M |
| | b) | What is the difference between Indian and western ways of management | 6M |
| 5. | a) | What is the importance of value system at work | 6M |
| | b) | What is the impact of values on various stake holders? | 6M |
| 6. | a) | Elaborate on the importance of meditation | 6M |
| | b) | Critically examine Gurukul as a mode of learning | 6M |
| 7. | a) | Define 'Consideration.' Explain the rules regarding 'consideration.' | 6M |
| | b) | What is a negotiable instrument? Explain its special characteristics. | 6M |

Duplicating software for friends, co-workers or even for business has become a widespread practice. All software programs are protected by copyright laws and duplicating them is an offense. How, then, has making illegal copies become such a common and accepted practice in people's homes and places of work? Part of the answer revolves around the issue that software isn't like some other intellectual property. Intellectual property is that which is developed by someone and is attributable directly to the thinking process. Software is different from a book in that anyone can easily copy it and an exact replication is achievable. Another reason is related to cultural differences. People don't see copy as stealing. People don't find anything wrong in making a video copy of a hit feature film and selling it or hiring out. People defend their behaviour by saying: 'Everybody does it! I won't get caught! Or no one really loses!' The same issue of copyright is involved in the famous Napster case in America. Napster is an online service that allows computer users to share high-quality digital copies (MP3s) of music recordings via the internet. The San Mateo-based company doesn't actually store the recordings on its own computers, but instead provides an index of all the songs available on the computers of members currently logged on to the service. Napster, therefore, functions as a sort of clearing house that members can log on to, search by artist or song title, and identify where songs of their interest are so and download them from another user's hard drive. Napster has become one of the most popular sites on the internet, claiming some 15 million users in little more than a year. Indeed, so many students were downloading songs from Napster, that many universities were forced to block the site from their systems in order to regain bandwidth. Napster's service has been almost as controversial as it has been popular. Barely a year after its launch, it was sued by the Recording Industry Association of America (RIAA), which represents major recording companies such as Universal Music, BMG, Sony Music, Warner Music Group, and EMI. The RIAA claimed by allowing users to swap music recordings for free, Napster's service violated copyright laws. It also sought an injunction to stop the downloading of copyrighted songs owned by its members as well as damages for lost revenue. It argued that song swapping via Napster and similar firms has cost the music industry more than \$300 million in lost sales. A few months after the RIAA lawsuit was filed, Metallica, a heavy metal band, and rap star Dr.Dre filed separate lawsuits accusing Napster of copyright infringement and racketeering. Lars Ulrich, Metallica's drummer, told a senate committee that Napster users are basically stealing from the band every time they download one of its songs. The 1998 Digital Millennium Copyright Act (DMCA) grants immunity to Internet Service Providers for the actions of their customers. Napster attorneys argued that the company has broad protection from copyright claims because it functions like a search engine rather than having direct involvement with music swapping. However, according to the legal community, 'Napster does not take the legal steps required of search engines in dealing with copyright violations.' Despite its claim, Napster was found guilty of direct infringement of the RIAA's musical recordings. To date, the service has not been shut down, because doing so could violate the rights of artists who have given Napster permission to trade their music. However, the company was required to block all songs on a list of 5,000 provided by the RIAA.

Questions

1. Do you believe that there is nothing wrong in copying software, music or a video film?
2. Based on the facts of the Napster case, who do you think should have control over intellectual property- the artists or distributors of their work? Copying of software, music and films is very common in India. Is it due to our socioeconomic factor? Discuss.

Time: 3 Hrs

Max. Marks: 60

**Answer Five questions
All questions carry EQUAL marks
Question No. 8 is Compulsory**

1. Explain the model of OB
2. Define personality. Explain Psychoanalytical theory of personality.
3. What is motivation? Explain Herzberg's motivation – Hygiene theory
4. Define learning. Explain Cognitive theory of learning.
5. What are causes of stress? Explain various individual conflicts.
6. What is emotional intelligence? Explain well being and its implications
7. Explain various effects of stress. How do you handle intra individual conflict
8. **CASE STUDY:**

Mr Rajan is the sales manager of Ben and Jerry Co Ltd. He has 25 employees in his department and all are paid commission for the sales in their territories. For the past three years, the market for the consumers goods has been steadily growing and the majority of Rajan staff have meet their growth and increased sales. However, one employee in particular, Ramanathan has not kept with the race.

Ramanathan has been with the company for over 20 years and is now 56 years old. He is a friendly man and is well liked by his peers and those to whom he sells the company products on regular basis. The company has always considered him dependable and loyal. Through the years, he has been counted as an asset to the company but at the age of 56 he has gone into a state of semi retirement. His sales have not increased as the others have and he does not have the determination to acquire a significant increase in sales.

Rajan wishes to change the situation. He wants to motivate Ramanathan into increasing his sales to match that of his younger peers. To accomplish this Ramanathan must begin to do more than just in his time, but Rajan is not sure how to go about trying to motive him.

- i) If you were Rajan, what would you do?
- ii) Would you offer him better retirement benefits rather than motivating him to increase his sales?
- iii) Would you rather change his job or position?