

NLUJAA

National Law University and Judicial Academy, Assam
B.A.,LL.B.(Hons.): V-Year, X-Semester (Academic Year: 2017-18)

Mid Semester Examination (March - April, 2018)

Subject Code: 10.1 Law Relating to Child and Woman

Time: **1:30 Hrs.**

Total Marks: **30**

INSTRUCTIONS:

1. Read the questions carefully and answer.
 2. Unnecessary queries on the Question Paper shall not be entertained.
 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer any three questions from the following. All questions carry equal marks.

1. Discuss the provisions relating to right of children to education in the context of the following: (3+3+4=10)
 - a) The Constitution of India, 1950
 - b) International Covenant on Economic, Social and Cultural Rights, 1966
 - c) United Nations Convention on the Rights of the Child, 1989.
2. "United Nations Convention on the Rights of the Child, 1989 obligates the State Parties to assure that children have the right to participate in matters concerning them".- Discuss. Explain briefly provision relating to rights of children under the International Covenant on Civil and Political Rights, 1966. (6+4=10)
3. Analyze the international legal instruments pertaining to the inter-country adoption of children. (10)
4. Examine the international legal framework applicable to the protection of children in armed conflict in the light of the international human rights law and international humanitarian law. (10)

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B.A.,LL.B.(Hons.): V-Year, X-Semester (Academic Year: 2017-18)

Mid Semester Examination (March - April, 2018)

Subject Code: 10.2 International Trade Law

Time: **1:30 Hrs.**

Total Marks: **30**

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any three questions from the following. All questions carry equal marks.

1. Rodrick, "Since the early 1980s, developing countries have flocked to free trade as if it were the Holy Grail of economic development. Together with the historic transformation and opening of the Eastern European economies, these developments represent a genuine revolution in policymaking." In the light of the above statement, describe the factors which are responsible for the emergence of a global trade policy.
2. What are the basic principles of which determine the framing of regulations and policies in the realm of international trade law?
3. The economic approach of the study of international trade law is that economists have focused on explaining trade flows- Support the above statement with the help of any two economic theories which help in understanding the flow of goods from one country to another.
4. Write short notes on any two of the following:
 - (a) Trade barriers
 - (b) Theories of trade policy preference
 - (c) Definition of international trade law

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B.A.,LL.B.(Hons.): V-Year, X-Semester (Academic Year: 2017-18)

Mid Semester Examination (March - April, 2018)

**Subject Code: 10.3 Professional Legal Ethics, Accountancy and
Bench Bar Relations**

Time: 1:30 Hrs.

Total Marks: 30

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any three questions from the following. All questions carry equal marks.

1. *"The alternative to the reign of law is the chaos of the jungle....conceive the situation of a judge set to try causes and administered legal rights between party and party without the aid of professional advocates."*

In the light of the above statement explain in brief the necessity for a code of legal ethics and the 'Seven Lamps of Advocacy.' (10 marks)

2. Describe the role of Information and Communication Technology in enhancing the importance of Legal Profession in India. (10 marks)

3. Discuss any **one** of the following:

(i) King's Courts and Company's Courts.

(ii) Recommendations of the Justice S.R. Das Committee Report, 1951.

(10 marks)

4. *The arms which an advocate wields he ought to use as a warrior, not as an assassin. He ought to uphold the interests of his clients per fas and not per nefas. He ought to know how to reconcile the interests of his client with the eternal interests of truth and justice."*- Sir Alexander J. E. Cockburn.

Discuss in detail the duties of an Advocate towards his client.

(10 marks)

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B.A.,LL.B.(Hons.): V-Year, X-Semester (Academic Year: 2017-18)

Mid Semester Examination (March - April, 2018)

Subject Code: 10.4/5 (IP.4) International Intellectual Property Law

Time: 1:30 Hrs.

Total Marks: 30

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. Unnecessary queries on the Question Paper shall not be entertained.
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Answer any three questions from the following. All questions carry equal marks.

Answers should be precise, supported by the relevant provisions and appropriate decisions. If the answer to a particular question depends on additional facts or foundations not provided, candidates must describe how they are related. Credit will be given for the reasoning for the decision than the decision itself.

1. "An infringement action is a statutory remedy while passing off action is a common law remedy". Comment on the above statement with help of case laws and draw the distinction between "passing off" action and "Infringement action". What is "Well Know" trade mark? State the additional protection available to a well-known trade mark in relation to registration is Section 11 and Infringement in Section 29(4) of the Indian Trademark Act, 1999. How a trade mark is determined to be "well-known trade mark" under section 11?
2. Explain the ground for refusal of registration of Trademarks on the basis of dilution of well-known marks.
3. Dixit of Mysore has been running a small scale industry since 1990 weaving silk clothes including sarees. KSIC, a government of Karnataka undertaking has obtained registration for the "Mysore Silk" as a geographical indication in 2006. In 2007, Dixit intends to file an application for registration of trademark "Mysore silk" for the sarees produced in his industry. He approaches you for advice. Advise him.
4. Short Note on (any two):
 - a) Tragedy of Commons Theory
 - b) Labour Theory
 - c) Trademark Rules 2017

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B.A.,LL.B.(Hons.): V-Year, X-Semester (Academic Year: 2017-18)

Mid Semester Examination (March - April, 2018)

**Subject Code: 10.4/.5 (CR.4) Juvenile Justice Law, Child Protection Laws
and Law Relating to Mental Health**

Time: **1:30 Hrs.**

Total Marks: **30**

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any three questions from the following. All questions carry equal marks.

1. Elaborate the historical evolution of Juvenile Justice Law in India with relevant sectoral laws.
2. In recent development in India and abroad the involvement of children in brutal criminal activities involving rape, murder, shooting spree etc., has become more prominent and rampant. Thus, keeping in view the intensity and the nature of crime do you think that the concept of *militia supplet aetattem* i.e. malice supply the age, should be applicable to juvenile delinquents in India? Support your answer on the basis of relevant national and international convention, treaties, statutes and on the basis of judicial opinions.
3. Discuss in detail the contribution of the European and the USA in the evolution of the concept of juvenile justice during the "Enlightenment Period" and in the early 20th Century.
4. Explain the importance of defining juvenile, child and minor in the study and understanding of juvenile justice. Support your answer on the basis of relevant national and international convention, treaties, statutes and on the basis of judicial opinions.

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B.A.,LL.B.(Hons.): V-Year, X-Semester (Academic Year: 2017-18)

Mid Semester Examination (March - April, 2018)

**Subject Code: 10.4/5 (BL.4) Investment Management Laws and
Corporate Social Responsibility**

Time: **1:30 Hrs.**

Total Marks: **30**

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any three questions from the following. All questions carry equal marks.

1. What do you mean by Investment? What are the major elements that an Investor should check before making investments? 3+7=10
2. What are the Prime objectives of Securities Exchange Board of India? Discuss the various Powers and Functions of Securities Exchange Board of India. 3+7=10
3. Discuss the various Avenues of Investment? Why do people prefer making investments in Securities Market over other Avenues? 7+3=10
4. What do you mean by Insider Trading? Discuss the Regulatory framework of Insider Trading in India. 5+5=10

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B.A.,LL.B.(Hons.): V-Year, X-Semester (Academic Year: 2017-18)

Mid Semester Examination (March - April, 2018)

Subject Code: 10.4/5 (CN.4) Comparative Constitutional Law

Time: 1:30 Hrs.

Total Marks: 30

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any three questions from the following. All questions carry equal marks.

1. Constitution is the fundamental / grundnorm of the legal system of a country. Discuss the different factors that establish the nature of the Constitution as higher law and point out the significance of the study of Comparative Constitutional Law.

(10)

2. A unitary state is one organized under a single central government. On the other hand, 'a federal state is a political contrivance intended to reconcile national unity and power with the maintenance of "state rights". Discuss the merit and demerit of the two polities.

(10)

Or

"The traditional federation formed on the basis of co-ordination and independence of the national and state government has been sufficiently watered-down preferring the idea of co-operative federalism".

Present critical but comparative position in the United States of America and India.

(10)

3. Equality Requires the Equal Treatment of all without any discrimination on colour (race) or caste. But in inherently unequal and graded society with a view to bridge the gap between inequality in results and equality in fact, some affirmative actions are needed for the purpose of making people, who are factually unequal, equal in specific areas.

Elaborate the above observation justifying the comment that both in U.S and India Constitutions are both colour / caste blind and colour / caste conscious.

(10)

4. (a) Discuss the main objectives behind the principle of separation of powers. Give comparative assessment of the countries adopting tripartite separation of powers and

separation of powers watered down by the fusion of powers.

(5)

(b) Explaining secularism give the comparative account of secularism vis-a-vis religion in some of the countries and also point out the role of Constitutionalisation and Judicialisation in diluting the rigour of religion and giving it more acceptable secularized interpretation.

(5)

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Mid Semester Examination (March - April, 2018)

Subject Code: 10.4/5 (IL.4) Law of the Sea

Time: 1:30 Hrs.

Total Marks: 30

INSTRUCTIONS:

1. Read the questions carefully and answer.
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 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer any three questions from the following. All questions carry equal marks.

1. Elucidate the rules of delimitation in International Law of Sea with a particular reference of UNCLOS.
2. Discuss the rights of Land –locked and Geographically Disadvantaged States over the Exclusive Economic Zone with a specific mention of the provisions under UNCLOS III.
3. *Anglo – Norwegian Fisheries Case*- is a landmark in the development international law of the sea. Discuss the case in the reference of measuring baseline on the sea waters.
4. Explain any two of the following concepts –
 - (a) Rhodesian Sea Law.
 - (b) Open Sea V. Closed Sea.
 - (c) Hague Codification Conference 1930.

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Subject Code: 10.4/5 (HR.4) Human Rights and Globalization

Time: **1:30 Hrs.**

Total Marks: **30**

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. Unnecessary queries on the Question Paper shall not be entertained.
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Answer any three questions from the following. All questions carry equal marks.

1. Although globalization is generally associated with the growing transnational economic relations, there are various other dimensions of globalization. Discuss in brief the dimensions of globalization and give a detailed description of the cultural dimension of globalization.
(4+6)
2. Discuss the international and national instruments imposing human rights obligations on business enterprises, particularly in terms of corporate social responsibility.
(10)
3. Discuss in details the impact of globalization on the rights of women and describe the national enforcement mechanism in India concerned about the promotion and protection of rights of women.
(10)
4. "The proponents of globalization maintain that globalization is good for the promotion and protection of human rights while the opponents of globalization maintain that it creates hurdles for the realization of human rights."

Elaborate on the relationship between globalization and human rights in the light of the above stated views advanced by Dinah Shelton.

(10)
