

**NLUJAA**

National Law University and Judicial Academy, Assam

B.A., LL.B. (Hons.): V-Year, IX-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.1 Cyber 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.
  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. "Computers and Internet in today's context has become an integral part of mankind" Briefly describe the present position along with the impact of computers and Internet on the society. Whether cyber law has been able to deal with the various offences committed in cyberspace? 6+4=10 Marks
2. Explain the concept of SAAS (Software-as-a-service) and how far it has been able to develop as a medium of economic gain. Briefly discuss the taxation policy of SAAS in Indian Context. 6+4=10 Marks
3. What is Cyber Crime? Explain briefly the various types of cybercrimes recognized under the I.T Act, 2000. 4+6=10 Marks
4. What is online reputation management? Briefly describe the various legal strategies and processes for handling reputational Crises? 4+6=10 Marks

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B.A., LL.B. (Hons.): V-Year, IX-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.2 Law of Equity, Trusts, Suit Valuation and Registration**

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. "A trust is the binding of conscience of the one to the intention of the another" – Becan.  
Elucidate the above statement. How is a trust created?  
5+5=10 Marks
2. Write a brief note on the duties and liabilities of a trustee.  
5+5=10 Marks
3. Critically explain the relation between Equity and Common Law. Explain the nature of equitable rights.  
5+5=10 Marks
4. Explain the maxims "Equity will not suffer a wrong to be without a remedy" and "Equity follows the law".  
5+5=10 Marks

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B.A., LL.B. (Hons.): V-Year, IX-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.4/5 (CN.3) Service Laws**

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. Explain the 'Doctrine of Pleasure'. Give a brief account of how doctrine of pleasure exists under the Indian Constitution.
2. Define 'civil servant'. What are the constitutional safeguards available to a civil servant in India against dismissal, removal or reduction in rank of services? Are these rights also available to an employee of a public corporation?
3. Describe in brief the facts and the principles of law laid down in *Union of India v. Tulsiram Patel*, AIR 1985 SC 1416.
4. Write short notes on any **two** of the following:
  - (a) The Concept of 'Reasonable Opportunity'
  - (b) Compulsory Retirement
  - (c) Maintenance of Essential Services

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B.A., LL.B. (Hons.): V-Year, IX-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.4/.5 (HR.3) International Humanitarian Law and  
Refugee 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.
  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. "The laws of armed conflicts were founded in ancient India on the principle of humanity... Humanitarian considerations are also a powerful motivating force behind the codification of modern international humanitarian."- In the light of the above statement examine the relationship between Hinduism and war and the extent to which the fundamental concepts of humanitarian law are recognized in Hinduism.  

10 Marks
2. Discuss the contribution of Henry Dunant towards the development of the international humanitarian law leading to the adoption of the initial Geneva Convention 1864 which had laid down the legal groundwork for the activities of army medical units on the battlefield.  

10 Marks
3. "Prisoners of War shall at all times be treated humanely" – in the context of the above statement explain the provisions of the Third Geneva Convention of 12<sup>th</sup> August 1949 which deals extensively with the plight of those taken captive in war.  

10 Marks
4. "The greatest achievement of the 1949 Diplomatic Conference was the Fourth Geneva Convention of 12<sup>th</sup> August 1949 which states that persons who fall into the hands of the enemy are protected under international law. Additional Protocol I contains provisions supplementing this protection."- Discuss. Explain briefly the special rules stipulated under the Fourth Geneva Convention of 12<sup>th</sup> August 1949 applicable to aliens on the territory of a party to the conflict.  

7+3=10 Marks

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B.A., LL.B. (Hons.): V-Year, IX-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.4/5 (BL.3) International Commercial Laws and Arbitration**

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. "Arbitrability is one of the issues where the contractual and jurisdictional facets of international commercial arbitration meet head on." Discuss what types of issues can and cannot be submitted to arbitration with help of case laws.
2. The Doctrine of privity of contract says that only parties to contract can claim or be claimed in case of breach of contract. Applying the same doctrine in arbitration, only parties to an arbitration agreement can be bound to arbitrate. Can there be any deviation from this cardinal legal principle in case of arbitration? If yes support your answer with relevant doctrines, principles and case laws.
3. The Indian Arbitration Act has been made seat-centric, the amendment act clarifies that Part I of Indian Arbitration and Conciliation Act, 1996 will not to be applicable to foreign seated arbitration except few standalone provisions. Discuss the present scenario of applicability of Part I of Indian Arbitration and Conciliation Act 1996.
4. Write explanatory note on the following:
  - Term "**International**" in International Commercial Arbitration
  - Term "**Commercial**" in International Commercial Arbitration

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National Law University and Judicial Academy, Assam  
B.A., LL.B. (Hons.): V-Year, IX-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.4/.5 (CR.3) Cyber Crimes and Information  
Technology Laws**

**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. Elaborate the convergent and divergent point of traditional and non-traditional crimes because of the explosion and easy access to internet or the internet of things.
2. Define cyber-crime and also elaborate how digital device(s) can be used as tool to carry out cyber related crimes. Support your answer with relevant typologies of cyber-crimes and examples.
3. Write an essay on "The Menace of Mob Lynching and Social Media" from the perspective of cyber- crime.
4. Write notes on:
  - (i) Denial of Service.
  - (ii) Logic Bombs.

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National Law University and Judicial Academy, Assam  
B.A., LL.B. (Hons.): V-Year, IX-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.4/5 (IL.3) Settlement of International Disputes**

Time: 1:30 Hrs.

Total Marks: 30

**INSTRUCTIONS:**

1. Read the questions carefully and answer.
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**Answer three questions. It is compulsory to answer the first question. All questions carry equal marks.**

1. Judicial settlement involves the reference of disputes to permanent tribunals for a legally binding decision. The International Court of Justice is an embodiment of the same, but its jurisdiction is primarily based on the consent of the states. In the light of the same, discuss in detail the different methods by which States can invoke the jurisdiction of the International Court of Justice while citing appropriate provisions from relevant international instruments for the same. Further, discuss the grounds of exercise of jurisdiction by the International Court of Justice in two contentious cases.

6+4=10 Marks

2. Inquiry is a specific institutional arrangement which States may select in order to get some disputed issue to be independently investigated. Discuss in detail the inquiries conducted under the procedures established by the 1899 Hague Convention for the Pacific Settlement of International Disputes and 1907 Hague Convention for the Pacific Settlement of International Disputes respectively.

10 Marks

3. Negotiation is the oldest, simplest and most flexible of the diplomatic means of settlement of international disputes. Discuss the different forms of negotiations in details and briefly describe the limitations of negotiation.

6+4=10 Marks

4. Write short notes on:
  - a. Conciliation under the United Nations regime
  - b. Mediation

5+5=10 Marks

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B.A., LL.B. (Hons.): V-Year, IX-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.4/5 (IP.3) Law Relating to Copyright, Trade Secrets and Confidential Information**

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. Briefly discuss the historical background of the development of the concept of Copyright. Explain the meaning of Copyright and Infringement of Copyright under the Copyrights Act, 1957. 4+6=10 Marks
2. Explain the Indian Perspective of the Doctrine of Fair Dealing under Copyright law with the help of decided cases? 10 Marks
3. Briefly discuss the powers and functions of Copyright Board as enumerated under the Copyright Act, 1957. What change has been made by the Finance Act, 2017 with regard to Copyright Board? 5+5=10 Marks
4. Write Short notes on (any two): 5+5=10 Marks
  - a. Idea-Expression dichotomy
  - b. Doctrine of sweat of the brow
  - c. Modicum of creativity

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B.A., LL.B. (Hons.): IV-Year, VII-Semester (Academic Year: 2019-20)

**Mid Semester Examination (September - October, 2019)**

**Subject Code: 9.4/.5 (EL.3) Climate Change, Environmental Pollution and  
Waste Management Laws**

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. What are the ways and means of financial resources under United Nations Convention on Biological Diversity (UNCBD) for measures directed towards solving major biodiversity related crisis of global concern and how far these ways and means are supporting developing countries and least developed countries, so as to enable them to take effective and appropriate action to ensure the implementation of the said international legal instrument?  

10 Marks
2. Discuss the following in the context of Convention of Biological Diversity:  

5+5=10 Marks

  - (a) Legal Duties to Conserve and Sustainably Use Biological Resources
  - (b) Legal Duties to Equitably Share the Benefits of Biodiversity
3. How far the Nagoya Protocol on Access and Benefit Sharing of Genetic Resources ensures green developmentalism through the application of market based instruments for the achievement of a fair and equitable sharing of benefits arising out of commercial utilization of genetic resources? Critically appraise.  

10 Marks
4. Discuss the following in the context of Cartagena Protocol on Biosafety:  

5+5=10 Marks

  - (a) Advance Informed Agreement Procedure
  - (b) Risk Management and Risk Assessment

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