

**NLUJAA**  
National Law University and Judicial Academy, Assam  
B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)  
**Semester End Examination (December, 2017)**  
**Subject Code: 7.1 Law of Evidence**

Time: **2:30 Hrs.**

Total Marks: **70**

**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.
- 

**Answer any five questions from the following. All questions carry equal marks.**

1. What do you mean by primary evidence? How it is different from secondary evidence? Under what circumstances secondary evidence can be given?
2. Swastik, an accused of an offence of murder stated before a police officer that, "The knife by which I killed Abishek has been hidden by me in the field, which I can show" On this information the police officer discovers the said knife from the field, on which human blood is detected. Is the statement given by the accused admissible in evidence? Whether any part of such statement is admissible in evidence? Give reasons supporting your answer with relevant provisions and case laws.
3. Discuss the essential conditions for the applicability of Section 115 of the Evidence Act? What are the exceptions to the Doctrine of Estoppel?
4. What do you understand by Burden of Proof? On whom does it lie and under what circumstances? Discuss the key provisions of Indian Evidence Act alongwith relevant case laws vis-à-vis the same.
5. What do you understand by the terms: Examination-in-Chief, Cross-Examination and Re-Examination? Discuss their scopes, objectives and differences.
6. What is the importance of expert opinion in a case? What is the distinction between an expert and ordinary witness? Whether any expert opinion has some value in eyes of a court of law to decide a case?

\*\*\*\*\*



## NLUJAA

National Law University and Judicial Academy, Assam

B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)

**Semester End Examination (December, 2017)**

**Subject Code: 7.2 Conflict of Laws**

Time: **2:30 Hrs.**

Total Marks: **70**

### 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.

---

**Answer any five questions from the following. All questions carry equal marks.**

1. "The challenges for settling of matters between persons involving foreign elements is the classification or characterisation of the legal issues, conceptualisation and institutionalisation of the *lex fori* and *lex causae* and the related antecedents of the related conflict of laws".

In the light of the given statement discuss in detail with help of relevant illustrations and on decided cases the challenges of defining the classification of legal issues in the context of study of Private International Law.

2. Discuss in detail the principles of Proper Law of Contract under Private International Law. Support your answer on the basis of relevant laws and on decided cases.
3. Elaborate the relevant concepts and principles of *lex situs* vis-à-vis eminent domain in dealing with immovable property under Private International Law. Support your answer on the basis of relevant laws and on decided cases.
4. "Domicile is an idea of law which diverges from the notion of permanent home..."-Dicey. In the light of the given statement critically discuss the legal intricacies in determining domicile of woman under Private International Law. Support your answer on the basis of relevant laws and on decided cases.
5. "The study of marriage and divorce under Private International Law is an ever evolving concept in an era of globalisation".  
Critically examine the given statement and comment on the contemporary study of Private International Law in the areas of marriage and divorce laws.
6. Write notes on:
  - a) Enforcement of foreign judgment.
  - b) Domicile of illegitimate child.



**NLUJAA**

National Law University and Judicial Academy, Assam

B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)

**Semester End Examination (December, 2017)**

**Subject Code: 7.3 Drafting, Pleading and Conveyancing**

Time: **2:30 Hrs.**

Total Marks: **70**

**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.
- 

**Question No. 1 & 2 are compulsory. Answer five questions from the following. All questions carry equal marks.**

1. Mr. Bajaj, entered into an agreement with Mr. Das, for purchasing an open plot of land situated in Ulubari, Guwahati for a sum of Rs. 10,00,000/- (Ten Lakhs only). A part of the purchase money was paid by Mr. Bajaj to Mr. Das as earnest money. But Mr. Das refused and failed to complete the sale of the said plot of land. Mr. Bajaj files a suit for specific performance. Draft the petition for Mr. Bajaj as you are his lawyer.
2. Mr. Bora is the absolute owner of a house in Beltola, Guwahati and he wants to sell it to Mr. Chatterjee for Rs. 50, 00,000/- (Fifty lakhs only). Draft a Deed of Sale and state the component parts of a deed in the said deed.
3. Ms. Sunaina purchased furnishings for her house from Mr.Yashwant's shop and issued a cheque for an amount of Rs 50,000/-(Rupees Fifty Thousand) only for payment of the same. Mr. Yashwant deposited the cheque in the State Bank of India, Panbazaar but it was returned unpaid on account of insufficiency of funds. On behalf of your client, draft a Notice for dishonour of the said cheque.
4. Manjula lodged an FIR against her husband Kamlesh in the Dispur Police Station under Section 498-A of *The Indian Penal Code*, 1860 which is a cognizable and non bailable offence. The police visited Kamlesh's house looking for him in connection with the said FIR. Kamlesh contacted his lawyer who advised him to file an Anticipatory bail application in the District and Sessions Court at Kamrup in Guwahati. Draft the Anticipatory Bail application for Kamlesh.
5. Mr. Sharma filed a petition for divorce against his wife on the grounds of cruelty and desertion by his wife for a continuous period of four years. Draft a petition for divorce under section 13 of the Hindu Marriage Act, 1955 on behalf of Mr. Sharma.

6. On 22/08/2017 Anil was called to the Chandmari Police Station by the Officer-in-Charge for some clarification regarding his passport verification. After Anil reached the police station he was put in the police lockup without being told the reasons for his arrest whatsoever. The next day the police sent him to Guwahati jail, where he is confined till date. Anil's family and friends have made all possible efforts to find out the cause and reason for Anil's detention but to no avail. Since Anil has been illegally detained what is the legal remedy in his case. State and explain with suitable illustrations the different types of Writs that can be filed.

\*\*\*\*\*

**NLUJAA**

National Law University and Judicial Academy, Assam

B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)

**Semester End Examination (December, 2017)**

**Subject Code: 7.4/.5 (BL.1) International Business Transactions**

Time: **2:30 Hrs.**

Total Marks: **70**

**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.
- 

**Answer any five questions from the following. All questions carry equal marks.**

1. What is the regulatory framework in relation to Foreign Direct Investment in India?  
What are the eligible entities for investing in India?
2. What do you mean by Corporate Finance? What are the modes of generating corporate finance in India?
3. What are the key changes in the consolidated FDI Policy 2017? What are the pros and cons of the policy in relation to Indian Economic set up?
4. What are the issues and prospects of e-Commerce applications? What is the scope of e-tailing in the Indian economy?
5. What is the importance of risk management and analysis of market forces in carrying out International Business transactions?
6. Write Short notes on any two of the following:
  - (a) Sources of International Business Transactions
  - (b) Principles governing international business.
  - (c) Foreign Investment Promotion Board (FIPB)

\*\*\*\*\*





## NLUJAA

National Law University and Judicial Academy, Assam

B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)

**Semester End Examination (December, 2017)**

**Subject Code: 7.4/.5 (CN.1) Federalism and Centre State Relations**

Time: **2:30 Hrs.**

Total Marks: **70**

### 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.
- 

**Answer any five questions from the following. All questions carry equal marks.**

1. "Federalism has changing dimensions. It started its journey from coordination and independence between nation and the states, adopted co-operative federalism in the course of the time and now it has to take refuge in executive federalism."

Critically examine the above statement in the light of federalism experienced by federal polities.

2. What are the special features of asymmetrical federalism? Elaborate your answer in light of special status conceded to the state of Jammu and Kashmir and special provisions made for some other states in India.
3. It is well settled that the validity of an Act is not affected if it incidentally trenches on matters outside the authorized field, and therefore, it is necessary to enquire in each case what is the pith and substance of the Act impugned. If the Act so viewed, substantially falls within the power expressly conferred upon the legislature which enacted it then it cannot be held to be invalid merely because it incidentally encroaches on matters which have been assigned to another legislature."

Critically examine above observation with help of decided cases.

4. How the provisions under the Indian Constitution regulating trade, commerce and intercourse throughout the territory of India have made improvement upon the like provisions of other federations?

In light of the latest nine-judge bench decision of the Supreme Court on the point discuss the constitutionality of the imposition of tax simpliciter by a state legislature.

5. Framers of the Indian Constitution intended the power of the President to declare the failure of the constitutional machinery in a state to be exercised with great caution and

sparingly. It was to be treated as a dead letter. For a longer period of the Constitution in action it has been converted into a deadly weapon. A ray of hope has emerged from judicial assertion of reviewability of the exercise of Presidential power under Article 356 of the Constitution. How Judiciary has revitalized the original intentment?

Discuss the above statement in the light of S.R. Bommai v. Union of India and other subsequent decisions of the Supreme Court of India on the point.

6. Write critical short notes on any two of the following:

- (i) Maintenance of internal security / law and order in States and the issue of the deployment of national militia / central forces in the states.
- (ii) Amending process under federal systems.
- (iii) Role of Judiciary as a balance-wheel of a federal polity.

Or

Resort of residuary powers as a last refuge.

\*\*\*\*\*

**NLUJAA**

National Law University and Judicial Academy, Assam

B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)

**Semester End Examination (December, 2017)**

**Subject Code: 7.4/.5 (CR.1) Socio-Economic Offences and  
Transnational Organized Crimes**

Time: **2:30 Hrs.**

Total Marks: **70**

**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.
- 

**Answer any five questions from the following. All questions carry equal marks.**

1. Discuss succinctly the various stages of crime with the help of case laws wherever necessary.
2. What is theft? Discuss the ingredients of theft with the help of appropriate provisions and illustrations.
3. A is a door-to-door salesperson. One day, A went to a house in the course of her daily sales rounds, and found that B, a six-year-old child, was alone at home. A offered B a chocolate, and told her that she would take B to an amusement park for the day. B believed A, and A took B out of the house. Later, A is prosecuted for kidnapping. Is A guilty? Discuss with the help of appropriate provisions.
4. What is the difference between Child in Conflict with Law and Child in need of Care and Protection? Also discuss the procedure in relation to Child in need of care and Protection under the JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015.
5. "Provocation is an act or series of acts done by one person to another which could cause in a reasonable person and actually causes in another a sudden and temporary loss of self-control, rendering him so subject to passion as to make him for the moment not master of conduct". In the light of the statement discuss the essentials of Grave and Sudden provocation with the help of decided case laws to make it an exception to murder.
6. What do you mean by Organized Crime? Discuss various kinds of Organized Crimes in India.

\*\*\*\*\*



**NLUJAA**

National Law University and Judicial Academy, Assam

B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)

**Semester End Examination (December, 2017)**

**Subject Code: 7.4/.5 (IP.1) Law Relating to Trade Marks and  
Geographical Indications**

**Time: 2:30 Hrs.**

**Total Marks: 70**

**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.
- 

**Answer any five questions from the following. All questions carry equal marks.**

1. One famous temple in South India succeeds in getting geographical indication registration on a food item used as temple "Prasad" or offerings which is made and sold in the temple to the devotees. This item is well known and enjoys vast reputation and named after the place where the said temple is situated. The same item (Prasad) is sold by many vendors and hawkers outside the temple also. Explain the meaning of Geographical Indication. Will this constitutes an act of unfair competition including passing off in respect of registered Geographical Indication? Decide by citing actual cases.
2. Describe the procedure and process of filing Geographical Indication registration application and opposition under the Geographical Indications of Goods (Registration and Protection) Act, 1999.
3. What are the similarity and difference between the Trademark and Geographical Indication? State the significance of GI for the traditional village industries.
4. Elaborate on the main difference between the absolute grounds and relative grounds for refusal of trademark registration. What would you recommend as the most suitable mark for trademark registration to your client?
5. Explain the concept of trademark dilution which is applicable in case of well-known trademarks. Cite the important judicial decisions on the point.
6. Write short notes on the following:
  - (a) Madrid Agreement and Protocol.
  - (b) Lisbon Agreement.

\*\*\*\*\*



**NLUJAA**

National Law University and Judicial Academy, Assam

B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)

**Semester End Examination (December, 2017)**

**Subject Code: 7.4/.5 (EL.1) Development of National Environmental Law  
and Policy in India**

Time: **2:30 Hrs.**

Total Marks: **70**

**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.
- 

**Answer any five questions from the following. All questions carry equal marks.**

1. What are the constitutional mandates to protect the wildlife in India? Discuss the constitution of National Board for Wildlife (NBWL), its functions and duties?
2. Critically discuss the legislative action and judicial attitude towards forest conservation in India.
3. Historically, the relationship between tribal communities in India and forests was characterized by co-existence and these communities were considered integral to the survival and sustainability of the ecological system. This symbiotic relationship was acknowledged and crystallised as customary rights over forest produce. But these rights were not recognised and recorded by the government while consolidating state forests during the colonial period as well as in independent India. Pen down a critical appraisal of forest right legislation of India alongwith its current overall status.
4. Discuss the detailed legislative procedure of Environment Impact Assessment.
5. India's coastline and its nearshore marine environment are increasingly being pressurised by multiple uses and exploitation interests. Describe the current status of India's law that regulates coastal use, development and protection.
6. Discuss the salient feature of Biological Diversity Act and emphasize on the administrative framework of the same.

\*\*\*\*\*





**NLUJAA**

National Law University and Judicial Academy, Assam

B.A.,LL.B.(Hons.): IV-Year, VII-Semester (Academic Year: 2017-18)

**Semester End Examination (December, 2017)**

**Subject Code: 7.4/5 (IL.1) General Principles of International Law**

Time: **2:30 Hrs.**

Total Marks: **70**

**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.

---

**Answer any five questions from the following. All questions carry equal marks.**

1. Discuss the trigger mechanisms to invoke the jurisdiction of the International Criminal Court as well as the grounds of admissibility of a complaint before the International Criminal Court with appropriate provisions of the Rome Statute. (9+5)
2. Elucidate the historical development of the concept of crimes against humanity from the Armenian massacre to the Rome Statute of the International Criminal Court. (14)
3. Despite being a core crime, the International Criminal Court remains unable to exercise jurisdiction over the crime of aggression. Discuss the reasons for this conundrum and the steps taken to mitigate the same in the light of the Kampala Review Conference of the Rome Statute. (7+7)
4. Mixed or hybrid tribunals are designed to overcome the shortcomings of purely international criminal tribunals, particularly UN ad-hoc tribunals. Elucidate the difference between hybrid tribunals and UN ad-hoc tribunals and briefly describe the hybrid tribunals of Cambodia and Sierra Leone. (5+4.5+4.5)
5. The provisions on victim participation in Rome Statute are not only progressive but also laudable. Explain the provisions relating to victim participation in the International Criminal Court as provided for in the Rome Statute, the Rules and Procedure of Evidence and Regulations of the International Criminal Court. (14)
6. Write short notes on the following: (7+7)
  - (a) Terrorism
  - (b) Torture

\*\*\*\*\*

7.4 BL1.