

**NLUA**  
**NATIONAL LAW UNIVERSITY, ASSAM**  
**B.A., LL.B. (Hons.): V-Year, IX-Semester: Academic Year: 2016-2017**  
**Mid-Semester Examination (September, 2016)**  
**9.1 : CYBER LAW**

**Time: 1:30 Hrs.**  
**Total Marks: 30**

**INSTRUCTIONS:**

1. Read the questions carefully and answer.
  2. No clarification shall be sought on the question paper.
  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 validity of E-Contracts in India with special reference to jurisprudence developed in US and UK.
2. Discuss the different tests conceived by the US courts in several jurisdiction in cyberspace related matters and explain how the same have been used by Indian courts in deciding on the issue of jurisdiction in cyberspace.
3. What is a domain name? Explain how the function of domain name is similar with trademark in the light of provisions of Trade Marks Act, 1999 and various judicial decisions.
4. Discuss the power and function of Adjudication Officer under the Information Technology Act, 2000

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**B.A.,LL.B.(Hons.): V-Year, IX-Semester: Academic Year: 2016-2017**  
**Mid Semester Examination (September, 2016)**  
**9.2: LAW OF EQUITY, TRUST, SUIT VALUATION & REGISTRATION**  
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. "Where no objection as to valuation of a suit or appeal for jurisdictional purposes is raised in the trial court, the defendant is precluded from raising such objection at the appellate stage." Elaborate the statement with reference to appropriate sections of law and case laws. **10 Marks**
2. (a) Is there any provision in The Court-fees Act 1870 for refund of Court-fee?  
Explain briefly.  
(b) What are *mesne profits*? State the procedure to be followed in suits for *mesne profits* or account when the amount decreed exceeds the amount claimed.  
(c) Explain in brief how the Court-fees is computed in the following suits according to The Court-fees Act 1870.
  - (i) In suits for maintenance and annuities.
  - (ii) In suits for movable property of no market value.
  - (iii) In suits to enforce the right of pre-emption.
  - (iv) In suits for specific performance of an award.
  - (v) In suits between landlord and tenant.**2+3+5=10 Marks**
3. (a) Discuss in brief the objectives and the reasons for the enactment of The Suits valuation Act, 1887.  
(b) What is meant by the term '*ad valorem*'? Section 8 of The Suits Valuation Act 1887 deals with "court-fee value and jurisdictional value to be the same in certain suits".  
Explain. **5+5=10 Marks**
4. (a) Mention any five documents specified in The Court-fees Act 1870 which are exempted from paying any Court-fees.  
(b) Write short notes on the followings:
  - (i) Relief where too high a Court-fee has been paid in an application for Probate or Letters of administration.
  - (ii) Relief where debts due from a deceased person have to be paid out of his estate.**5+5=10 Marks**



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B.A., LL.B. (Hons.): V-Year, IX-Semester : Academic Year 2016-2017  
**Mid Semester Examination (October, 2016)**  
**9.4 CR3 : CYBER CRIMES AND INFORMATION**  
**TECHNOLOGY LAWS**

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. 'In the administration of digital world, the computer system plays an important role'. In light of this statement define the computer system and differentiate between the Hardware and Software in a computer system to work.
2. A user who is having computer system linked with Internet can only communicate his information through electronic means. Discuss the modes of communications available to the user for transfer of information through Internet.
3. 'The phenomenal growth of the internet has provided new vista for computer crimes'. In light of this statement discuss elaborately the cybercrimes against property and the Society.
4. Write short note on the following:
  - (a) Cyber Stalking
  - (b) Private Key and Public Key

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**Mid Semester Examination (October- 2016)**  
**9.4 CN3 : SERVICE LAWS**

Time: **1:30 Hrs.**  
Total Marks: **30**

**INSTRUCTIONS:**

1. Read the questions carefully and answer.
  2. No clarification shall be sought on the question paper.
  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. Define “public servant”, “civil post”, “all India services” as per relevant laws. Who is authorized to make Rules on service matters under the Constitution?
2. Explain doctrine of pleasure. What are the exceptions to this doctrine? Is doctrine of pleasure violative of the fundamental rights of the public servants?
3. What do you mean by suspension and removal? What kind of constitutional protections are available to the public servants in India? Can a public servant approach the High Court directly against his dismissal?
4. Write short note on any two of the followings:
  - (a) Administrative tribunal
  - (b) *Vineet Narain & others v. UOI & Another* 1SCC 226 (1997)
  - (c) Union Public Service Commission

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**B.A., LL.B. (Hons.): V-Year, IX- Semester: Academic Year: 2016-17**

**Mid-Semester Examination (October- 2016)**

**9.4 CLIMATE CHANGE, ENVIRONMENTAL POLLUTION AND WASTE  
MANAGEMENT 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. Pen down a critical legal analysis of the 'Commitments' under Article 4 of the United Nations Framework Convention on Climate Change.
2. Briefly write down the role and responsibilities of the following:
  - (a) Subsidiary Body for Scientific and Technological Advice
  - (b) Subsidiary Body for Implementation
3. Articulate the pivotal roles of Conference of Parties under Article 7 of the United Nations Framework Convention on Climate Change.
4. What is Kyoto Protocol? What it seeks to achieve and what it means to the Developing Countries and what has been the performance of the parties to the Protocol, in terms of conforming to their commitments and what has become of the legal instrument in actual terms, now?

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**B.A., LL.B. (Hons.): V-Year, IX- Semester: Academic Year: 2016-2017**  
**Mid-Semester Examination (October, 2016)**  
**9.4 IL3 : SETTLEMENT OF INTERNATIONAL DISPUTES**

Time: 1:30 Hrs.  
Total Marks: 30

**INSTRUCTIONS:**

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**Answer any three questions. 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 details the different methods by which States can invoke the jurisdiction of the International Court of Justice.
2. Inquiry is a specific institutional arrangement which States may select in order to get some disputed issue to be independently investigated. Discuss in details 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.
3. Negotiation is the simplest method of settlement of disputes among States and one of the most popular as well. However, negotiation has a multitude of forms instead of a single one. Discuss in details the different forms of negotiation as a mechanism for peaceful settlement of disputes among States.
4. The preference of arbitration as a mechanism for settlement of disputes over others is owing to the fact that it gives flexibility to the parties in terms of choice of arbitral tribunal but rigidity in terms of the binding nature of the arbitral award. Discuss these essentials of arbitration with special emphasis on the South China Sea Arbitration between the Republic of the Philippines and the People's Republic of China.

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**Mid Semester Examination (October, 2016)**

**9.4 HR3 : INTERNATIONAL HUMANITARIAN LAW**

**Time: 1:30 Hrs.**

**Total Marks: 30**

**INSTRUCTIONS:**

1. Read the questions carefully and answer.
  2. No clarification shall be sought on the question paper.
  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 how war were conducted in ancient India in absence of written agreement adopted by the States.
2. Describe the different levels of armed conflict according to international humanitarian law. Do you consider the recent incidents in Kokrajhar and Tinsukia districts of Assam as an armed conflict? Qualify the situations.
3. According to the rules of international humanitarian law, how would you categorise the situation in Afghanistan? A Taliban-soldier, a Pakistani Al-Qaida fighter and an Afghan taxi driver were all captured in Afghanistan in 2001 and sent to Guantanamo, accused of being involved in terrorist activities. According to which provisions of international humanitarian law should these persons be treated?
4. Explain the term “humanitarian intervention”. Do you think the use of force by America against Iraq is a humanitarian intervention?

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**Mid Semester Examination (October, 2016)**  
**9.4 IP3 : LAW RELATING TO COYRIGHTS, INDUSTRIAL**  
**DESIGNS, TRADE SECRETS AND TECHNOLOGY TRANSFER**

**Time: 1:30 Hrs.**  
**Total Marks: 30**

**INSTRUCTIONS:**

1. Read the questions carefully and answer.
  2. No clarification shall be sought on the question paper.
  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. 'It is universally accepted principle that copyright law is not intended to protect ideas themselves'. In light of this statement discuss the 'idea-expression Dichotomy' with the help of case law.
2. Discuss the subject matter of copyright protected under Berne convention. Explain elaborately about the protection of literary work under Indian Copyright Law.
3. 'The fundamental rule is that the author is the first owner of copyright'. Define and distinguish between 'Author' and 'owner' with the help of case law.
4. Write Short Note on the following:
  - (a) Adaptation
  - (c) Anton Piller Order

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**Mid-Semester Examination (October, 2016)**  
**9.4 BL.3: INTERNATIONAL COMMERCIAL LAWS AND**  
**ARBITRATION**

Time: 1:30 Hrs.  
Total Marks: 30

**INSTRUCTIONS:**

1. Read the questions carefully and answer.
  2. No clarification shall be sought on the question paper.
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**Answer any three questions from the following. All questions carry equal marks.**

1. *"This Part (Part 1) shall apply where the place of arbitration is in India."* Section 2(2) of the Indian Arbitration and Conciliation Act, 1996. Critically examine the above provision in the light of Seat, Venue and place with help of the relevant case laws.
2. "Critically explain the grounds for setting aside an Arbitration Award with special focus on Public Policy".
3. In relation to the New York Convention, 1956 on International Commercial Arbitration:
  - (a) Explain the circumstances under which arbitration awards may be enforced.
  - (b) State the grounds on which arbitration decisions and awards may be refused by the courts.
4. Write explanatory note on the follow:
  - (a) Doctrine of Double Exequatur
  - (b) Concept of Arbitrability

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