

NLUA
NATIONAL LAW UNIVERSITY, ASSAM
B.A.,LL.B.(Hons.): V-Year, IX-Semester: Academic Year: 2015-2016
Special Repeat Examination (June, 2016)
9.1 CYBER LAW

Time: **2:30 Hrs.**
Total Marks: **70**

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 five questions from the following. All questions carry equal marks.

1. 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.
2. Discuss the validity of E-Contracts with reference to jurisprudence developed in US and UK.
3. Analyze different tests laid down by the courts in US and UK to determine jurisdiction in internet related cases.
4. Who is an Intermediary? Is an Intermediary Liable for Third Party Actions under the Information Technology Act, 2000?
5. Discuss the offence of Cyber Pornography under the Information Technology Act, 2000. Also discuss the liability of company in the light of Section 85 of Information Technology Act, 2000 and Bazeem.com case.
6. Write short note on the following:
 - (i) Cyber Terrorism
 - (ii) IPR issues in Hyperlinking, Framing and Meta-tagging

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NATIONAL LAW UNIVERSITY, ASSAM
B.A.,LL.B.(Hons.): V-Year, IX-Semester: Academic Year: 2015-2016
Special Repeat Examination (August, 2016)
9.2 LAW OF EQUITY, TRUSTS, SUI VALUATION AND
REGISTRATION

Time: 2:30 Hrs.
Total Marks: 70

INSTRUCTIONS:

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

1. "Equity jurisdiction may be divided into three categories namely; exclusive jurisdiction (the creation of new rights), concurrent jurisdiction (the creation of new remedies) and auxiliary jurisdiction (creation of new procedure)". Examine the above statement with the aid of relevant authorities?
2. Explain any one of the following:
 - (a) Equity imputes an intention to fulfill an obligation.
 - (b) Delay defeats equity.
 - (c) Where the equities are equal, the first in time shall prevail.
3. What purposes are prohibited for creation of a valid trust? Aditya transfers his property in trust in favour of Raman with the direction that the property be used for the business of contraband opium and out of the profit of this business, maintenance may be given to Aditya's children. Is this a valid trust?
4. A, the widow claims possession of a shop in the joint family property and Rs. 2000/- as arrears of maintenance. The value of shop is Rs.50000. On what amount is the court fees payable? Calculate the court fee in this case and also explain the method of calculation with provisions of law;
5. (a) State the documents whose registration is optional under the registration Act,1908.
(b) A document was executed by several persons at different times. The person in whose favour such execution was made, presented the document for re-registration after expiry of the three months. Can such document be registered and if so, within what period?
6. (a) What is the effect of non-registration of document required to be registered under the Registration act,1908 ?
(b) State whether the Will and Adoption Deed are required compulsory registration?

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NATIONAL LAW UNIVERSITY, ASSAM
B.A.,LL.B.(Hons.): V-Year, IX-Semester: Academic Year: 2015-2016
Special Repeat Examination (June 2016)
9.3 PUBLIC INTEREST LAWYERING, LEGAL AID AND PARA LEGAL SERVICES

Time: **2.00 Hrs.**
Total Marks: **60**

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 five questions from the following. All questions carry equal marks.

1. Write Short Notes: (Any Three) **4x3=12 Marks**
 - (a) District Legal Service Authority
 - (b) Judicial Activism
 - (c) Lok Adalat
 - (d) Para Legal Services
2. Make a critical assessment on the evolution and growth of Public Interest Litigation in India with the help of decided cases. **12 Marks**
3. "The Legal Aid is not a matter of charity but it can be claimed as a matter of right."
Amplify the above mentioned statement citing various statutory provisions relating to legal aid in India. **12 Marks**
4. Critically evaluate the role of Public Interest Litigation as a weapon of promoting and protecting gender justice in India. **12 Marks**
5. Public Interest Litigation as an effective public grievances redressal mechanism has tremendous scope in India. Specially, in the protection of environment and ecology, PIL has done a lot. Portray a brief sketch on the emergence of the concept of eco-PIL and its specific achievements in India. **12 Marks**
6. "The persons who satisfy all or any of the criteria specified in Section 12 of the Legal Services Authorities Act, 1987 shall be entitled to receive legal services provided by the concerned Authority." Discuss in detail the criteria so specified and also mention the Authorities established by the said Act. **8+4=12 marks**

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NATIONAL LAW UNIVERSITY, ASSAM

B.A., LL.B. (Hons.):V- Year –IX Semester: Academic Year: 2015-2016

Special Repeat Examination (August, 2016)

9.4 BL.3 INTERNATIONAL COMMERCIAL LAWS AND ARBITRATION

Time: 2:30 Hrs.

Total Marks: 70

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 five questions from the following. All questions carry equal marks.

1. Critically examine the impact of Bhatia International Trading Company case and subsequent cases on conducting of International Commercial Arbitration in India.
2. What do you understand by term BITs? Explain their significance in resolving disputes. Why are they controversial? Critically evaluate.
3. Explain the role of International Chamber of Commerce.
4. Critically explain the grounds for setting aside an Arbitration Award with special focus on public policy.
5. Critically examine the LCIA India Arbitration Rules, 2016.
6. Write explanatory note on any two of the following:
 - (a) UNCITRAL
 - (b) Distinguish between Domestic Award and Foreign Award
 - (c) Arbitration Agreement

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NATIONAL LAW UNIVERSITY, ASSAM
B.A.,LL.B.(Hons.): V-Year, IX-Semester: Academic Year: 2015-2016
Special Repeat Examination (June, 2016)

9.4 CR.3 CYBER CRIMES AND INFORMATION TECHNOLOGY LAW

Time: **2:30 Hrs.**

Total Marks: **70**

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 five questions from the following. All questions carry equal marks.

1. Classify the Cybercrimes mentioned under Information Technology Act. Explain various kinds of crimes committed against the Society and Property in cyberspace.
2. Define 'Computer Hardware' and 'Computer Software'. Discuss the kinds of computer software elaborately.
3. Internet domain name can be like an address of a house or street or telephone number. A person can access the website with the same name from any part of the globe. Discuss the Cyber Squatting and how principles laid down by *Hiralal Parbhudas v. M/s Ganesh Trading Co.* case in determining to register and read domain name will eliminate the domain disputes.
4. "Internet censorship includes the control or suppression of the publishing or accessing of information on the internet." Explain this statement with special reference to fundamental right to freedom of expression guaranteed under Constitution of India, 1950 and Information Technology Act, 2008.
5. Discuss the liability of intermediary and power of Central Government to issue directions for interception or monitoring or decryption of information under the Act
6. Write short note the following:
 - (i) Electronic Governance;
 - (ii) Cybersquatting

MAJOR LEARNING OBJECTIVES

MAJOR LEARNING OBJECTIVES (MLOs) are the primary learning objectives that define the program's educational goals.

MAJOR LEARNING OBJECTIVES AND MEASUREMENTS FOR THE BACHELOR'S DEGREE

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Date: 1/10/18
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MAJOR LEARNING OBJECTIVES

- 1. Demonstrate a strong understanding of the major's content.
- 2. Apply the major's content to real-world situations.
- 3. Demonstrate the ability to communicate effectively in writing and speaking.

MAJOR LEARNING OBJECTIVES AND MEASUREMENTS FOR THE BACHELOR'S DEGREE

The following table lists the major's learning objectives and the corresponding measurements used to assess student learning.

MAJOR LEARNING OBJECTIVES AND MEASUREMENTS FOR THE BACHELOR'S DEGREE

1. Demonstrate a strong understanding of the major's content. This objective is measured through the use of standardized tests and departmental exams. The following table lists the specific measurements used to assess student learning.

2. Apply the major's content to real-world situations. This objective is measured through the use of case studies, projects, and internships. The following table lists the specific measurements used to assess student learning.

3. Demonstrate the ability to communicate effectively in writing and speaking. This objective is measured through the use of writing assignments, presentations, and oral exams. The following table lists the specific measurements used to assess student learning.

MAJOR LEARNING OBJECTIVES AND MEASUREMENTS FOR THE BACHELOR'S DEGREE

The following table lists the major's learning objectives and the corresponding measurements used to assess student learning.

MAJOR LEARNING OBJECTIVES

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NATIONAL LAW UNIVERSITY, ASSAM

B.A.,LL.B.(Hons.): V-Year, IX-Semester: Academic Year: 2015-2016

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9.4 BL.3 INTERNATIONAL COMMERCIAL LAWS AND ARBITRATION

Time: 2:30 Hrs.

Total Marks: 70

INSTRUCTIONS:

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

1. The Contract between the parties provided for the final settlement of dispute by arbitration in Bilgium. A dispute arose. An application was made to an English court for interim injunction relief. The other party applies for stay of the proceeding in favour of arbitration. The party approached to you; working as Senior Associate in "Arbitration Attorney & Associates" which is a leading international law firm in India comprising over 350 professionals, with offices in India and well as England providing legal advice and service to international & domestic clients. Give legal advice to the party for granting Interim measure according to LCIA Indian Rule, 2010.
2. "The decision of the Supreme Court in *BALCD v. Kaiser Aluminum* has hauled Indian arbitration jurisprudence out of the Dark Ages". Critically examine.
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 short note on any two of the following:
 - (a) UNCITRAL
 - (b) Distinguish between Domestic Award and Foreign Award
 - (c) Arbitration Agreement
5. (a) What do you meant by term BITS? Explain their significance in resolving disputes. Why are they controversial? Critically evaluate.

Or

(b) Define and function of the Role of International Chamber of Commerce.

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NATIONAL LAW UNIVERSITY, ASSAM

B.A.,LL.B.(Hons.): V-Year, IX-Semester: Academic Year: 2015-2016

Special Repeat Examination (June, 2016)

9.4 IL.3 SETTLEMENT OF INTERNATIONAL DISPUTES

Time: **2:30 Hrs.**

Total Marks: **70**

INSTRUCTIONS:

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

1. "The first requirement for settlement of international disputes through mediation is a willing mediator." In the light of the above statement explain the role of mediator(s) in settlement of international disputes. What are the limitations of mediation as a means of dispute settlement? **10+4=14 Marks**
2. Critically analyze the practice of conciliation as a means of dispute settlement. Suffice your answer with concrete international disputes. **14 Marks**
3. Discuss the framework of negotiating process in the settlement of international disputes. Briefly explain the substantive aspects of negotiation. **8+6=14 Marks**
4. The Rescue Agreement delineates the requirement of a state to come to the aid of astronauts in distress and reinforces the principle that a spacecraft will continue to belong to the State that launched it and requires that it must be returned in the event of a rescue. Substantiate this argument on the basis of Prof. V S Mani's evaluation of the said agreement. **14 Marks**
5. Article IV of the OST establishes a clear prohibition against placing in orbit around Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction. Critically discuss the ambiguities and limitations of the arms control provision of the OST. **14 Marks**
6. Write short notes on any two of the following: **7+7=14 Marks**
 - (a) Moon Agreement
 - (b) Resolution 37/92 of Direct Broadcasting by Satellite
 - (c) Privatization of Airports and Indian Aviation Law

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