

**NLUA**  
**NATIONAL LAW UNIVERSITY, ASSAM**  
**B.A.,LL.B.(HONS.): V-YEAR, X-SEMESTER, ACADEMIC YEAR: 2016-2017**  
**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**SUBJECT CODE: 10.1 LAW RELATING TO CHILD AND WOMEN**

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. The issue of gender justice and women empowerment has been a concern in almost all the nations governed by rule of law. Our Constitution, through the Fundamental Rights and the Directive Principles of State Policy recognizes gender equality by prohibiting the State from discriminating a person on the ground of sex. However, it does not restrict the State from making provisions conferring special rights on women. The entire labour law regime is a glaring example of such protective discrimination in favour of women. Make a critical assessment of the provisions concerning special rights of women in the instant branch of law. 10
2. Make a critical comment on the historical developments of and approaches made by the Commission on the Status of Women for creating a global women rights movement. Provide a brief outline of the key objectives of the Convention on Elimination of All Forms of Discrimination against Women, 1979. 5+5=10
3. India has a women friendly criminal justice administration system. Mandated by the constitutional scheme of affirmative action, both the procedural and substantive criminal law in India are armed with provisions relating to special treatment towards women. Make a detailed analytical sketch of such provisions stating its need and relevance in the present time. 10
4. The history of a nation is also the history of its law making. Laws do not have an autonomous existence but are responses to the felt needs of the time. The laws meant to combat violence against women are also the product of the same realisation. Provide a brief analysis of the legal weapons available in India to combat the menace of dowry and incidental atrocities on women. 10

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**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. Federick Bestiat, "*If goods do not cross the border, soldiers will*". In the light of the above statement explain the emergence and scope of international trade law.
2. Elaborate on different principles of international trade law. Support your answer with adequate case laws.
3. What are the theories on which the development of international trade law is based? Support your answer with appropriate examples.
4. What is the role of international financial organizations in promotion and modernization of international trade law? Give a comparison between the functions of United Nations Conference on Trade and Development (UNCTAD) and United Nations Commission on International Trade Law (UNCITRAL)?

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**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. Define "Professional Ethics". Discuss the background of Legal Profession in India.
2. What are the aspects of an advocate's duties towards a client? 'X' is the advocate of 'A' against 'B'. During proceeding 'X' took money from 'B' not to appear on behalf of 'A'. Does 'X' conduct amount to misconduct?
3. Explain the classification of advocates. How a senior advocate is designated? Does such classification exist in lower courts?
4. What are the qualifications for the enrolment as an advocate under the Advocate Act, 1961?

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FEDERAL LAW ENFORCEMENT AGENCY  
MEMORANDUM FOR THE DIRECTOR, FBI  
SUBJECT: [Illegible]

DATE: [Illegible]  
TO: [Illegible]

REFERENCE:

[Illegible text block containing the main body of the memorandum, including a list of references and a summary of the matter.]

10.4 (CR.4)  
10.4 (BL.4)

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**SUBJECT CODE: 10.4 (CR.4) CRIMINAL 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. Women and children are two vulnerable sections of the society that need protection of the society and the state, however the nature of crime committed by some juvenile delinquents had compelled society to legislate stronger laws.  
In the light of the given statement elaborate the importance of understanding the study juvenile delinquency as a branch of law.
2. Trace the historical development of the principles of juvenile delinquency after the religious moral awakening post renaissance till the wave of industrialization.
3. Elucidate the need for the introduction of due process model and procedural reforms in juvenile delinquent laws pre and post *In Re Gault* case. Support your answer on the basis of relevant legislation and decided cases.
4. Do you agree that malice should supply the age in administration of justice in cases involving juvenile delinquents irrespective of the gender of the alleged juvenile delinquents? Support your answer on the basis of relevant illustrations and judicial opinions.

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**SUBJECT CODE: 10.4 (IL.4) INTERNATIONAL 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. What are the challenges faced and early attempts at the codification of the law of the sea? Discuss the key developments with respect to Law of Seas from League of Nations to United Nations.
2. Elucidate the salient features of Convention on Territorial Sea and Contiguous Zone, 1958.
3. Discuss the genesis of Exclusive Economic Zone and its legislative evolution within regional and international framework.
4. Write Short Notes on:
  - (i) Right to innocent passage
  - (ii) Maritime Zones under UNCLOS

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**SUBJECT CODE: 10.4 (CN.4) COMPARATIVE CONSTITUTIONAL LAW**

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

**INSTRUCTIONS:**

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

1. Irrespective of its type, the prime purpose of a constitution is to provide the people, an opportunity of 'break from the past and a fresh start' coupled with an extensive system of checks and balance, separation of powers and a charter of rights. Explain.  
10
2. If one traces the evolution of political institutions during the 20<sup>th</sup> century, the most significant development is the proliferation of written constitutions all over the world. This led towards the emergence of a new discipline of studies called comparative constitutional law. Briefly elucidate the scope, relevance and problems (if any) of the Study of Comparative Constitutional Law.  
10
3. The theory of 'rule of law' as propounded by Dicey had its merits and the broad principle of the same had been accepted in several legal systems as a necessary constitutional safeguard. Make a critical comment on the presence and influence of this theory in the Indian constitutional scheme along with its relevance in the present era of judicial governance.  
6+4=10
4. What do you understand by the term 'separation of powers'? Is there any difference between the terms 'separation of powers' and 'separation of functions'? Compare and Contrast the applicability of this doctrine in India, UK and USA.  
4+6=10

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**SUBJECT CODE: 10.4 (EL.4) COMPARATIVE ENVIRONMENTAL 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. The potential reach of environmental constitutionalism is staggering: it implicates most matters affecting the human condition. These include rights to life, dignity, health, food, housing, education, work, socio-economic status, culture, non-discrimination, peace, children's health, and general well-being—as well as the quality of the earth's water, ground, and air. Elucidate from the angle of comparative environmental constitutionalism.
2. Discuss the legislative evolution of Disaster Management Laws in the United States of America.
3. Write Short notes on:
  - (i) Institutional framework to combat Disaster in Japan.
  - (ii) Environment Protection and Constitutional Provisions of South Africa and Nigeria.
4. National Disaster Management Authority and State Disaster Management Authority - Powers and Functions under Disaster Management Act.

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**SUBJECT CODE: 10.4 (IP.4) INTERNATIONAL INTELLECTUAL**  
**PROPERTY LAWS**

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

**INSTRUCTIONS:**

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

1. Panacea Biotech and Web world Inc. have jointly filed patent application in India. Examine the Patentability of the said inventions (state the principles for determining the relevant patentability criteria)

A system and method for controlling user access to a computing device (e.g. mobile device). Access rights are provided to a user based on successfully verified authentication factors, even where the user is unable to provide all the authentication factors typically required for access to the computing device. In one broad aspect, one or more authentication factors are provided by a user, and are received and verified by a security module application residing and executing on the computing device. When less than all of the authentication factors that would typically be expected in authenticating a user for access to the computing device is received and successfully verified, a subset of the available access rights selected from a plurality of different pre-defined subsets of access rights is provided to the user. The specific access rights provided to the user are based on the successfully verified authentication factors.

2. A jeweler makes a golden pin in the shape of bee and wants to claim protection for the bee-shaped golden pin and desires to prevent others making such pin. Will he succeed? In the light of above situation explain subject matter of copyright.
3. Discuss the Non-Patentable invention of Patent as per the Patent Act, 1970.
4. Write explanatory note on:
  - (a) Constitutional aspect of IPR.
  - (b) Patent Cooperation Treaty(PCT)

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**SUBJECT CODE: 10.4 (BL.4) BUSINESS 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. *“The concept of Corporate Social Responsibility acknowledges the corporate sector’s obligations towards society beyond shareholders to include societal and environmental values.”* In the light of above statement, explain the nature and concept of corporate social responsibility and implications of Companies Act, 2013.
2. *“With the initiation of globalization, developing countries, particularly those in Asia, have been witnessing an immense surge of FDI inflows during the past two decades. Even though India has been a latecomer to the FDI scene compared to other East Asian countries, its considerable market potential and a liberalized policy regime has sustained its attraction as a favorable destination for foreign investors”.* In the light of the above statement, elaborate on the concept of Foreign Direct Investment and its impact on Indian Economy.
3. What are the types of investment risks? Elaborate your answer with appropriate examples.
4. Write shorts on any two of the following:
  - (a) Types of Investment.
  - (b) Definition and nature of Market.
  - (c) Sources of International Investment law.

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**MID SEMESTER EXAMINATION (APRIL - 2017)**  
**SUBJECT CODE: 10.4 (HL.4) HUMAN RIGHTS AND GLOBALISATION**

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

**INSTRUCTIONS:**

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

1. Manfred Steger traced the development of the phenomenon of globalization in clear terms by stating that “whether globalization constitutes a new phenomenon depends upon how far we are willing to extend the chain of causation that led to the current state of affairs.” Similarly, Joseph Stiglitz has famously dissected the phenomenon of globalization as “Globalization 1.0, 2.0 and 3.0”. In the light of both Steger’s statement and Stiglitz’s analysis, provide a detailed historical sketch of the phenomenon of globalization.  
(10)
2. It is a common perception that business enterprises are completely divorced from the notion of human rights but the truth is far removed from this popularly held misconception. In the light of the same, discuss the international and national instruments imposing human rights obligations on business enterprises, particularly in terms of corporate social responsibility.  
(10)
3. Dinah Shelton states that 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. In this background, explain the relationship between globalization and human rights in the contemporary world.  
(10)
4. The notion of 'multidimensionality' appears as an important attribute of globalization. Provide a detailed description of the various dimensions of globalization.  
(10)

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10.6 (CRH) / (one page only)  
10.4 (BLH)