

**NLUA**  
NATIONAL LAW UNIVERSITY, ASSAM  
B.A.,LL.B.(Hons.): V-Year, X- Semester: (Academic Year: 2015-2016)  
**Mid Semester Examination (March-April, 2016)**  
**10.1 LAW RELATING TO CHILD AND WOMAN**

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. "Planet 50-50 by 2030: Step It Up for Gender Equality" is the call given by UN Women as the Beijing Platform for Action has turned twenty years old. Provide a detailed historical sketch of the development of women's rights movement that has led to the current state of affairs. **(10 Marks)**
2. Our Constitution, through the Fundamental Rights given in Part III recognizes gender equality and prohibits discrimination on the ground of sex. However, the Constitution does not restrict the state from making special provisions to confer more rights on women. Critically evaluate the validity of such special provisions pertaining to women with the help of decided Supreme Court cases. **(10 Marks)**
3. Critically analyze the social changes in Indian society vis-à-vis women's education. Incorporate Geraldine Forbe's analysis in your attempt. **(10 Marks)**
4. Write Short Note on any Two of the following: **(5x2=10 Marks)**
  - a. Gender Justice
  - b. Equal Remuneration Act, 1976
  - c. Criminal Law Amendment Act, 2013

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**10.2 INTERNATIONAL TRADE 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. What do you understand by the term 'Dumping of goods'? Discuss its impact and discuss the Anti- dumping measures.
2. "Indian foreign trade policy is changing from rigidity to liberalization for economic freedom and to fulfill international commitments." In the light of given statement explain the history of World Trade Organization and its impact on Indian foreign trade policy.
3. "Letter of Credit is the backbone of international trade." In the light of given statement discuss the nature and importance of Letters of Credit in international trade regime.
4. What do you understand by INCOTERMS? Distinguish between FOB and CIF.

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**10.3 PROFESSIONAL LEGAL ETHICS, ACCOUNTANCY AND**  
**BENCH BAR RELATIONS**

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. Define "Professional Ethics". Discuss the nature and importance of legal profession. Distinguish between legal profession and business. Do professional ethics permit an advocate to appear for a client regardless of whether he believes in that cause or not? Comment.
2. What are the aspects of an Advocate's duty towards a client? C, a widow whose husband died in a motor accident, filed an appeal through her counsel claiming enhanced compensation. The case remained on the Daily list for two weeks and then it was dismissed in default (as the council did not appear on behalf of the client). Is it professional misconduct of the aforesaid counsel? Comment.
3. How the seniority among advocates is determined? What is the procedure for transfer of enrolment from one state to another State Bar Council and discuss how disputes regarding seniority are resolved?
4. If any advocate is guilty of professional or other misconduct, to which authority a complaint can be made? Describe the procedure which is required to be followed in order to dispose of the complaint. What are the orders which disciplinary authority may make while disposing of the complaint? Discuss.

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**10.4 CR.4 JUVENILE JUSTICE LAW, CHILD PROTECTION LAWS AND LAW  
RELATING TO MENTAL HEALTH**

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. The UN Convention on the Rights of the Child requires all signatory countries to treat every child under the age of 18 years as equal. The provision of trial of a juvenile as an adult as envisaged by Juvenile Justice (Care and Protection of Children) Act, 2015, contravenes, the Convention. Comment.
2. Analyse critically the UN Convention on the Rights of Child, 1989.
3. Rohit (aged about 17 Years 09 months 20 days), a poor boy from State of Jharkhand came to Delhi in search of some work so that he can help his family financially. Back at home, his parents and siblings are facing huge financial hardship and not able to get two square meals due to extreme poverty. Before coming to Delhi Rohit was a very good and well behaved student. In Delhi, Rohit did not get any job for many days, he exhausted all his money and could not get any food for three days. In the meantime he met group four persons at the Railway Station, who persuaded Rohit to join them for Dacoity and earn huge money. While committing Dacoity, the dacoits joined by Rohit killed eight persons including two innocent children. Critically analyse the administration of criminal justice system for Rohit, as provided by Juvenile Justice (Care and Protection of Children) Act, 2015.
4. A, aged 15 years, has been found to have stolen scrap iron worth Rs.2500/- from the house of Ms. X and sold it in the black market for Rs.200. A used the money to see the movie "Bhutnath" in the nearby multiplex with friends. Will your answer be different, if A, was 17 years old and he snatched the above money for the same purpose pushing Ms. X. who fell and suffered a compound fracture in her spine causing her bed ridden for three months? Discuss.

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**10.4 CN.4 COMPARATIVE CONSTITUTIONAL 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. To preserve the basic freedoms of the individual, and to maintain his dignity and personality, the Constitution should be permeated with 'Constitutionalism'; it should have some inbuilt restrictions on the powers conferred by it on governmental organs. Comment and quantify your answers tracing the constitutionalism in at least three jurisdictions.
2. Separation of Powers is a political doctrine originating in the writings of Montesquieu in 'The Spirit of the Laws' where he urged for a constitutional government with three separate branches of government. Critically analyse the purpose of separation of power. Do the Constitutions of India, USA and UK have incorporated the doctrine of separation of powers in it. Discuss.
3. Point out the significance of Judicial Review by the Apex Court in a democratic forms of Governments comparing Indian system with that of the USA, Germany, UK and Australia. Briefly discuss the procedure for the appointment of judges of Federal Supreme Court of USA and of the Supreme Court of India.
4. Describe analytically and compare the scope and powers of Constitutional amendment in India, USA and Canada. Critically evaluate the role of the Apex Courts in this regard.

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