

Roll No.....

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 8      Total number of printed pages : 4

## P A R T – A

*(Answer Question No.1 which is compulsory  
and any two of the rest from this part.)*

1. (a) A farmer purchased paddy seeds from the Department of Agriculture. Due to defective seeds, there was no cultivation and the land remained fallow. What is the relief available to the farmer under the Consumer Protection Act, 1986 ?  

*(5 marks)*
- (b) A person resident in India is interested in acquiring immovable property situated outside India. Is there any restriction under the Foreign Exchange Management (Acquisition and Transfer of Immovable Property Outside India) Regulations, 2000 ?  

*(5 marks)*
- (c) Discuss the procedure for filing an appeal against the 'cease and desist' order passed by the MRTP Commission under the Monopolies and Restrictive Trade Practices Act, 1969.  

*(5 marks)*
- (d) Prashant Industries Ltd., an appellant, was running a factory which was discharging trade effluents. The residents in the vicinity of the factory filed a writ in the High Court and upon findings by the committee appointed by the High Court, the appellant's factory was ordered to be closed. Later, the appellant was allowed to restart the unit by depositing Rs.75 lakh in the Court. Meanwhile, the appellant installed effluent treatment plant (ETP) and also compromised the issue with the residents by paying compensation to them. The writ petition was also withdrawn. After this, the appellant claimed the refund of the amount deposited in the High Court. The High Court held that refund would be considered after all cases in

this regard have been disposed off. Aggrieved by the decision, the appellant approached the Supreme Court. Whether the appellant will succeed in getting the refund ? Comment in the light of decided case law.

(5 marks)

2. (a) What information is required to be furnished to the RBI by exporters of goods and services ? What rules have been framed in this regard ?  
(5 marks)
- (b) Describe the procedure to be followed by the National Commission in regard to complaints filed before it under the Consumer Protection Act, 1986.  
(5 marks)
- (c) Describe the trade practices which the Competition Act, 2002 seeks to curb.  
(5 marks)
3. (a) A registered foreign institutional investor is interested in purchasing 5,000 shares of a company incorporated in India under the Portfolio Investment Scheme. Enumerate the requirements of the Foreign Exchange Management Regulations, 2000 in this regard.  
(5 marks)
- (b) A fertilizer factory is discharging trade effluents beyond permissible limits from its premises. The pollution control equipment installed by it is ill-equipped to handle the excessive effluents. The Central Government has empowered an officer to take samples of air, water, soil or other substance from the premises for the purposes of analysis.  
Describe the procedure to be adopted by the authorised person for taking samples for the purposes of analysis under the Environment (Protection) Act, 1986 and the Environment Protection Rules, 1986.  
(5 marks)
- (c) Write a short note on functions and responsibilities of Telecom Regulatory Authority of India (TRAI).  
(5 marks)

4. (a) Mention the measures taken by the Central Government in the matter of private investment in roads/highways.  
(5 marks)
- (b) The owner of an industrial undertaking registered under the Industries (Development and Regulation) Act, 1951 is interested in changing the location of a part of the undertaking and relocate it in a 'no industry district'. Briefly mention the procedure to be followed by the owner of the industrial undertaking in this regard.  
(5 marks)
- (c) How does an 'internet telephony' operate? Briefly describe the different types of internet telephony services.  
(5 marks)

**P A R T – B**

*(Answer Question No.5 which is compulsory and any two of the rest from this part.)*

5. (a) Draft an award by an arbitral tribunal under the Arbitration and Conciliation Act, 1996. Assume facts.  
(5 marks)
- (b) Draft a specimen of deed of assignment of a registered trade mark.  
(5 marks)
- (c) Enumerate the usual important conditions of a debenture trust deed.  
(5 marks)
- (d) Write a note on 'release and re-conveyance' of mortgaged assets.  
(5 marks)

6. (a) What are the important matters which should be kept in view while drafting a memorandum of appeal for filing before an appellate authority/superior court, etc. ?  
(5 marks)
- (b) Mention the legal provisions governing the assignment of patents.  
(5 marks)
- (c) Distinguish between 'affidavit' and 'petition'.  
(5 marks)
7. (a) A financial institution in the power sector wants to finance supplier firms manufacturing equipments and accessories for power sector projects run by the State Electricity Board. Draft a tripartite agreement to ensure proper safeguards for repayment of loans.  
(7 marks)
- (b) Explain the difference between the 'writ of prohibition' and 'writ of certiorari'.  
(4 marks)
- (c) What is meant by 'minimum payment clause' in a hire-purchase agreement ?  
(4 marks)
8. (a) What is meant by an 'irrevocable power of attorney' ? Draft a specimen of irrevocable power of attorney to be executed by the borrower-company in favour of lender-company.  
(5 marks)
- (b) Write brief notes on 'force majeure' and 'deed escrow'.  
(5 marks)
- (c) Draft a specimen deed of surrender of lease.  
(5 marks)

-- o --