

Roll No.

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 6

Total number of printed pages : 8

NOTE : Answer ALL Questions.

PART-I

1. (a) Discuss the provision of RBI related to constitution of “Monetary Policy Committee” under the Reserve Bank of India Act, 1934.
- (b) What are the various conditions which are to be satisfied by Non-Banking Financial Company (NBFC) to the satisfaction of Reserve Bank of India for registration ?
- (c) Foreign Venture Capital Investment is the investment made by non-resident investors by purchasing securities or units issued by Indian entities. List the sectors in which Foreign Venture Capital Investor is allowed to invest.
- (d) Explain the coverage of Export Promotion of Capital Goods (EPCG) Scheme in Foreign Trade Policy, 2023.

(5 marks each)

Attempt all parts of either Q. No. 2 or Q. No. 2A

2. (a) “The entities raising External Commercial Borrowings (ECB) are required to follow the guidelines for hedging issued, if any, by the concerned sectoral or prudential regulator in respect of foreign currency exposure.” Discuss these guidelines.

(4 marks)

- (b) Can an Indian Trust or Society make overseas direct investment ? What are the eligibility criteria for an Indian Trust or Society for making Overseas Direct Investment under the Foreign Exchange Management (Overseas Investment) Regulations, 2022 ?

(4 marks)

- (c) Whether following remittances by Resident Individuals need prior approval of Reserve Bank of India :

(i) Geeta gifts to her sister in New York USD 2,45,000.

(ii) Manav spends USD 3,50,000 as fees for an Academic Course in New Zealand.

(iii) Ishan spends USD 1,75,000 on European Tour.

(iv) Ashima is going to Australia for Emigration and she wants to draw USD 2,75,000.

(4 marks)

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(d) When can the assets created out of Foreign Contribution be disposed of under Section 22 of the The Foreign Contribution (Regulation) Act, 2010.

(4 marks)

(e) List the instruments included as Non-Debt instruments under Foreign Direct Investment–Regulation and Policy.

(4 marks)

OR (Alternate question to Q. No. 2)

- 2A.** (i) What are the duties, powers and functions of “Board of Approval” regarding orderly development of Special Economic Zones under Special Economic Zones Act, 2005 ?
- (ii) Discuss the salient features of Foreign Contribution (Regulation) Amendment Act, 2020.
- (iii) Discuss the “Financial Inclusion and Development Functions” of RBI under Reserve Bank of India Act, 1934.
- (iv) State the guidelines for FDI in Pension Sector along with Entry Route and percentage of Equity/FDI under Foreign Direct Investment–Regulation and Policy.
- (v) What are entry routes of Foreign Direct Investment in India under Foreign Direct Investment–Regulation and Policy ?

(4 marks each)

PART-II

3. (a) Can Competition Commission of India during pendency of inquiry issue interim order ?
Discuss with relevant case laws.
- (b) What is the basic purpose of Competition Law and Policy ?
- (c) Explain the concept of Competition Advocacy u/s 49 of the Competition Act, 2002.
- (d) Explain the provisions relating to “Right to legal representation” in context of the Competition Act, 2002.
- (e) The Competition Act, 2002 provides for the constitution of a fund called the “Competition Fund.” Elaborate the given statement.

(3 marks each)

4. (a) Explain the provisions of appointment of “Director General” under the Competition Act, 2002.
- (b) What factors are important to determine ‘relevant geographic market’ and ‘relevant product market’ under the Competition Act, 2002 ?

(5 marks each)

PART-III

5. (a) Ratan Properties Pvt. Ltd. is developing a residential site in Jodhpur. Aryansh purchases a plot of 5000 square feet. Before the plot could be developed, war breaks out and the residential site is requisitioned by Government of India for war purposes for temporary period. Ratan Properties Pvt. Ltd, claims impossibility to deliver plot to Aryansh. Examine the claim under the Indian Contract Act, 1872.

(4 marks)

- (b) Malti is the daughter of Harish who has divided all the assets among his two sons Dhruv and Tarun with the condition that some provision must be made for the marriage of Malti. Later the brothers refuse to contribute towards the marriage of Malti on the pretext that there is absence of privity of contract between Malti and the two brothers. Will Malti succeed ? Discuss as per the provisions of Indian Contract Act, 1872.

(4 marks)

- (c) Amit who is Hindu, provided in partition between him and his three sons in the partition deed that if any one of his sons wants to sell his share, he should not sell it to a stranger, rather he should sell it to his brother at Rs. 1000 only. Examine the validity of condition imposed in partition deed under provisions contained in Transfer of Property Act, 1882.

(4 marks)

- (d) Raichand & Sons supplied deficient pipes and fitting materials to Rakesh & Sons. Rakesh & Sons preferred an application before the State Commission, for which State Commission had awarded Rs. 1.5 Crore as compensation to be paid by Raichand & Sons to Rakesh & Sons. When the opposite party Raichand & Sons preferred an appeal to the National Commission, they were asked to pay 50 percent of the award money. Examine the validity of requirement of deposit for making appeal to National Consumer Dispute Redressal Commission under the Consumer Protection Act, 2019.

(4 marks)

- (e) Raman bought the car of Rupali. But the car remained in garage of Rupali. The price remained unpaid. The car was destroyed by a fire but there was no fault of Rupali in this. Rupali claims money of the car. Examine the validity of her claim as per the Sale of Goods Act, 1930.

(4 marks)

Attempt all parts of either Q. No. 6 or Q. No. 6A

6. (a) What is Endorsement under the Negotiable Instruments Act, 1881 ? Name the various types of Endorsements.

(3 marks)

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(b) In the light of Consumer Protection Act, 2019, highlight the concept of Product Liability Action and discuss the liability of the Product Manufacturer.

(3 marks)

(c) Adnan and Tara are partners in a partnership firm which is not registered. Diti is a retailer who sells goods produced by Adnan and Tara's partnership firm on credit basis. Since Diti is unable to make payment for credit sales made in previous year, Adnan and Tara intent to sue Diti. Advice whether the partnership firm can sue Diti under provisions of Indian Partnership Act, 1932 ?

(3 marks)

(d) What influence does money laundering have on economic development ?

(3 marks)

(e) Samantha is gifted a house by her father with the condition that she must transfer a paddy field to her sister. Is this transfer valid ? Explain as per provisions contained in Transfer of Property Act, 1882.

(3 marks)

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OR (Alternate question to Q. No. 6)

6A. Distinguish between the following :

- (i) Mistake of Fact and Mistake of Law
- (ii) Tenancy at will and Tenancy by sufferance
- (iii) Novation and Alteration
- (iv) FOB contracts and CIF Contracts
- (v) Actionable claim and Non-actionable claim.

(3 marks each)

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