

Roll No.....

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 6

Total number of printed pages : 4

NOTE : Answer **ALL** Questions.

PART – A

1. (a) Define the term 'authorised person' under the Foreign Exchange Management Act, 1999 and state the powers of the Reserve Bank of India to issue directions to an 'authorised person'.
- (b) What is meant by 'arbitration agreement' under the Arbitration and Conciliation Act, 1996 ? Should the arbitration agreement be in writing and whether jurisdiction of civil court is barred ?
- (c) Can a 'lapsed patent' be restored ? If so, state the procedure laid down for disposal of application for restoration of lapsed patent.
- (d) What do you understand by the word 'competition' in the market ? In what way does 'competition kill competition' ? Discuss briefly.
- (e) Define the term 'bill of lading' under the Indian Stamp Act, 1899.

(5 marks each)

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

2. (a) "No consideration, no contract; subject to certain exceptions." Explain briefly.
(3 marks)
- (b) Mention the activities/sectors in which foreign direct investment (FDI) is prohibited.
(3 marks)
- (c) Alex, a foreign diplomat desires to buy immovable property in India. Is he permitted to do so ? Give reasons in brief.
(3 marks)

(d) Explain the meaning of the term 'certification trade mark' under the Trade Marks Act, 1999.

(3 marks)

(e) How much foreign exchange is available to a person going abroad on emigration ?

(3 marks)

OR (Alternate question to Q.No. 2)

2A. (i) What are the classes of capital account transactions of persons resident in India ?

(3 marks)

(ii) Registration of certain designs is prohibited under the Designs Act, 2000. Explain.

(3 marks)

(iii) Which organisations/individuals are specifically prohibited from receiving foreign contribution under the Foreign Contribution (Regulation) Act, 2010 ?

(3 marks)

(iv) State the procedure for making an application for renewal of certificate under the Foreign Contribution (Regulation) Act, 2010.

(3 marks)

(v) Whether a registered geographical indication can be assigned or transmitted ? Explain briefly.

(3 marks)

3. (a) Pawan booked an air ticket for New York with Skyhigh airlines. At New Delhi airport, authorities found visa in order; but at Amsterdam, when his visa was checked it was found that the visa bears the photocopy of photograph. Thus, Pawan missed his flight to New York. However, the airlines helped him to reach New York on the same day.

After reaching New York, Skyhigh airlines tendered an apology to Pawan for the inconvenience caused to him and paid as a goodwill gesture, a sum of ₹2,500. Pawan filed a complaint with National Commission under the Consumer Protection Act, 1986. Will Pawan succeed ? Give reasons with reference to case law, if any.

(5 marks)

: 3 :

(b) What is meant by 'privity of contract' ? Discuss briefly the exceptions to privity of contract.

(5 marks)

(c) X and Y are husband and wife, respectively. X, by a registered document, after referring to quarrels and disagreement between himself and his wife Y, promised to pay his wife, a sum of money for her maintenance and separate residence.

Whether this document is a contract enforceable by law ? Give reasons with reference to decided case law, if any.

(5 marks)

4. (a) How is the Competition Commission of India established and what is its composition ? Discuss the procedure laid down for the selection of Chairperson and other members alongwith their term of office under the provisions of the Competition Act, 2002.

(8 marks)

(b) Define the term 'money laundering'. How does it impact the development of a growing economy ? Discuss.

(7 marks)

PART – B

5. (a) Define the term 'trust' under the Indian Trusts Act, 1882. How does it differ from a contract ? Explain briefly.

(3 marks)

(b) Whether 'tea' is a food stuff under the Essential Commodities Act, 1955 ? Does it have any nutritional value ? Discuss in reference with leading case law, if any.

(3 marks)

(c) Define the term 'stamp' under the Legal Metrology Act, 2009.

(3 marks)

(d) Who is a 'member' of society registered under the Societies Registration Act, 1860 ? What are his rights and liabilities ?

(3 marks)

(e) Raman bequeaths certain property to Mohan, desiring him to divide the bulk of it among Kapil's children. Does this create a trust ? Give reasons.

(3 marks)

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

6. (a) What are the 'circumstances' under which the Central Government can assume management or control of an industrial undertaking without any investigation into circumstances or notice to the management ? Whether it violates the principle of natural justice ? Comment with reference to a leading case.
(10 marks)
- (b) Discuss briefly the composition of National Green Tribunal under the National Green Tribunal Act, 2010.
(5 marks)

OR (Alternate question to Q.No. 6)

- 6A. (i) Define the term 'substantial question relating to environment' under the National Green Tribunal Act, 2010.
(5 marks)
- (ii) Enumerate the documents, registration of which is optional under the provisions of the Registration Act, 1908.
(5 marks)
- (iii) Whether taking insurance policy is compulsory by the owner of the enterprise before starting the handling of hazardous substance under the provisions of the Public Liability Insurance Act, 1991 ? If yes, what should be the sum assured ?
(5 marks)