

Roll No.

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 6

Total number of printed pages : 6

NOTE : Answer **ALL** Questions.

PART-A

1. (a) When overseas investment may be made by a registered trust or a society ? State the eligibility criteria which must be satisfied before such overseas investment under Foreign Exchange Management Act, 1999.
- (b) Z Ltd. is enjoying dominant position which came to the notice of Competition Commission of India. Whether the Commission can order to Z Ltd. for "Division" in the manner suggested by Commission ? Can such order be passed by the Commission irrespective of any hurdles in Companies Act, 2013 ?
- (c) State the objectives of KYC policy. What elements should be incorporated in KYC policy. Who may be treated as customer for the purpose of KYC policy ?
- (d) How and when an application for the restoration of the lapsed patent may be made under the Patent Act, 1970 ? State the procedure for disposal of such application.
- (e) What are the types of Intellectual property covered by Trade Related Aspects of Intellectual Property Rights (TRIPs) ? Explain.

(5 marks each)

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

2. (a) Ram, the owner of a land, entered into a contract for sale with Shyam. Shyam has paid the price and took the possession and is willing to carry out his contractual obligations. As registration has not been effected. Ram, the transferor, seeks to evict Shyam from the land.
Can he do so ? Explain briefly with reference to the title of land.

(3 marks)

: 2 :

- (b) What are the obligations of finder of lost goods ? Explain briefly with reference to Indian Contract Act, 1872.
(3 marks)
- (c) Anthony, the complainant, purchased a ticket for his journey from Chennai to Pune from Blue Sky Airlines Ltd. The time of departure was mentioned on the ticket as 10.45 a.m. and the plane departed at 9.00 a.m. instead of 10.45 a.m. Anthony reached the airport at 9.30 a.m. and missed the flight. Decide, whether Blue Sky Airlines Ltd. is guilty of deficiency under the Consumer Protection Act, 1986 ? Whether Anthony is entitled for the compensation ? State your answers with reason(s).
(3 marks)
- (d) What is the criteria upon which the Central Government considers and notify any area as a Special Economic Zone (SEZ) under Special Economic Zones Act, 2005 ?
(3 marks)
- (e) What are the basic principles of General Agreement on Trade in Services (GATS) ?
(3 marks)

OR (Alternate question to Q. No. 2)

- 2A. (i) Anup, a heir of an estate borrowed ₹ 5,000 from Surya to enable him to prosecute his claim, when he was without even with the means of subsistence and gave him a bond for ₹ 30,000 to be paid after receiving possession of the property. Decide, whether transaction may be treated as unconscionable ? State also the meaning of unconscionable transaction.
(5 marks)
- (ii) State the functions of the Copyright Board as given under Copyright Act, 1957.
(5 marks)

: 3 :

(iii) X, an officer of the Enforcement Directorate along with his team entered into a house, belonging to a reputed and rich person, the person present in house objected to it and demands the order of the competent court for searching the concerned house, i.e. Search Warrant. But the officer ignores and simply shows his ID. Discuss the powers of Enforcement Directorate and its relevant procedure as laid down in the Prevention of Money Laundering Act, 2002.

(5 marks)

3. (a) Fatima, a student took admission in the 'ABC College', of a Government approved Private University. But, later on Fatima joined another college of Government University. She claimed refund of admission fee from ABC College. The college refused to refund admission fee on the ground that there is no rule in Private University to refund the admission fee.

She filed a petition before District Consumer Disputes Redressal Forum.

Will she succeed ? Discuss with reference to a decided case in this matter.

(5 marks)

(b) Write in brief, about the doctrine of election as given under the Transfer of Property Act, 1882.

(5 marks)

(c) Advise with reason on availing foreign exchange facility under Foreign Exchange Management Act, 1999, for :

(i) John desires USD 2,00,000 for a private visit to any country excluding Nepal and Bhutan.

(1 mark)

(ii) Jitesh has to maintain his close relative abroad, needs USD 50,000 per year.

(1 mark)

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- (iii) Sohan desires to gift his sister USD 100,000 on her birthday.
(1 mark)
- (iv) A person who is resident, but not permanently resident in India, this a citizen of a foreign state other than Pakistan desires to remit his total net salary to his spouse without any limit and without being questioned about his expenses for survival in India.
Can he do so or not ? Is there any limit ?
(2 marks)

4. (a) What is meant by “Arbitration Agreement” ? State the constituents of an arbitration agreement under the Arbitration and Conciliation Act, 1996.
(8 marks)
- (b) When the acts may not be constituted as infringement of trademark, under the Trademarks Act, 1999 ?
(7 marks)

PART-B

5. (a) Under what circumstances the Central Government is empowered to issue the orders relating to control production, supply and distribution of essential commodities, under the Essential Commodies Act, 1955.
(3 marks)
- (b) Mohan is a trustee for the benefits of Raman. Mohan delays in investing trust money, causing therewith loss to beneficiary. Whether the trustee Mohan is liable to pay interest thereon for the delay as per Trust Act ?
(3 marks)
- (c) What is the object and scope of the Essential Commodities Act, 1955 ? Discuss briefly.
(3 marks)

: 5 :

(d) State the objectives of industrial policy of the Government relating to development of the industries according to Industries (Development and Regulation) Act, 1951.
(3 marks)

(e) What is the time limit for presentation of a document for its registration under the Registration Act, 1908 ?
(3 marks)

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

6. (a) State the functions of the National Board for Micro, Small and Medium Enterprises (MSME) under the Micro, Small and Medium Enterprises Development Act, 2006.
(5 marks)

(b) Who is empowered to make application for claim for relief under Public Liability Insurance Act, 1991 ? State the procedure for the award of relief under this Act.
(5 marks)

(c) Advise in the matter of the following, the provisions of registration of documents under the Registration Act, 1908 with reference to section applicable :

(i) Lease agreement for eleven months with rent payable monthly, having an option to the tenant to renew for further for the same period and so on.
(1 mark)

(ii) Lease agreement is only for a year with a reserved rent for the period granted vis. one year.
(1 mark)

(iii) Lease agreement for one with reserving yearly rent.
(1 mark)

(iv) Lease agreement for a fixed term of five years with yearly rent payable.
(2 marks)

OR (Alternate to question to Q. No. 6)

- 6A. (i) X failed to comply with the order of National Green Tribunal. Advise to X the consequences thereof.
- (ii) “Shiksha Samiti” a registered society under Society Act, 1860 has been properly dissolved. It has a surplus assets. Certain members of the society desire, it should be distributed equitably among all members. Advise, according to law relating to Societies Act, 1860.
- (iii) What is meant by noise pollution ? What are its effects ? How it creates pollution ? State the ways to control the noise pollution ?

(5 marks each)

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