



TAMILNADU NATIONAL LAW UNIVERSITY

QUESTION PAPERS

MID SEMESTER (EVEN-SEMESTER),
MARCH - 2022

EN002-22

Name :

Register No.:

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022

ENGLISH – II / BUSINESS ENGLISH -II

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the following questions (450 to 500 words)

1. Give a critical appreciation of the narrative structure of any one familiar literary text or cinema by using the five different codes developed by Roland Barthes in his *The Structural Analysis of Narrative*.
2. What are the basic elements required for legal writing in English? Consider the legal document discussed in the class, and examine it from the perspective of language components that you have studied to present a linguistic response to the legal document.

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) Degree Programme**

First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022

HISTORY – I (History of the Indian Subcontinent)

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer the Following Questions.

1. Analyse the differences between history writing by the Greeks, Romans and the medieval church historians. Explain the reasons for the differences in the way each of them went about the work of writing about the past.
2. Nationalist historians of colonial India failed to question the colonialist or Imperialist mode of history writing and more or less adopted same method as the Imperialists to produce an account of the past of what they considered to be India. Do you agree with the statement? Give reasons.
3. The failure of scholarly attempts to decipher the Harappan script and having to depend on only the archaeological findings in order to study the culture of the Harappans has forced historians to speculate on the nature of its society, economy and polity. In the light of this discuss the various theories regarding the Harappan polity and the nature of state which seems very feasible to you.
4. “The use of Vedic literature as a source of history is linked to a number of questions about the people to whom these texts belonged. Who were the Indo-Aryans? Where did they come from? What was the relationship between the Vedic and Harappan cultures? These issues have not always been treated as purely academic ones. They have political implications, and have been used to serve diverse political agendas, both in colonial and post-colonial times.” Do you agree with the above statement? Give reasons.

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) Degree Programme**

First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022

SOCIOLOGY – II (INDIAN SOCIETY)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions in 1000-1200 words with appropriate examples.

1. Explain the Horizontal and Vertical Social Mobility patterns in caste and class social stratification with examples.
2. How do you understand the term 'Tribe' and 'Indigenous people' through Sociological perspectives.

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First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022

POLITICAL SCIENCE – II (Political Obligation)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions. Each Answer should not be less than 400 Words.

1. "Every man has his conscience; and if the individual conscience is absolutised, and made the final judge of laws to be obeyed or disobeyed, nothing but anarchy and the dissolution of the very fabric of government would result". – Analyze the statement.
2. "Society is rightly ordered, and therefore just, when its major institutions are arranged so as to achieve the greatest net balance of satisfaction summed over all individuals belonging to it". – Critically analyze the statement.

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B.Com. LL.B. (Hons) Degree Programme

First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022

BUSINESS ECONOMICS

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 5 = 10 Marks)

Answer the Following Questions.

1. Suppose the demand curve for a product is given by $Q = 300 - 2P + 4I$, where I is average income measured in thousands of rupees. The supply curve is $Q = 3P - 50$.
 - a. If $I = 25$, find the market-clearing price and quantity for the product.
 - b. If $I = 50$, find the market-clearing price and quantity for the product.
 - c. Draw a graph to illustrate your answers.

2. The rent control agency of Chennai City has found that aggregate demand is $Q_D = 160 - 8P$. Quantity is measured in ten thousand of apartments. Price, the average monthly rental rate, is measured in hundreds of rupees. The agency also noted that the increase in Q at lower P results from more three-person families coming into the city from other parts of Tamil Nadu and demanding apartments. The city's board of realtors acknowledges that this is a good demand estimate and has shown that supply is $Q_S = 70 + 7P$.
 - a. If both the agency and the board are right about demand and supply, what is the free-market price? What is the change in city population if the agency sets a maximum average monthly rent of RS.300 and all those who cannot find an apartment leave the city?
 - b. Suppose the agency bows to the wishes of the board and sets a rental of Rs.900 per month on all apartments to allow landlords a "fair" rate of return. If 50 percent of any long-run increases in apartment offerings comes from new construction, how many apartments are constructed?

PART – B (1 x 10 = 10 Marks)

Answer the Following Questions.

3. Connie has a monthly income of Rs.200/- that she allocates between two goods: meat and potatoes.
- Suppose meat costs Rs.4 per kg and potatoes Rs.2 per kg. Draw her budget constraint.
 - Suppose also that her utility function is given by the equation $Utility (M, P) = 2M + P$. What combination of meat and potatoes should she buy to maximize her utility? (*Hint: Meat and potatoes are perfect substitutes.*)
 - Connie's supermarket has a special promotion. If she buys 20 kg of potatoes (at Rs.2 per kg), she gets the next 10 kg for free. This offer applies only to the first 20 kg she buys. All potatoes in excess of the first 20 kg (excluding bonus potatoes) are still Rs.2 per kg. Draw her budget constraint.
 - An outbreak of potato rot raises the price of potatoes to Rs.4 per kg. The supermarket ends its promotion. What does her budget constraint look like now? What combination of meat and potatoes maximizes her utility?
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.Com. LL.B. (Hons) Degree Programme

First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022

RESEARCH TOOLS FOR BUSINESS DECISION MAKING

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer the Following Questions.

1. Do you think that market research helps the marketer to identify brand loyalty and further strengthen it? Why /Why not? Provide examples.
2. Consider the following distribution and compute Mean, Median and Mode

X	0-10	10-20	20-30	30-40	40-50
f	12	18	20	25	23

3. There are two branches of a company, employing 200 and 180 persons respectively. If the arithmetic mean of the monthly salaries paid by the two companies are Rs.375/- and Rs.325/- respectively. Find the arithmetic mean of the salaries of the employees of the company as a whole.
4. Calculate Harmonic Mean from the following frequency distribution

X	0-10	10-20	20-30	30-40	40-50
f	8	15	20	4	3

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B.Com. LL.B. (Hons) Degree Programme

First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022

MARKETING MANAGEMENT

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the Following Questions.

1. Analyse the 9 Ps of the marketing mix of any one of the consumer goods that you use in daily life and also identify any 4Cs of the product.

(14 Marks)

2. As a car manufacturer, how would you use the Marshallian model to design the marketing strategy for your product?

(6 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022
LAW OF CONTRACTS – I

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer the Following Questions. Cite legal provisions and judicial decisions wherever necessary

1. Ramesh, a businessman passed away leaving certain debts with Govindlal. Sreejith the minor son of Ramesh sold properties which were devolved upon him, to Govindlal to settle the debts of his father. Later Sreejith was advised by his lawyer to apply for setting aside the sale deed entered claiming his minority status before the Court. He filed the suit. The defendants argued that the court may set aside the deed only if the minor make restitution to the purchaser for the benefit he has obtained under the sale deed. Give your decision in this case.
2. Sharath sent an offer letter by post for selling his Ferrari car for Rs.10,00,000/- to Rupesh. Rupesh received the offer letter and posted his acceptance letter. Before the acceptance letter reaches Sharath, one of his friends Ebrahim visited him. Ebrahim found that the Ferrari car, owned by Sharath, is for sale. Ebrahim made an offer to buy the Ferrari car for Rs. 25,00,000/- and gave a token amount immediately. Sharath received the token amount wholeheartedly. Give your decision that with whom can Sharath make the contract of sale of Ferrari car.
3. Shailu takes an insurance policy. In that policy there is a clause which states that if a claim is made and rejected, a suit has to be filed within 3 months from the date of rejection. In case of failure to do the same, the whole benefit under the insurance policy will be forfeited. Decide on the validity of this clause.
4. *Government action including that of its instrumentalities, of entering or not entering into contract, is subject to satisfying reasonableness and fairness – Explain.*

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First Year, Second Semester, Mid Semester (Even-Semester) Examinations, March -2022

FAMILY LAW – I

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer the Following Questions.

1. Sharath and Shivani fell in love, eloped together and got married according to Hindu rites and customs. The problem is that they are both minors. Also, Shivani's family is strongly against this. Shivani's father lodged a FIR under Section 363 & Section 376 of the Indian Penal Code. Shivani has serious apprehensions about the safety of her life and the life of Sharath. It is pertinent to note that Shivani had given in writing that she had left her parents' home of her own will and went to Sharath's house. Is this marriage valid? Who is entitled to the custody of Shivani? Comment with relevant provisions under the Hindu Marriage Act, 1955 and decided cases.
2. Mr. Swamy married Ms. Rani according to Hindu rites. Right after her marriage with Mr. Swamy, Rani unilaterally decided not to give birth to a child for two years. After one year of marriage, Swamy suffered from prolonged illness and Rani left him alone to meet her brother who was working in a different city. On several occasions, Swamy tried to build good relations with Rani but in vain. One day during an argument Rani insulted Swamy in front of their servant and Swamy felt humiliated. They have been living separately since then. Can Mr. Swamy claim divorce on the ground of cruelty? Decide with relevant provisions and judicial decisions.
3. *“Restitution of conjugal rights amounted to a ‘coercive act’ on the part of the state, which violates one’s sexual and decisional autonomy, and right to privacy and dignity”* – Comment with relevant provisions and decided cases.
4. Mr. Raj was married to Ms. Jaya and a daughter was born to them. Subsequently, the relations between the parties became strained and according to Mr. Raj, his wife left his house and started living with her parents despite his efforts to bring

her back. Hence Raj filed a petition under Section 9 of the Hindu Marriage Act, 1955 (hereinafter called the Act), for restitution of conjugal rights. However, his wife also presented a similar petition against her husband and denied all allegations made against her. In fact, it was found that Raj refused to take his wife in. The proceedings in Raj's petition were stayed and decree for restitution of conjugal rights was granted in Jaya's favor. After two years Raj filed a petition for divorce under section 13 of the Act, on the ground that there had been no restitution of conjugal rights between the parties for two years after the passing of the decree for restitution of conjugal rights. Will Raj succeed? Decide with relevant provisions and decided cases.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**B.A. LL.B. (Hons) Degree Programme****Second Year, Fourth Semester, Mid Semester (Even-Semester) Examinations, March -2022****HISTORY – II (Legal History of India)**

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)**Answer the Following Questions**

1. History writing depends upon historical sources. Like the meaning, nature and scope of history, historical sources also changed in scope in modern times by including variety of things. Analyse the nineteenth and twentieth century developments related to historical sources.
 2. Since ancient times history has been about everything relating to men and their affairs and ignored the lives and actions of women. Examine the consequences of this and analyse the features of feminist history writing in India.
 3. The introduction of revenue reforms in the early years of colonial rule was the important consequence of the economic interest of the English East India Company. Do you agree with the above statement? Give reasons.
 4. Peasant and tribal communities of colonial India were the first who responded to colonial rule and its revenue and land reforms in the eighteenth and nineteenth centuries. Explain the nature of the various peasant and tribal revolts.
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B.A. LL.B. (Hons.) Degree Programme

Second Year, Fourth Semester, Mid Semester (Even-Semester) Examinations, March -2022

SOCIOLOGY - III (Sociology of Law)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the following questions in 1000-1200 words with appropriate examples:

1. Critically analyse the process of Rationalization and the types of Rationality as proposed by Max Weber? How do you understand the Rationality in everyday life in the background of Weber's idea?
2. Analyse the emergence of 'Human Sciences' in shaping the discourse of 'Norms' as illustrated by Michel Foucault. Do you agree with his illustration? Explain with reasons.

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B.Com. LL.B. (Hons) Degree Programme

Second Year, Fourth Semester, Mid Semester (Even-Semester) Examinations, March -2022

POLITICAL SCIENCE (Political Theory and Organizations)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions. Each Answer should not be less than 400 Words.

1. Like any other branch of human Knowledge, Political Science has a lexicon and language all its own. We start our language lesson with three little words that carry a great deal of political freight. What are these three words and explain how the study of Politics is based on these three fundamental concepts.
 2. Explain whether the notion of an independent or sovereign State is any longer meaningful in an increasingly interdependent or globalized world.
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Second Year, Fourth Semester, Mid Semester (Even-Semester) Examinations, March -2022

COST AND MANAGEMENT ACCOUNTING

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions

- From the following particulars you are required to prepare a statement showing (a) the cost of Materials Consumed (b) Prime Cost (c) Works Cost (d) Total Cost (e) the percentage of works overheads to productive wages and (f) the percentage of general overheads to works cost.

	Rs.
Stock of Finished Goods on 1-1-2008	72,800
Stock of Raw Materials on 1-1-2008	33,280
Purchases of Raw Materials	7,59,200
Sales of Finished Goods	15,39,200
Productive Wages	5,16,880
Stock of Finished Goods on 31-12-2008	78,000
Stock of Raw Materials on 31-12-2008	35,360
Works overhead Charges	1,29,220
Office and general Expenses	70,161

The company is about to send a tender for a large plant. The Costing Department estimated that the materials required would cost Rs.52,000/- and the wages to workmen for making the plant would cost Rs.31,200. The tender is to be made at a net profit of 20% on the selling price. Show what the amount of tender would be if based on the above percentages.

- From the following transactions prepare stokes ledger account (Using FIFO and LIFO method)

Jan 1 2008 opening balances 100 units @ Rs. 5

Jan 15 2008 Received 500 units @ Rs. 4

Jan 31 2008 Issued 200 units

Feb10 2008 Received 700 units @ Rs. 6

Feb 25 2008 Issued 800 units

Mar 22 2008 Received 1500 units @ Rs. 7

April 25 2008 Issued 500 units

May 10 2008 Material Returned to stores 100 (Issued on Feb 25 @ Rs.4)

June 30 2008 Issued 200 units

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Second Year, Fourth Semester, Mid Semester (Even-Semester) Examinations, March -2022

CONSTITUTIONAL LAW - II

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the following questions

1. Critically analyse how Federalism, Separation of Powers and Democracy inform the design of powers of the Executive and the Legislature under the Constitution of India. Use specific examples to substantiate your answer. This means references to provisions of the Constitution and contemporary or historical political events.

(6 Marks)

2. The country of Indiana has a federal form of government, much like that of India. Since 2009 the Indiana General Party (IGP) has been in power at the Centre. The IGP is a very popular party and also holds power in several states in Indiana including in the State of Marudam.

The entire country of Indiana has witnessed widespread protests against several laws on reservation and citizenship brought by the Parliament of Indiana, leading to massive destruction of public property. The IGP at the Centre, is in the process of bringing out an Act to regulate and identify the immediate recovery of damages from this destruction.

In the wake of this, on 01.05.2019, the State of Maru, through its Governor, Mr. Pramath Rajan, promulgates the 'Recovery of Damages to Public Property Ordinance, 2016', an Ordinance on the same lines of the Act being debated in Parliament. The Ordinance which has not been tabled before the State Legislative Assembly owing to the incredible work pressure it was under, was re-promulgated on 01.01.2020, and then successively four more times.

In June 2022, when the Ordinance was brought before Mr. Rajan to be signed for repromulgation, Mr. Rajan withheld consent, stating the re-promulgation of ordinances was a fraud on the Constitution and to table the Ordinance immediately before the Legislative Assembly.

Within the next week, Mr. Rajan was replaced by the President of Indiana, and Ms. Meera Sen was installed as the Governor of Maru. The reason for the replacement is widely thought to be that Mr. Rajan's ideology did not conform with the ideology of the Centre.

Decide:

- (a) Whether the repromulgation of the ordinances was Constitutional or not?
- (b) Whether the Supreme Court can interfere with the removal of Mr. Rajan as the Governor of Maru.

(8 Marks)

3. The power to make Ordinances, impose President's Rule over a State under Article 356 and take action under the Doctrine of Pleasure are all essentially discretionary powers, where the expertise and special function of the Executive is expressly recognised by the Constitution. How does the Court exercise jurisdiction with respect to controlling the use of these powers? While bringing out the common routes to judicial intervention, also comment on the differences in the nature of these powers - whether textual, historical, or otherwise.

(6 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Second Year, Fourth Semester, Mid Semester (Even-Semester) Examinations, March -2022

PROPERTY LAW

Time: 2 Hours

Maximum Marks: 20

Instructions: Support your answers with relevant legal provisions, case laws and/or illustrations wherever necessary.

PART – A (1 x 10 = 10 Marks)

Answer the following questions

1. Critically comment on the Capitalist perspective of private property. In the light of this comment upon the right to private property in the Indian context.

PART – B (2 x 5 = 10 Marks)

Answer the following questions

2. Mr. O has a son S and a daughter K. He also has a ten-year-old grand-daughter G, daughter of K and has a nephew N. He owns five plots of land i.e. Plot A, Plot B, Plot C, Plot D and Plot E. Mr. O gifted Plot A and Plot B to S for life and thereafter to S's eldest unborn child for life and thereafter to G absolutely. He gifted Plot C to G absolutely and gave the right of management of the property to K till G attains 18 years of age. He gifted Plot D to his nephew N for life and thereafter to N's eldest unborn child absolutely provided he attains 25 years of age. Mr. O also gifted Plot E to G provided she attained 15 years of age.

In light of the above facts, answer the following:

- a) Identify vested and contingent interests in the transfers made by Mr. O.

(2.5 marks)

b) Explain the validity of the transfers made by Mr. O for benefit of unborn persons. (2.5 marks)

3. Sammy and Gordon are brothers. Sammy lives in Mumbai. He owns three plots of land in Pune which he decided to dispose off. He sells one plot of land to Gordon and puts a condition that as the plot being sold to him is surrounded by properties of other family members, the plot could further be sold to a family member only. Out of the other two plots, Sammy decided to sell one plot to his friend Xavier for a consideration of Rs.30 Lakhs and puts a condition that the construction on the property should not exceed three storeys to prevent obstruction of light to neighbouring houses. None of the neighbouring houses are owned by Sammy. Sammy also purports to gift his friend Rikkey's flat to his younger son Leonis and offers to gift Rikkey the third plot of land in lieu of his flat.

In light of the above facts, answer the following questions briefly:

a) Identify the valid and invalid conditions put forth by Sammy. Also put forth the consequences of such conditions on the transfers and identify which conditions run with the land. (3 Marks)

b) What is the condition on which Rikkey can benefit from Sammy's transfer? Mention the doctrine. (2 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Second Year, Fourth Semester, Mid Semester (Even-Semester) Examinations, March -2022

JURISPRUDENCE

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the following questions

1. If John Rawls had to solve the Dilemma illustrated by Amartya Sen in his “Three Children One Flute Illustration” using his theory of Justice, what would have been John Rawls’s answer and explanation for the same?
2. Trace and critically analyse impact of Aristotle and his idea of “achieving good life is a chief goal of political organization” in the evolution of modern democracies.

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B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Second Year, Fourth Semester, Mid Semester (Even-Semester) Examinations, March -2022

ADMINISTRATIVE LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the following questions :

1. "Undoubtedly, among others, Indian administrative law is associated with certain key concepts like fairness, justice as well as rationalization of administrative powers." Critically analyse as to how administrative law in India incorporates fairness and accountability, rule of law and justice. **(6 Marks)**

2. Discretion is essential to the operation of administrative bodies. However, the presence of discretion is often associated with unlimited power thus adversely impacting the liberty of people. In this context, how do you describe the contours of Indian administrative law? Write your answer with the help of supporting reasons and examples. **(6 Marks)**

3. Consider the following facts:
Section 2 of the Part C States (Laws) Act, 1950, reads as follows:
The Central Government may extend by notification in the official Gazette to any Part C State with such restrictions and modifications as it thinks fit, any enactment which is in force in a Part A State.

Section 6 of the Part A Finance (Sales Tax) Act, 1956, (ST Act) states as follows:
6(1) The Central Government may impose sales tax on the items mentioned in Schedule I.
6(2) The Central Government may add, omit or substitute items to the schedule as it deems necessary and expedient to do so.

Provided that no tax shall be payable under this Act on the sale of goods specified in the Schedule unless not less than three months' notice is given.

In exercise of this power under Section 2, the Central Government by a Notification No. SRO 615 dated 1.1.1958 extended the ST Act to the Part C State of ABC, with this modification:

"for the words "not less than three months' notice," the words "such previous notice as it considers reasonable" shall be substituted".

In pursuance of this, on 1.2.1958, cotton, woollen and rayon were added to the schedule as items with respect to which sales tax would be payable.

Answer this question:

Whether the purported substitution of the words "such previous notice as it considers reasonable" for the words "not less than three months' notice" is in excess of the power of 'modification' conferred on the Central Government?

Your primary objective is to locate the essential legislative function and whether the conferral and exercise of the power under Section 2 by the Central Government is valid or not.

Additional information:

According to the scheme of the ST Act, the tax is quantified and assessed on the quarterly turnover. The period of not less than three months' notice conforms to that scheme and is intended to ensure that imposition of a new burden or exemption from tax causes least dislocation and inconvenience to the dealer in collecting the tax for the Government, keeping accounts and filing a proper return, and to the Revenue in assessing and collecting the same.

(8 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) Degree Programme

Third Year, Sixth Semester, Mid Semester (Even-Semester) Examinations, March -2022

ECONOMICS III (Law and Economics)

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)

Answer the Following Questions.

1. Suppose the government condemns a property on which the tenant has made improvements that will outlast the lease, should the value of the improvement be included in the amount of compensation that the government is required to pay the lessee of the property for the taking?
2. Are the following formulations of the economic test for which party to assign the property right to efficiency? If not, which is the best one?
 - a) Assign the right so as to minimize transaction costs.
 - b) Assign the right so as to maximize the probability that, if the right is more valuable to someone else than to the right holder, a transaction will occur.
 - c) Assign the right so as to make a transaction unnecessary to achieve efficiency.
 - d) Assign the right so as to minimize the sum of transaction costs and the losses resulting from failures to make value-maximizing exchanges.
3. Suppose you buy an expensive solar collector and put it on your roof. Later the owner of a neighbouring tract puts up a building that blocks your collector. What legal recourse would you have in an efficient system of property law?
4. A man finds the entrance to a large scenic cave on his property. The cave runs under other people's land as well. Should he be given the property right to the cave, or should the subjacent owners each own a portion of the cave directly below their land, or should they be deemed joint and undivided owners of the cave?

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**B.Com. LL.B. (Hons) Degree Programme****Third Year, Sixth Semester, Mid Semester (Even-Semester) Examinations, March -2022****FINANCIAL MANAGEMENT**

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)**Answer the following questions**

1. a) The financial manager of company has to advise the Board of Directors on choosing between two competing project proposals which require an equal investment of Rs. One lakh and are expected to generate cash flows as under:

Year	Project I	Project II
1	48,000	20,000
2	32,000	24,000
3	20,000	36,000
4	Nil	48,000
5	24,000	16,000
6	12,000	8,000
Other Details		
Salvage Value	10,000	Nil
Depreciation	Straight line Method	Straight line Method
Corporate Tax	40%	40%
Cost of Capital	10%	10%

Which project proposal should be recommended under NPV and IRR and why?

(8 marks)

- b) The company provides a ferry service across the Kauvery River. One of its ferry boats in poor condition. The ferry boat can be renovated at an immediate cost of Rs.20,000/-. Further repairs and overhaul of the motor will be needed five years from now at a cost of Rs.8,000/-. In all, the ferry will be usable for

10 years if this work is done. At the end of 10 years, the ferry will have to be scrapped at salvage value of approximately Rs.5,000/-. The scrap value of ferry right now is Rs.7,000/-. It will cost Rs.16,000/- each year to operate the ferry.

As an alternative, the company can purchase a new ferry boat a cost of Rs.40,000/-. The life time of the new ferry is 10 years, but will also require some repairs at the end of five years. It is estimated that these repairs will amount to Rs.2,500/-. At the end of 10 years, it is estimated that the ferry will have a scrap value of Rs.5,000/-. It will cost Rs.12,000/- each year to operate the ferry. Company requires a return of at least 18% on all investments. Should the Company purchase the new ferry or renovate the old ferry?

Decide under the Present Value of cash outflow

(8 marks)

2. *"The wealth maximization objective provides an operationally appropriate decision-criterion."* - Comment.

(4 marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Third Year, Sixth Semester, Mid Semester (Even-Semester) Examinations, March -2022

CORPORATE LAWS - II

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the following questions

1. Analyse the provisions under Sections 149 and 150 of the Companies Act 2013 dealing with *ex-ante* prescriptions to regulate the independence of Independent Directors in India and critically comment on the following statement:

“Ex Post determination of Independence may provide a more efficient way to determine the genuineness of the Independence of Independent directors.”

2. Bye Motors Pvt. Ltd. is a company incorporated in India. On 02/02/2021, The Board of Directors of the Company decided to buy another Company named Zero Motors Pvt. Ltd., which has been running under loss for the past 10 years. Most of the shareholders of the Company were against the decision and they were of the opinion that it is a bad and rash decision for the growth of Bye Motors.

An Extraordinary General Meeting is scheduled to be convened on 04/04/2022.

Today, few representatives of the majority shareholders of the Company approach you with the following questions. Kindly advise them with the aid of relevant legal provisions and judicial decisions.

- a) Whether they can undo the decision made by the Board of Directors?
(5 Marks)
- b) Is there a legal way to prohibit the Board of Directors from taking similar decisions in the future?
(5 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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Third Year, Sixth Semester, Mid Semester (Even-Semester) Examinations, March -2022

LABOUR LAW - II

Time: 2 Hours

Maximum Marks: 20

PART – A (20 Marks)

Answer the following questions

1. ABCD club was incorporated under the Societies Registration Act. It had 300 members. It was doing many services to its members like organising events etc. On 20.03.1975, a notification was issued by the Delhi Administration, in exercise of the powers conferred under Section 1 (5) of the ESI Act, stating that the provisions contemplated under the Act shall be extended to the establishments specified in the Schedule thereon. ESI Corporation at Delhi issued notice to the club asking to register the kitchen and canteen workers under the club with ESIC and to contribute for five contribution periods, i.e., from October 2016. The club contended that the process of making something edible is not a manufacturing process. Moreover, only food is served in the canteen. Hence, both of them do not fall within the definition of factory. The Club also contended that all the benefits available under the Act is extended to the employees under a scheme formulated by the Club.

The canteen was also run under a lease to one A. The only condition regarding it is that if the food items are not of good quality, the contract of lease can be cancelled. Hence the employees are not the employees of the club.

ABCD club then challenged the direction of the ESIC on the following grounds:

- (i) Delhi Administration does not have the authority to issue such direction.
- (ii) canteen is not a factory;
- (iii) Even if canteen is a factory its employees are not the employees of the Club;
- (iv) The contribution period mentioned in the notice is not properly arrived at.

Decide with relevant legal provisions and case laws.

(8 Marks)

2. Revathi was working in a book lending library. More than 10 employees were working there. Her first pregnancy was in the year 2017. She became pregnant again in 2018.

Immediately she informed about her pregnancy to her employer. But the employer gave her over time work. The Tamil Nadu maternity benefit rules say that there must be two years gap between the first and second pregnancy. Otherwise, the maternity benefit cannot be availed for the second delivery. The employer refused her all the benefits referring using the following defences:

- (i) Lending libraries do not fall within the scope of the definition of establishment;
- (ii) Working over time is not arduous nature of work;
- (iii) Even if a lending library is an establishment, maternity leave need not be given as per the Tamil Nadu Maternity benefit Rules.

Do you agree? Decide by giving relevant provisions of law.

(5 Marks)

3. A was working in a glass industry. The working time was 10am to 5pm. He was in the factory till evening seven 7pm. Thereafter while on the way to his home, he bought vegetables in the super market located nearly one km away from the factory. During that time, he met with an accident and lost one of his eyes. The authorised medical practitioner issued a certificate that his percentage of injury was 60%. His age was 25. His average monthly wages was Rs.15000/-

The factory was not registered under the Employees State Insurance Act. He claimed compensation for Rs.2,16,910/-. The employer challenged this on the following grounds:

- (i) The accident took place while he was buying vegetables which is in no way connected with his employment and hence the accident did not arise out of the employment.
- (ii) He was in the premises after the working hours and accident took place one km away from the factory and hence did not arise during the course of employment.
- (iii) The percentage of injury certified is wrong;
- (iv) Proper formula was not followed for assessing the compensation- Decide.

(7 Marks)

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B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Third Year, Sixth Semester, Mid Semester (Even-Semester) Examinations, March -2022

CIVIL PROCEDURE CODE

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions.

1. Mr. A has borrowed a sum of Rs. 1,50,000/- from Mr. B by executing of a promissory note and Mr. A also promised to repay the amount within two years from the date of the promissory note. But, unfortunately as promised Mr. A was unable to repay the amount either fully or partially towards the discharge of his legal liability. Hence, Mr. B filed a plaint under Order 7 Rule 1 and 2 read with Section 26 of CPC for the recovery of the money and also Mr. B filed a criminal case under section 420 of IPC against Mr. A simultaneously. Hence, Mr. B instead of filing the written statement, filed a petition for staying of the suit on the ground of pendency of criminal case filed against him by Mr. B and the same was dismissed.
 - (i) Decide the validity of the order passed by the civil court by referring the relevant provisions of the CPC and the decided case laws in this regard. (4 Marks)
 - (ii) And also explain, would it make any difference if the criminal case is already decided by the criminal court? Give cogent reasons. (3 Marks)
 - (iii) Examine the difference between returning and rejection of a plaint. (3 Marks)
2. Mr. A and Mr. B entered into an agreement for sale of an immovable property at Tiruchirappalli. Mr A hails from Chennai and Mr. B from Kolkata. The immovable property is located partially at Chennai and remaining at Mumbai. Mr. A is the seller and Mr. B is the buyer and advance amount are also paid by Mr. B and it was also agreed to pay the within one month from the date of the advance amount. Mr. A also agreed to perform the contract once the full amount is settled. But, When Mr. B is ready to settle

the amount, Mr. A demands more money and refused to perform the contract. Now, Mr. B wants to file the suit for specific performance of the contract.

- (i) Advise him as to the court in which he has to file the suit. Explain in detail by referring the relevant provisions of the CPC. **(4 Marks)**
 - (ii) Would it make any difference, if the suit is relating to the wrongs committed against the movable property or person? **(3 Marks)**
 - (iii) Also, examine the procedure to be followed court in case, if the particular court is unable to determine the jurisdiction of court. **(3 Marks)**
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B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Third Year, Sixth Semester, Mid Semester (Even-Semester) Examinations, March -2022

LAW OF CRIMES – II (Criminal Procedure Code)

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the following questions in your own language

1. Raghavi and Manoj got married on 10th December 2018. Both were happy in their married life for two years. But in due course, the behaviour of Manoj started changing and after inquiry, Raghavi came to know that her husband recently married one of his colleagues named Sweta in a temple who was working with Manoj before their marriage in the same MNC at Delhi. After knowing about the incident from Raghavi, one of her close friends Padma advised her to file an FIR against Manoj about the second marriage. Raghavi followed the suggestion given by her friend Padma and gave the information to the Coral Bag police station having the jurisdiction. The Officer-in-Charge registered the FIR against Manoj and started investigating the case immediately. The Officer-in-Charge directly went to the MNC where Manoj was working and arrested him under Section 494 IPC, 1860.

Examine the validity of the procedure followed by the Officer-in-Charge for investigation in the present case with the help of judicial decisions and legal principles.

2. Raksh is a 23 year old man who used to work as a full-time domestic help in Mr. Pepe's house. On 15th January 2022, Mr. Pepe opened his locker in his cupboard to discover that his box of gold worth Rs 20 lakhs was missing. As no one other than Raksh was residing

with Mr. Pepe, he immediately suspected Raksh of committing theft. When Raksh was questioned about the same by Mr. Pepe, he vehemently denied his involvement. However, Mr. Pepe was not convinced and lodged an FIR against Raksh in the nearest police station on the 15th of January 2022. On the same day itself, the police arrested Raksh. Raksh tried to explain that he is not involved but it wasn't taken into consideration and he was forcefully taken into custody. Raksh was not allowed to inform any of his family or friends about his arrest. He was produced before the executive magistrate after 48 hours of arrest and thereafter the executive magistrate granted 15 days of police custody. While in police custody, Raksh was subjected to a lot of torture to get a confession out of him. He applied for bail to the judicial magistrate first class but the bail was denied citing that since the crime involved is a high-value theft, therefore the accused must be kept in custody during the investigation and he was sent for judicial custody. He languished in jail for 60 days but the charge-sheet was not filed till then. He again furnished bail to be released but it was denied again. Post completion of the investigation, the police did not find any incriminating proof against Raksh and submitted the report to the magistrate citing the same.

In light of the given facts, examine whether the arrest, detention and denial of bail of Raksh was in accordance with the provisions of the Code. Support your answer with relevant legal provisions and case laws.

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Third Year, Sixth Semester, Mid Semester (Even-Semester) Examinations, March -2022

ENVIRONMENTAL LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 =20 Marks)

Answer the following questions

1. (a) *The federal structure of the Constitution of India encourages the States and the Centre to legislate on various interrelated subjects to protect and preserve the environment between generations. Do you agree? Analyse this statement referring to the legislative and policy measures adopted for effective conservation of natural resources and also cite the relevant provisions of the Indian Constitution. (5Marks)*
- (b) *“The shift from Anthropocentrism to ecocentrism is reflected in various environmental legislations and Judicial decisions in India.” - Substantiate this statement referring to the relevant provisions of environmental law and decided case laws in India. (5Marks)*
2. *“The Russian invasion of Ukraine is causing an environmental crisis, and experts say it could take years to fully realize the impact... war in industrial areas creates extensive risks of toxic contamination, given the concentration of power-generating stations, chemical plants, metal-working factories, and the like”- Ken Conca.*

Keeping the above quotation and the contemporary situation of Ukraine in mind, first analyse the nature of the environmental crisis created by the Russia-Ukraine war and then compare and contrast the effectiveness of the principles of the Multilateral Environmental Agreements/Conventions/treaties in the prevention of environmental crisis and remedial measures for the same.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Fourth Year, Eighth Semester, Mid Semester (Even-Semester) Examinations, March -2022

INTERNATIONAL COMMERCIAL ARBITRATION

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the following questions.

1. The Country of Louisiana entered into an agreement with the Country of Miamiana for a periodical supply of Crude Oil from them at an agreed price from 01.02.2022 to 01.02.2023. The Country of Miamiana due to an unforeseen war in their country started to default in supplying the crude oil from 01.03.2022. The Country of Louisiana invoked the arbitration clause in the agreement which stipulated that the parties can decide on any kind of arbitration when the dispute arises. Critically analyse the pros and cons of the two kinds of arbitration in light of this factual background relevant to International Conventions and case laws.
2. Critically enumerate the importance of drafting the arbitration clause in International Commercial Arbitration and the various elements involved in an Arbitration clause. In addition, enumerate the problems surrounding a defective Arbitration clause in International Commercial Arbitration.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme****Fourth Year, Eighth Semester, Mid Semester (Even-Semester) Examinations, March -2022****LAW OF INSURANCE**

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)**Answer the following questions in your own words.**

1. Mr. Liam Smith and Mrs. Lisa Smith have been married for 15 years and have a daughter. As they were getting older, Mr. Smith, the breadwinner of his family, wanted to take a joint-life insurance policy for him and his wife. Mr. Smith approached the LIC to avail of their insurance services. A LIC agent was appointed to act as the middleman between the Insurer and Mr. Smith. With the agent's help, Mr. Smith filled out the proposal form. The insurer accepted the policy at a normal premium payable annually for the said plan. The policy term was 15 years, and the policy commenced in February 2017. On the death of either Mr. Smith or Mrs. Smith, the survivor will be able to discharge the contract and make a claim or continue the policy by paying the premium. Mr. Smith had been regularly paying the premium amount. Five years passed and Mr. Smith started developing periodical chest pains. So, he visited a hospital and came to know that he had a block in one of the arteries that required surgery. Even though the surgery was successful, Mr. Smith passed away soon after. Mrs. Smith, as a survivor and beneficiary of the joint-life insurance policy did not want to continue the policy and notified a claim to LIC with relevant proof of death and medical treatment undertaken by Mr. Smith. LIC found that Mr. Smith was a regular smoker from this proof submitted. However, the question "Do you have or have you ever had the habit of smoking?" was answered as "No" by Mr. Smith in the proposal form. LIC contended that Mr. Smith was a regular smoker, which was not disclosed to them or their agent, and repudiated the claim on account of fraud by Mr. Smith.

In light of the facts stated above, answer the following questions by using relevant legal principles and case laws.

a. Analyse the nature of the insurable interest of the joint-life insurance policy taken by Mr. Smith. (3Marks)

b. Can the insurer repudiate the insurance claim by Mrs. Smith? (7Marks)

2. Ray holds a comprehensive insurance policy with Lance General and Fire Insurance Company that covers his property against damage or loss directly caused by fire, theft, larceny, house breaking, or burglary. The policy specifically excluded damage or loss caused directly by the negligent acts of the insured or his legal invitees. One day, Ray wanted to go out with his friend Nathan to a party. However, due to a previous burglary attempt, Ray felt anxious to leave his precious coin and money note collection from countries worldwide. So, he put the coins and money notes in four old mail envelopes. Since he was also leaving his home soon, he thought he would not use his modern ethanol fireplace. So, he placed the envelopes inside the ethanol fireplace burner, thinking it would be the last place a robber may look for. The fireplace did not have any fuel at the time. Ray left his home feeling safe. After partying for a long time outside, Ray came back home along with Nathan and told him to stay in the guest room. Ray went to sleep as he was tired. Nathan wanted to drink alcohol, so he drank from Ray's alcohol collection. The night was very cold, and Nathan wanted to switch on the fireplace. Without the fuel, the fireplace did not light up. Nathan poured some of the alcohol from the bottle into the fuel holder and switched on the fireplace in his drunken state. Ray's precious coin and money note collection burnt entirely while he slept peacefully. The next morning Ray woke up to find a passed-out Nathan in front of the fireplace. Alarmed, he checked the fireplace to see that all four envelopes had burnt. Ray makes an insurance claim with Lance.

In light of the facts stated above, answer the following questions by using relevant legal principles and case laws.

a. Will the insurer be liable to pay Ray for the loss? (5 Marks)

b. Assuming that the insurer has indemnified the loss incurred by Ray, will the insurer have any claim against Nathan? (5 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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Fourth Year, Eighth Semester, Mid Semester (Even-Semester) Examinations, March -2022

ELECTION LAW

Time: 2 Hours

Maximum Marks: 20

Instructions:

- Write legibly. Your answers must be relevant and cogently argued.
- The problem based questions should be preferably answered in the *Issues-Research-Analysis-Conclusion (IRAC)* method by quoting relevant legal provisions and judicial precedents.
- All the questions should be answered by quoting at least three relevant precedents and/or illustrations.
- All questions are compulsory. You are strictly directed to follow the Question Number as given in the Question Paper.

PART – A (2 x 10 = 20 Marks)**Answer the following questions:**

- The post of the 3rd Election Commissioner (OEC) in the Election Commission of India (ECI) was lying vacant which was customarily held by officers from the Indian Administrative Service (IAS) cadres. Mr. ABC was a retired Indian Foreign Services (IFS) officer. He had also obtained his law degree from the prestigious National School of Law, Tiruchirappalli (NSLT). He was appointed to the vacant post of the 3rd Election Commissioner in 2018 by the President of India. Later, he was elevated to the post of the Chief Election Commissioner (CEC) of India.

After the General Elections of 2019, one unsuccessful candidate by name Mr. XYZ belonging to the Tiruchirappalli constituency challenged the successful election of Mr. EFG by way of a Writ Petition (WP) before the Supreme Court. In his WP, the Petitioner Mr. XYZ alleged, *inter alia*, that Mr. ABC who was functioning as the CEC for the 2019 General Elections was not qualified to be appointed as the CEC and therefore, the entire elections held throughout the country including the election of the Respondent Mr. EFG from Tiruchirappalli constituency were void.

It is the Petitioners argument that since the CEC could not be removed from his office, except in like manner and on the like grounds as a Supreme Court Judge as provided by the Indian Constitution, a person who was not eligible to be appointed as a Judge of the Supreme Court could not be appointed as the CEC. Accordingly, the Petitioner contends that as Mr. ABC was not qualified to be appointed as a Supreme Court Judge, he could not be elevated to the post of CEC. Decide this case by elucidating the judgements and relevant provisions from the Constitution of India and other allied laws relating to the appointment and removal of CEC and other Election Commissioners to the ECI.

2. Comment on each of the following statements about the Election Commission of India (ECI) whether they are 'correct' or 'incorrect'. Substantiate your answer with detailed and cogent reasons by quoting relevant legal provisions and judgments:

a) In ECI, the decisions of the Chief Election Commissioner (CEC) can prevail over the decisions taken by Other Election Commissioners (OEC).

(5 Marks)

b) The Indian Constitution envisages ECI to be a multi-member body, subject to a maximum limit of three members.

(5 Marks)

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Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20Marks)

Answer the Following Questions with the help of landmark judgements and legal provisions.

1. Dr. Benugopal is working as a child specialist in the Government hospital, Trichy. Apart from the Government job he is having his own clinic at his residence at 10th Cross, Bomanagar. He tried to evade tax for that income which he was earning additional to his salary. On the advice of one of his friends, Mr. Mahesh a Chartered Accountant, Dr. Benugopal purchased shares in Singapore with the money he earned from private practice. Decide whether Dr. Benugopal and his friend Mr. Mahesh have committed any crime under the Prevention of Money laundering Act, 2002?
2. Mr. Dharmendra an MLA received a Diamond ear ring for his wife on their wedding anniversary from a Contractor named Mr. Dukhiram who is executing several construction work under him. After 5 days when Mr. Dukhiram approached Mr. Dharmendra regarding his pending work Mr. Dharmendra completely refused and demanded 10 Lakhs Rupees for the work. Mr. Dukhiram, aggrieved by the demand, went to the nearest police station within a day and lodged a FIR against Mr. Dharmendra by stating that he compelled him to give a diamond earring worth rupees 5 Lakhs for completing the pending work. Analyse the liabilities of both Mr. Dharmendra and Mr. Dukhiram under the Prevention of Corruption Amendment Act, 2018.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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Fourth Year, Eighth Semester, Mid Semester (Even-Semester) Examinations, March -2022

MEDIA LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20Marks)

Answer the Following Questions:

1. Rine, a country, has started facing long-term armed conflict from Issia (a neighbouring country). Since the armed conflict, a flow of misinformation, disinformation and fake news have spread everywhere criticizing the liberty of the press and self-regulation. 'Issia attacked a children's hospital', flashed the headlines of all TV news channels, daily newspapers in India. Issia condemned India and its broadcasting agencies for sensationalising the conflict, spreading fake and paid news against the integrity of their country. As a media law counsel, having all the legal and the Constitutional framework in mind, create defending arguments in favour of the broadcast agencies and the Ministry in India.
2. "It's one of the most dangerous countries for journalists trying to do their job properly: RSF". The Indian Government condemned and denied the adverse assessment carried out by the French NGO 'Reporters Without Borders'. The journalists are exposed to every kind of attack, including police violence against reporters, ambushes by political activists, and reprisals instigated by criminal groups or corrupt local officials in India. Elaborate on the existing situation for reporters and media in India. Compare and contrast the emergency suppression made on media and the current situation in the non-protection of journalists in India.
3. An active social media user 'Cary' posted a MEME containing election misconduct carried out by the ruling party in the election of different states in India. The said MEME picture contained an obscene caricature of the ruling party leader playing chess. Cary was arrested under various charges including defamation, privacy violation and obscenity. Social media users and journalists started protesting in favour of Cary [#Mediafreedom#JUSTICEFORCARY#-

started trending]. When the judicial hearing was taking place, great criticism of the media trial was made. Keeping the above hypothetical situation in mind, elucidate on the intersection of criminal law and media law.

4. In Re: Prashant Bhushan and another In Re: Hon'ble Justice Shri C.S. Karnan - compare and contrast.
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GENDER JUSTICE AND FEMINISM

Time: 2 Hours

Maximum Marks: 20

PART – A (20Marks)

Answer the Following Questions:

1. In 2014 summer, 'X', India's 100-meter champion in the 18-and-under category, was barred from competing against women. She has a condition called hyperandrogenism, and her body produces natural levels of testosterone so high that they place her in the male range in the eyes of the international track and field committee.

Following a rule by the International Association of Athletics Federations, track's governing body, the Athletics Federation of India will allow 'X' to return to competition only if she lowers her testosterone level beneath the male range. She can do that by either taking hormone-suppressing drugs or having surgery to limit how much testosterone her body produces.

Her response? No way.

...

It has taken a lot of courage for 'X' to stand up for herself; other athletes with her condition have quietly consented to surgery or left sports altogether. But 'X' says she is willing to handle the scrutiny that has come with her public stand.

"I cried for three straight days after reading what people were saying about me," she said, regarding what she saw being debated in Internet forums. "They were saying, 'X': Boy or girl?" and I thought, how can you say those things? I have always been a girl."

'X' situation has highlighted one of the most perplexing issues facing sports and society: that there is no indisputable way to draw a line between male and female when most competitions have only two categories — one for men and the other for women. Olympic sports have chosen to set a limit on testosterone to distinguish the

two. Unfortunately, that standard leaves a woman like 'X' on the outside looking in. "We've come up with an imperfect solution, but there's no easy way around this," said Eric Vilain, a medical geneticist at the University of California, who helped create the International Olympic Committee's hyperandrogenism policy. "The other solution is mixing genders for competitions, and that wouldn't be fair to women because the women wouldn't be given much chance of winning."

...

The daughter of weavers who make about \$8 a week, 'X' was about 4 when she started tagging along with her elder sister, one of her six siblings, for workouts on a local track. By the time she was 10, she was living three hours from home and training in a national program, thrilled that she could send her prize money to her family. With her financial help, her parents eventually moved out of their two-room, no-toilet mud hut into a four-room house.

A study published last year revealed the cases and reported that those athletes also had medical procedures that had nothing to do with lowering their testosterone levels for sports: a reduction to the size of their clitorises, feminizing plastic surgery and estrogen replacement therapy.

"We don't know what was said to these women, maybe, 'Do all of this or lose your career,'" Karkazis said. "Or was it even more horrific, like, 'You're not a woman until you have all of this done.'" She added, "At least this time we got to the athlete before any interventions were done, and we've spared one person from that colonial mentality."

...

'X' is not concerned with the politics of it all. Her coaches back home have been encouraging her to agree to have surgery so that she can return to competition. She says, that she always answers: "Why surgery? I'm not sick!"

She said she was drawn to athletic competition because it offered a good option to getting married and having a family. "When girls play a sport, they are treated equally, so society becomes more equal," she said. "I really liked that."

Answer the following with reasons in the light of the above:

- a. Logically, what is the limitation that characterizes controversial ban on 'X', as evident in the questions she was harassed with online? **(2.5 Marks)**

- b. As someone who does not fit neatly into either the mould of 'female' or 'male' as we commonly understand it, people like 'X' force us to think about categories and their meanings critically, what would be the best way to overcome it? **(2.5 Marks)**

c. In addition to the sexism that 'X' had to face, an intersectional lens would also be needed to understand how her social position is affected, what is the intersectionality you identify in her case? **(2.5 Marks)**

d. The insistence by the sporting authority to undergo surgery when faced with cases of hyperandrogenism is fundamentally an indication of _____

- (i) Racial Bias
- (ii) Politics
- (iii) Gender Insensitivity
- (iv) Biological Determinism
- (v) Social Contraction

(2.5 Marks)

2. *"Women and children as bystanders, beings not fully conscious of the world around them"* – critically examine the role of the International Criminal Court in acknowledging gender-based violence as a war crime with decided case laws.

(5 Marks)

3. *"Intersectional subordination need not be intentionally produced; in fact, it is frequently the consequence of the imposition of one burden that interacts with preexisting vulnerabilities to create yet another dimension of disempowerment."* - Critically evaluate the intersectional ties faced by Dalit Women in the Indian Context.

(5 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme
Fifth Year, Tenth Semester, Mid Semester (Even-Semester) Examinations, March -2022

LAW AND SOCIAL TRANSFORMATION

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

1. *“Custom supplements law and law supplements custom”* – Critically examine whether the interactions between law and custom leads to social change with an example from the Indian context.
2. *“Ram from Telangana was employed in Jaipur as an engineer on a construction site, where he met Riya who is a native of Jaipur. Ram, belonging to an under privileged community and Riya, belonging to a privileged community fell in love. They decided to reveal their decision of getting married to their parents. Ram’s parents did not object to their marriage, however, Riya’s parents strongly opposed their marriage. Despite their opposition with the wishes of Ram’s parents, relatives and friends Ram and Riya got married on 21/2/2018 after which Riya started living with Ram and his parents. Riya’s parents made many attempts to contact her and asked her to come back and to leave Ram. However, Riya refused to go back to her parents. This irked Riya’s parents and hence they hired a gunman to kill Ram, and the gunman killed Ram in front of Riya and Ram’s Parents on 17/11/2018.”* – In the light of the above facts, critically examine caste-based violence in India quoting relevant case laws.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Fourth Year, Eighth Semester, Mid Semester (Even-Semester) Examinations, March -2022

LAW ON SECURITIES

Time: 2 Hours

Maximum Marks: 20

Instructions:

- Answer all the questions legibly. Fill up the answer book with relevant and cogent answers.
- The problem based questions should be preferably answered in the *Issues-Research-Analysis-Conclusion (IRAC)* method by quoting relevant legal provisions and judicial precedents.
- All the questions should be answered by quoting at least three relevant precedents and/or illustrations.
- All questions are compulsory. You are strictly directed to follow the Question Number as given in the Question Paper.

PART – A (1 x 10 = 10 Marks)**Answer the following questions:**

1. “SEBI is like a Mini-State within the Indian State, as the Parliament has clothed the capital market regulator with multifarious powers and functions so as to protect the interest of investors and to regulate all kinds of issues arising in the securities market.” Critically comment on this statement by mentioning at least two provision each from the Securities and Exchange Board of India (SEBI) Act, 1992 for administrative, quasi-legislative and quasi-judicial powers. Explain in detail about the quasi-judicial powers of SEBI with the help of precedents and examples?

PART – B (2 x 5 = 10 Marks)**Answer the following questions:**

2. Comment on each of the following statement and choose the most suitable answer from the given options for the following question and substantiate your choice(s) with detailed and cogent reasons:

The Capital Market consists of the Primary Market and the Secondary Market. Which of the following statement(s) is/are "FALSE" regarding the differences between these two markets?

- a) Existing securities are traded in the Primary Market, while new issues are distributed to the investors in the Secondary Market.
 - b) Existing securities are distributed to the investors in the Primary Market, while new issues are traded in the Secondary Market.
 - c) New issues are distributed to the investors in the Primary Market, while existing securities are traded in the Secondary Market.
 - d) Stocks are traded for the first time in the Secondary Market, while already traded stocks are subject to further trading in the Primary Market.
3. Comment on each of the following statement and choose the most suitable answer from the given options for the following question and substantiate your choice(s) with detailed and cogent reasons:

The securities markets have the following category (ies) of participant (s) _____.

- (a) issuers of securities
 - (b) investors in securities
 - (c) intermediaries
 - (d) regulators.
 - (e) All of the above.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Fourth Year, Eighth Semester, Mid Semester (Even-Semester) Examinations, March -2022

BIOTECHNOLOGY, GMOs AND THE LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)**Answer the Following Questions:**

1. The UPOV has made its stand clear that even Genetically Modified plant varieties can be registered under the provisions of the 1991 Convention. But a bare reading of Section 18 read with Section 29 of the Plant Varieties Protection and the Farmers Rights Act, 2001 (hereinafter referred to as the Act) does not very clearly help us understand the status of Genetically Modified plant varieties.

At this backdrop, critically examine Section 29 of the Act with special reference to sub section 3 of Section 29 and analyse the possibility of registering a Genetically Modified plant variety under the 2001 Act. If yes, substantiate your contention by using appropriate provisions from the legislation. If no, provide cogent rationale as to why they should be excluded.

2. At the momentous event at Bellagio on 1969, the then president of the Rock Feller Foundation, George Harrar wanted to let know the agricultural aid organizations, *'why and how science - and not food shipments - was a more sustainable way to deal with world hunger.'*

This observation, coupled with other expert opinions obviously revolutionised the field of Agricultural Biotechnology. Though the statement is true in one sense, the predominance given to science and technology (which is portrayed as a solution to solve the hunger crisis) does not go well with all the stakeholders. Ever since the development of environmental consciousness, we see people and even States advocating for organic farming which is considered to be in alignment with the objectives of agricultural biodiversity. With this as the context,

A) Analyse and explain the environmental sustainability of science with special reference to the concept of genetic engineering, *vis a vis* tackling the problem of hunger/ malnutrition. (4 Marks)

B) The Genetically Modified Organisms that come by virtue of genetic engineering are known to contain risks. So, the Cartagena Protocol in its Preamble has reaffirmed the Precautionary Principle as contained in Principle 15 of the Rio Declaration. But how does the rationale of Precautionary Principle coincide with paragraph 4 of Annexure 3 of the Protocol with the emphasis on the phrase, '*Lack of scientific knowledge or scientific consensus should not necessarily be interpreted as indicating a particular level of risk...*'

(6 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme****Fourth Year, Eighth Semester, Mid Semester (Even-Semester) Examinations, March -2022****CLINICAL - II (Drafting, Pleading and Conveyance)**

Time: 2 Hours

Maximum Marks: 20

PART – A (1 x 20 = 20 Marks)**Answer the Following Questions:**

1. Ms. Anupama Sridhar, one of the top models in Mumbai's showbiz industry, was scheduled for her annual health check-up at CarePlus Super Specialty Hospital, Bandra West, on 13 January 2022 at 11:30 AM. Upon receiving the lab reports thereof, Anupama realised to her horror that she has been diagnosed with Stage 2 breast cancer. Without losing any more time, she fixed an appointment with Dr. Subodh Khare, Senior Oncologist at the same hospital, who recommended her to undergo preventive double mastectomy as soon as possible. The same advice was also given by Dr. Monalisa Davis, Surgical Oncologist and Head of Department at Kokilaben Dhirubhai Ambani Hospital, whom Anupama approached shortly afterwards for a second opinion. Convinced by the reasoned medical opinion of two renowned doctors, Anupama decided to go for surgery, which was successfully conducted on 7 February 2022. However, the very next week Anupama's world turned upside down when a phone call from CarePlus Hospital informed her that there had been an unintended mix-up of her mammogram test results, and the report that was sent to her was, in fact, of another patient by the same name. In other words, in less than seven days of undergoing surgery, Anupama came to know that she has been perfectly healthy all along and there was absolutely no need for the surgery as she did not have breast cancer to begin with.

Anupama is understandably furious at the callousness of the Hospital and wants to sue them for medical negligence and the resultant physical and mental trauma, among other things. As Anupama's lawyer, prepare the necessary pleadings taking into account the above facts, and assume any relevant particulars as and where necessary.

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B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Fifth Year, Tenth Semester, Mid Semester (Even-Semester) Examinations, March -2022

HUMAN RIGHTS LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

1. “Defining “human rights” is certainly not easy”. Critically analyse this statement with the help of supporting reasons and illustrations.
2. How do you describe the value of theoretical approaches to human rights in understanding the concept of “human rights”? You are invited to make use of any two theoretical approaches to justify your viewpoint.

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Fifth Year, Tenth Semester, Mid Semester (Even-Semester) Examinations, March -2022

HEALTH CARE LAWS

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions:

1. The State of 'Divani' was a coastal state, having a small mountain range. It had pristine beauty. There was a strong tidal wave followed by heavy rains, and heavy destruction struck the state, a lot of property was lost, and caused great human tragedy.

Mr. Akash, a citizen suffered great personal and professional loss. He migrated, with his family – wife and a son, to the nearby state, 'Bharvani', in search of livelihood. Because of the calamity he and his family, needed immediate Health care.

Explain, the Conventions and the important provisions and the Rights which can help him attend to the health issues.

2. Define 'Health'. Examine the WHO's function in regarding Health Care of the International Community including 'Health for All and Primary Health Care.'
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
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Fifth Year, Tenth Semester, Mid Semester (Even-Semester) Examinations, March -2022

ADVANCED COURSE ON COPYRIGHT LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 10 = 20 Marks)

Answer the Following Questions in not less than 400 words

1. Mr. Naoti citizen of Morocco a famous singer, Ms. Sangria citizen of Cambodia a great dancer met at the Laotian festival held in Laos in 1986. They both have common interest in learning Indian dance forms and they come to India to learn traditional dance forms in the North East. In 1990 Sangria and Naoti together prepare the theme song for the cultural fest of Tripura in 1995 and they were staying at the LA TRIPURA CULTURAL FEST CENTRE situated in Tripura. While writing the theme song, they also wrote the following paragraph to describe about the longing for their mother land combining the words which were gibberish, no specific meaning and not written in any specific language but typed by Ms. Sangria using a type writer.

*“Chaucve luna the pro jnthuni
 Sechol necklisia manosa naro
 Swarhi bantu devoda karo
 Camdo Cambodia nato redhikhe
 Chaucve luna the pro jnthuni
 Sechol necklisia manosa naro
 Swarhi bantu devoda karo
 Camdo Morocco nato redhikhe”*

During the breaks in the 1995 cultural festival Sangria and Naoti were muttering the gibberish words mentioned above and were trying to create a catchy tune and convert it into a song. When they were satisfied that the tune was catchy they sang the gibberish words with a catchy tune as a matter of fun in front of 1000 people. But this singing was applauded and it caught the attention of 1000s of people from different countries. After the Tripura cultural fest, they decide to settle down in Pondicherry and they got married in 2002 and settled down till date. They also have their own music school and shop in Pondicherry.

Mr. Santoa from Alaska liked the gibberish words and the catchy tune of Ms. Sangria and Mr. Naoti and recorded it in his video camera without their knowledge. There was no other person recording the activity, so he secretly recorded it in his recording device. After returning to Alaska in 2000 he tried finding the meaning of the words through google . The google result stated that the words did not have any meaning and were mere gibberish. He died in 2015. While cleaning his old room Mr. Junior Santoa aged 17, son of Mr. Santoa accidentally found the recording device and converted all the recordings in it to a CD. While he was watching the CD, he was attracted by the catchy tune and words of Mr. Naoti and Ms. Sangria. Though Mr. Junior Santoa was able to identify them through google and their Pondicherry address and contact details were displayed, he did not want to contact them for any clarifications.

Mr. Junior Santoa was a musician and he wanted to present something different and chose the catchy tune and words in the recording and added one more para in gibberish Spanish and sang the song in 2019 at Lao pao café house in California. This music performance went viral in you tube in 2019 June. Mr. Naoti and Ms. Sangria watched the video in 2020 January and they decided to sue Mr. Junior Santoa in India and they sent a notice of Copyright infringement to Mr. Junior Santao claiming that song was their original creative expression and Mr. Junior Santao has infringed their copyright and has made addition to their work without obtaining proper permission. In this context decide the following:

- (a) Identify whether the writings of Mr. Naoti and Sangria can be copyrighted? If so whether the writings can be given international copyright protection?
- (b) State whether Mr. Naoti and Sangria being foreign citizens can claim copyright over the song? Is it possible to get a copyright for a song merely sung as a matter of fun activity amidst 1000 plus people? Can this be considered as a publication or communication to public or a performance?
- (c) Can Mr. Santoa be called as the producer of the phonogram? Does the recording belong to him? Can he be given copyright protection for the recording? If so which law is applicable to Mr. Santoa?
- (d) Whether Mr. Junior Santoa's performance at the Lao pao coffee house can be considered as performance? Whether he can be sued in India for violation of copyrights under the 1957 Copyright Act? If so whether he can be sued for Moral right Violation?

Kindly refer the relevant international conventions and the Copyright Act 1957 to decide.

2. *“Ideas per se fall on the free speech side of the line, while the statement of an idea in specific form, as well as the selection and arrangement of ideas fall on the copyright side of the line.”* Melville Nimmer.

“Ideas are free. But while the author confines them to his study, they are like birds in a cage, which none but he can have the right to let fly for, till he thinks proper to emancipate them, they are under his own dominion” – Justice Yates

- (a) Analyse whether ideas are truly free as stated above by Melville Nimmer and Justice Yates? State whether expressions alone are universally granted copyright protection? Substantiate the answer with relevant judicial decisions and state whether there is uniformity in granting copyright protection to expressions alone all over the globe.
- (b) Do you agree that in the current scenario due to technological advancements the concept of idea and expression dichotomy is merely in paper and Copyright Law is granting protection to ideas under the garb of expression and more and more subject matters have been included as copyrightable works through Practise manuals and Judicial Decisions?
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Fifth Year, Tenth Semester, Mid Semester (Even-Semester) Examinations, March -2022

LAW OF INTERNATIONAL CARRIAGE OF GOODS BY SEA

Time: 2 Hours

Maximum Marks: 20

PART – A (4 x 5 = 20 Marks)**Answer the following questions in your own words.**

- Wayne Enterprises, a conglomerate based in Gotham, manufactures heavy engines for automobiles. Queen Industries entered into a contract of sale on FCA terms with Wayne Enterprises for 8,000 heavy engines. Queen Industries entered into a contract of carriage of goods with Wayne Shipping Co. from Gotham to Star City. Queen Industries asked Wayne Shipping Co. to collect the cargo from the manufacturing premises of Wayne Enterprises. Wayne Enterprises entrusted the goods to Wayne Shipping Co., which employed crane operators to load the cargo in containers on board the company-owned ship "Bat Bunker" and for further carriage to Star City. Wayne Enterprises gave notice of handing over the cargo to the carrier. When the containers were being loaded on board the vessel, the negligence of the crane operators led to the containers falling onto the dock area and the heavy engines being damaged. The containers were shipped nevertheless. Three sets of clean bills of lading (B/L) of the same tenor and effect were prepared and signed by the Master of the ship. One original B/L each was issued to the shipper and the consignee. The remaining original B/L was in the hands of the carrier. The B/L incorporated the Hague-Visby Rules as governing the contract of carriage. When the cargo was discharged at Star City, Queen Industries found it to be damaged on the opening of the containers.

Identify whom Queen Industries should sue for the loss sustained and explain on what grounds Queen Industries can sue the relevant party based on legal principles and cases.

- Poseidon Shipping Co. had entered into a contract of carriage with a shipper of marine cargo for an agreed voyage. The shipper stated that the cargo was in a good condition and weighed 20,000 tonnes. Poseidon issued a clean bill of lading after inspection of the cargo in sets of three of the same tenor and value. The bill of

lading was transferred by the consignee to another endorsee. At the discharge port, Poseidon delivered the cargo to a person who produced a forged bill of lading. The endorsee produced the original bill of lading to Poseidon for getting delivery of the cargo. The endorsee sues Poseidon for misdelivery of cargo.

With reference to the above situation, critically analyze the obligations and legal implications of Poseidon with the help of legal principles and cases.

3. Marlin Inc. is an exporter of tuna fish to various countries worldwide. Knowing the popularity of Marlin Inc., a company named Dory Foods made an import order with Marlin on CIF terms. Marlin and Nemo Shipping Company entered into a contract of carriage for shipping 25,000 tonnes of frozen tuna fish on a motor vessel named "Gill". A clean bill of lading incorporating the Hague Rules was issued to Dory Foods as the consignee. The frozen tuna fish was to be shipped in reefer containers with a temperature of -25 to -20°C to be maintained throughout the voyage from Singapore to Sydney. A crew exchange happened a few weeks before the beginning of the voyage, and they were not well-trained in handling reefer containers. Yet, Nemo Shipping Co. allowed them to undergo the marine voyage. When MV Gill began its journey at Singapore, the crew had failed to verify the power supplies to the reefer containers. The frozen tuna arrived in Sydney infected with bacteria and not fit for consumption. Dory Foods claimed from Nemo Shipping Co. for total damage of cargo. Nemo blamed the inherent quality of the cargo.

Decide the claim using relevant legal principles and cases.

4. Pacific Shipping Co. is a shipping company based in South Africa. It engaged in carrying leather from South Africa to Mexico. A contract of carriage was entered into by Pacific Shipping Co. and Luis Imports Ltd. Before the goods were shipped, a customs inspection happened and the containers were resealed loosely. The servants of Pacific Shipping stowed the containers on board using cranes. During the voyage, the leather grew mold due to storms and water entering the vessel and containers. Luis Imports sued the servants of Pacific Shipping for lack of care in stowage. The choice of law clause was agreed as South African laws in the bill of lading.

How will the claim be decided under i) the Hague Rules and ii) the Hague-Visby Rules? Assume that South Africa is a contracting State for each situation. Answer with relevant legal principles and cases.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) and B.Com. LL.B. (Hons) Degree Programme

Fifth Year, Tenth Semester, Mid Semester (Even-Semester) Examinations, March -2022

ADVANCED COURSE ON TRADEMARK LAW

Time: 2 Hours

Maximum Marks: 20

PART – A (2 x 5 = 10 Marks)

Answer the Following Questions

1. 'Vimal Industries' a popular textile startup brand from India which markets its products under the trademark 'Orange' wishes to expand its business to the European market. In this regard, the company carried out a brand audit on their trademark 'Orange' in Europe and realized that their trademark may be unusable in some countries because it had been already registered by third parties or may be accused of lacking distinctive character. Vimal Industries seeks your legal opinion for developing a strategy to protect its trademark and brand identity internationally. Advice.
2. 'Petro-India', the trademark of a major Indian oil company who have invested largely in Russian oil fields decided to conduct a 'Trademark Valuation' for transactional and tax purpose. The price of petroleum products is determined primarily by the underlying price of crude oil, refining, and local regulatory factors and secondarily by location and brand. In this context, briefly enumerate the various methods of trademark valuation and identify a suitable trademark valuation method for the mark 'Petro-India'.

PART – B (1 x 10 = 10 Marks)

Answer the Following Questions

3. *"The concept of distinctiveness, perhaps the most foundational of all trademark concepts. It has been articulated in the form of a spectrum that ranges from stronger to weaker distinctive trademarks and susceptible to evaluation from both consumer and producer perspective."* In this context, answer the following,
 - a. Why does distinctiveness matter for the use of a mark in trade?

- b.* Explain how the role of consumer perception dictates whether a term has become generic?
 - c.* Do you agree with the statement that the distinctiveness of a trademark once established at the time of registration remains constant throughout the life of the business associated with that trademark? Why?
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