

Professional Course Examination, November/December 2019

(3rd Semester)

BACHELOR OF LAW

Paper : 11

(**Law of Taxation**)

(Pre-Revised)

Full Marks : 100

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer **six** questions including Question No. 1 which is compulsory

1. Write short notes on any *four* of the following : 5×4=20
 - (a) Tax and Cess
 - (b) Assessee, Assessment Year and Previous Year
 - (c) Capital Gain
 - (d) Charitable Purposes
 - (e) VAT
 - (f) Role of Taxation in Good Governance
2. Discuss the Constitutional provision empowering levy of taxes by the Union and the State. 16
3. Define tax. State and explain the elements and purposes of taxation. 16

4. Explain the classification and head of income under the Indian Income-tax Act, 1961. 16
5. Discuss in brief the history and development of the Indian Income-tax Act, 1961. 16
6. Discuss how far the residential status of a person affects tax on his income. 16
7. Write major features of Goods and Service Tax. What are the proposed benefits of GST? 6+10=16
8. Who are Income Tax Authorities? Discuss their powers and functions. 4+12=16
9. Write notes on the following : 8+8=16
- (a) Agricultural income
- (b) Income which does not form a part of total income
10. (a) Differentiate between Capital receipt and Revenue receipt. 8
- (b) Write a note on Income. 8

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(3rd Semester)

BACHELOR OF LAW

Paper : 12

(Environmental Law)

(Pre-Revised)

Full Marks : 100

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer **six** questions including Question No. 1 which is compulsory

1. Write short notes on any *four* of the following : 5×4=20
 - (a) Causes of environmental pollution
 - (b) Public nuisance under the IPC 1860
 - (c) Inter-generational equity
 - (d) Article 48A and Article 51A for environment protection
 - (e) Stockholm Conference on the Human Environment, 1972

2. Explain the various torts relating to environmental pollution and the common action remedies available supported by relevant case laws. 16

3. In the light of the case of *M. C. Mehta vs. UOI 1987, SC 982*, explain the significance of Article 21 of the Constitution in maintaining a wholesome environment supported by relevant case laws. 16

4. Explain the meaning of air pollution as laid down in the Air (Prevention and Control of Pollution) Act, 1981 and discuss the law relating to declaring an area as air pollution control area supported by relevant case laws. 3+13=16

5. What are environmental pollutants? Describe the various functions and duties of the Central Government under the Environmental Protection Act, 1986. 2+14=16

6. Discuss the procedure relating to picking up of samples and sampling procedure under the Water (Prevention and Control of Pollution) Act, 1974 supported by relevant case laws. 16

7. Discuss with relevant case laws how Article 14 and Article 19 of the Constitution are invoked and interpreted in the protection of environment. 16

8. Discuss the various international measures taken to prevent global climate change. 16

9. What are the three classes of village forest reserve under the Mizoram Forest Act, 1955? Explain the features and framework of the Mizoram Forest Act, 1955. 3+13=16

10. Explain the following : 8+8=16

(a) Object and scope of the Wildlife (Protection) Act, 1972

(b) Brundtland Report

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BACHELOR OF LAW

Paper : 13

(Professional Ethics and Professional Accounting System)

(Clinical—I)

(Pre- Revised)

Full Marks : 60

Time : 2 hours

The figures in the margin indicate full marks for the questions

Answer **five** questions including Question No. 1 which is compulsory

1. Write short notes on any *four* of the following : 5×4=20
 - (a) Senior advocates and other advocates
 - (b) Power of Bar Council of India to punish for professional or other misconducts
 - (c) Meaning, nature and need of ethics of legal profession
 - (d) Bar-Bench relations
 - (e) Principles of law laid down in *R. D. Saxena vs. Balaram Prasad Sharma*, AIR 2000, SC 2912

2. Who are the persons who may be admitted as advocates on a State roll? Also discuss grounds for disqualification for enrolment as enumerated under the Advocates Act, 1961. 10

3. State and explain the powers and functions of the Bar Council of India. 10
4. Discuss the duty of advocates towards the court and to the client. 10
5. State and explain the salient features of the Contempt of Court Act, 1971. 10
6. Can lawyer resort to strike for any demand for legal fraternity or otherwise? Discuss in the light of principles of law laid down in *Ex. Captain Harish Uppal vs. Union of India* (2003) 3 SCC 45. 10
7. Write a critical commentary of any *two* of the following : 5×2=10
- (a) Rights and privileges of advocates
 - (b) Legal requirements for maintaining books of accounts by advocates
 - (c) Cooperative interaction between lawyers and Judges is important for administration of justice in India
8. What do you mean by 'Contempt of Court'? Elaborate criminal contempt and need for punishment of such contempt in order to maintain dignity of Court in the light of *in re Arundhati Roy* (2002) 3 SCC 343. 10

Professional Course Examination, November/December 2019

(3rd Semester)

BACHELOR OF LAW

Paper : 14

(Intellectual Property Law)

(Pre-Revised)

Full Marks : 100

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer **six** questions including Question No. 1 which is compulsory

1. Write short notes on any *four* of the following : 5×4=20
 - (a) 'Design' under the Designs Act, 2000
 - (b) Licensing under the Trademarks Act, 1999
 - (c) Procedure for obtaining patent
 - (d) Infringement of copyright
 - (e) Transfer of patents right
 - (f) Commercial exploitation of intellectual property

2. Define intellectual property. State the international conventions and treaties in the field of various intellectual property rights. 6+10=16

3. Define patent. Discuss the important changes made in 1992, 2002 and 2005 in the Indian Patent Act. Also discuss the rights and obligations of patentee. 4+6+6=16

4. "Copyright exists in expression of idea and not in idea." Discuss. Also discuss in brief the various civil and criminal remedies against infringement of copyright. 8+8=16
5. What type of works can be protected by copyright? Also state the copyrights granted to the rights-holder. 10+6=16
6. Give the effect of registration under the Geographical Indications of Goods (Registration and Protection) Act, 1999. What penalties are imposed for falsification of geographical indications? 8+8=16
7. (a) Give the different types of trademarks available for adoption. What are the benefits of registering a trademark? 8
- (b) What is the difference among trademarks, patents and copyrights? 8
8. (a) Can the registration of a design be cancelled? Discuss. 8
- (b) Discuss in detail the salient features of the Designs Act, 2000. 8
9. Discuss the difference between the following : 8+8=16
- (a) Infringement and Passing-off
- (b) Renewal and Restoration of trademark
10. With the help of illustrations, explain the 'absolute and relative' ground for refusal of registration of a trademark. Also discuss the various rights of a trademark holder. Are there any limitations on these rights? Discuss. 8+4+4=16

Professional Course Examination, November/December 2019

(3rd Semester)

BACHELOR OF LAW

Paper : 15

(Human Rights and Practice)

(Pre-Revised)

Full Marks : 100

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer **six** questions including Question No. 1 which is compulsory

1. Write short notes on any **four** of the following : 5×4=20

(a) Human Rights Committee

(b) Negative and Positive Rights

(c) Mizoram State Commission for Women

(d) Armed Forces (Special Powers) Act, 1958

(e) Human Rights Court

(f) Rights of Aged Persons

2. Explain the first generation, second generation and third generation of Human Rights. Also discuss how do these rights reflect in the Constitution Rights of India.

16

3. What is the International Bill of Human Rights? Compare and contrast human rights under International Covenant on Civil and Political Rights, 1966 and Part III of the Constitution of India. 16
4. Describe the constitution, power and functions of the National Human Rights Commission in India. 16
5. What are the rights of disabled person under the International Human Rights Law? Also highlight the rights of disabled persons in India under the Rights of Persons with Disabilities Act, 2016. 16
6. Describe the prisoners' rights under International Law and the Constitution of India. 16
7. Explain the Convention on Elimination of All Forms of Discrimination against Women, 1979. Do you think this Convention is the part of law of India? Discuss in the light of provision of the Constitution of India and decisional law. 16
8. Describe the Rights of Children with reference to the Convention on Rights of Child, 1989. How far these Rights are reflected under the Constitution of India? Discuss. 16
9. Critically examine the role of the Supreme Court in safeguarding Human Rights in India particularly the Rights of Children and Women. 16
10. (a) What do you mean by Human Rights? What are the characteristics of Human Rights? 8
- (b) Critically examine the role of legal profession in promoting and protecting of Human Rights in India. 8
