

Professional Course Examination, November 2018

(3rd Semester)

BACHELOR OF LAW

Paper : 11

(Law of Taxation)

Full Marks : 100

Pass Marks : 40

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) Direct and Indirect Tax

(b) Tax and Fee

(c) Assessee

(d) Assessment Year and Previous Year

(e) Capital Gain

(f) Profit and Gain

2. Explain the taxation provisions given under the Constitution of India and discuss the role of taxation in good governance and policy. 16

3. Define tax. State the elements and purpose of tax. 4+12=16
4. Write short notes on the following : 8+8=16
- (a) Definition of income as given in the Income-tax Act, 1961
- (b) Exemption of income
5. Give a critical analysis of agricultural income based on decided cases. 16
6. Discuss how far the residential status of a person affect tax on his income. 16
7. What are the ingredients for charging of tax under the following heads? 8+8=16
- (a) Income from house property
- (b) Income from other sources
8. Write down the salient features of the Goods and Services Tax Act, 2017. What are the proposed benefits of GST? 6+10=16
9. Who are the officers under the CGST Act, 2017? Explain the procedure of registration under the Act. 4+12=16
10. Discuss the provisions of appeal and revision under the CGST Act, 2017. 16

LLB/III/12

Professional Course Examination, November 2018

(3rd Semester)

BACHELOR OF LAW

Paper : 12

(**Environmental Law**)

Full Marks : 100

Pass Mark : 40

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) Sustainable development
- (b) Environmental policy in India
- (c) Polluter pays principle
- (d) Dehra Dun Mussoorie hills quarrying case (AIR 1985, SC 652)
- (e) Meaning of environment
- (f) The Wildlife Protection Act, 1972

2. Discuss the constitutional provisions laid down through judicial decisions for a clean and wholesome environment.

16

3. Explain the relations between law of tort and law of crime with environment supported by relevant case laws. 16
4. What do you mean by environmental pollution? Discuss the powers of the Central Government to protect and improve the environment under the Environment Protection Act, 1986. 16
5. In the light of relevant statutory provisions, state and explain the functions and powers of the Central and State Water Pollution Control Boards. 16
6. Discuss the framework of the Air (Prevention and Control of Pollution) Act, 1981. 16
7. Explain the scope and importance of the Stockholm and Rio Declaration in the issue of the protection of biosphere on the official agenda of environmental law. 16
8. Explain the following : 8+8=16
 - (a) *T. N. Godavarman Thirumalpad vs. Union of India*, AIR (2000) 10 SCC 579
 - (b) Biodiversity
9. Explain the principle of law laid down in—
 - (a) Shri Ram Gas Leak Case;
 - (b) Taj Trapezium Case. 8+8=16
10. Write notes on the following : 8+8=16
 - (a) Need to conserve forest
 - (b) Forest villages

Professional Course Examination, November 2018

(3rd Semester)

BACHELOR OF LAW

Paper : 13

(Professional Ethic and Professional Accounting System)**(Clinical—I)**Full Marks : 60Pass Mark : 24

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) Legal professionalism in India
- (b) Accountancy for lawyers
- (c) Legal aid
- (d) Senior advocate
- (e) Notary

2. Explain the following :

5+5=10

- (a) Rights and privileges of advocates
- (b) Removal of the name of an advocate from roll

3. Explain the duty of an advocate—

- (a) towards his client;
- (b) towards the community.

5+5=10

4. Explain the following :

5+5=10

- (a) Powers and functions of the State Bar Council
- (b) Rule-making power of the Bar Council of India

5. Explain the principle of law laid down in—

- (a) *Vikas Deshpande vs. Bar Council of India* (2003) 1 SCC 384;
- (b) *Raman Services Pvt. Ltd. vs. V. Subhas Kapoor* (2001) 2 SCC 571.

5+5=10

6. Explain the following :

5+5=10

- (a) Bar-Bench relations
- (b) Contempt of Court

7. (a) An advocate after receiving sufficient funds from his client, failed to file a petition in the court. He induced his client by showing forged documents. Advise the client in the light of the decision of the Disciplinary Committee of the Bar Council of India.

- (b) Mr. A wants to change his advocate but the advocate refuse to hand over his documents without any proper reasons. Advise Mr. A.

5+5=10

8. Explain the following :

5+5=10

- (a) Elements of advocacy
- (b) Admission of advocate in the Bar Council of India

LLB/III/14

Professional Course Examination, November 2018

(3rd Semester)

BACHELOR OF LAW

Paper : 14

(Intellectual Property Rights Law)

Full Marks : 100

Pass Mark : 40

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) International conventions and treaties in the field of various intellectual property rights
- (b) Dispute settlement system
- (c) Characteristics of copyright
- (d) Transfer of patents right
- (e) Rights and obligations of patentee
- (f) Procedure for registration of geographical indications

2. Define Intellectual Property. Explain the nature and scope of intellectual property as expanded by WIPO and TRIPs. 6+10=16

3. Patent Law in India has undergone major changes. Discuss the important changes made in 1992, 2002 and 2005 in Indian Patent Act. 16
4. Define Patent. What are the three important requirements of an invention to qualify for patent? Explain in detail the procedure for obtaining patent. 5+5+6=16
5. Mr. A has a brilliant idea for a plot of story in his mind, he then narrates his idea to Mr. B, who works on the idea and writes a book. With the help of this illustrations, decide and justify the statement, "Copyright exists in expression of idea and not in idea". 16
6. What do you mean by infringement of copyright? Discuss in detail various civil and criminal remedies against infringement of copyright. 6+10=16
7. (a) What do you mean by the term 'Trademark'? Discuss the various rights of a trademark holder. Are there any limitation on these rights? Explain. 8
- (b) With the help of illustrations, explain the 'absolute and relative' ground for refusal of registration of a trademark. 8
8. Discuss the difference between the following : 8+8=16
- (a) Infringement and Passing off
- (b) Renewal and Restoration of trademark
9. (a) Define designs. Discuss in detail the salient features of Designs Act, 2000. 8
- (b) What do you mean by the term 'geographical indications'? When can geographical indication be falsely used? What penalties are imposed for falsification of geographical indications? 8
10. Discuss from any two of the following decided case laws whether the trademark was infringed or not : 8×2=16
- (a) *Pidilite Industries Ltd. vs. S. M. Associates* (2004 (28) PTC 193 Bom)
- (b) *Lakme Ltd. vs. Subhash Trading* (1996 PTC (16) 576 Delhi)
- (c) *S. M. Dyechem vs. Cadbury (India) Ltd.* (AIR 2000, SC 2114)

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LLB/III/15

Professional Course Examination, November 2018

(3rd Semester)

BACHELOR OF LAW

Paper : 15

(Human Rights and Practice)

Full Marks : 100

Pass Mark : 40

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) Function of Mizoram State Commission for Women
- (b) Role of legal profession in enforcement of rights
- (c) Human Rights and Fundamental Rights
- (d) Human Rights of tribals and minorities
- (e) Kinds of Human Rights
- (f) Rights of aged persons

2. Discuss the concept of Human Rights and its importance in today's modern world.

16

3. Rights of women had become the debatable issue in recent times.
Comment. 16
4. What are the achievements of the Universal Declaration of Human Rights in promotion and protection of Human Rights? Discuss. 16
5. What are the Human Rights of disabled and children? How does international instrument recognize their rights? 16
6. Critically examine the role of National Human Rights Commission as an enforcement of Human Rights mechanism. 16
7. The Covenant on Civil and Political Rights, 1966 is of a great significance for modern societies. Explain. 16
8. Discuss the role of United Nations agencies in promotion and protection of Human Rights. 16
9. Elucidate salient features of Covenant of Economic, Social and Cultural Rights. How has the Indian Constitution inculcate the same? Discuss. 16
10. Do you consider all the provisions made by the United Nations for vulnerable groups of the society sufficient? What further extension can be suggested? Discuss. 16
