

6386

MIB / III Sem.

**Course 535- LEGAL DIMENSIONS OF
INTERNATIONAL BUSINESS**

(Admissions of 2004 & onwards)

Time : 3 hours

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Maximum Marks :70

(Write your Roll No. on the top immediately on receipt of this question paper)

Attempt all the five questions All questions carry equal marks.

Write serial number of the part (i.e. a, b, c, d) of each question attempted.

1. (a) What are the salient features of GATT 1995 .How does GATT1995 differ from GATT 1947? Discuss
And
(b) .Distinguish between arbitration and conciliation. Is conciliation a better method of settlement of international commercial disputes in comparison to arbitration? Discuss.
Or
(c) Discuss the legal clauses of an international commercial contract ?
And
(d) Discuss the salient features of the WTO agreement on Technical Barriers to Trade (TBT) .

2. (a) Can a small country challenge a larger and more powerful country in a commercial dispute ? Discuss with reference to the Dispute Settlement Understanding under WTO.
And
(b) Discuss the WTO disciplines under which Customs authorities of a national government must follow customs valuation procedures for imported products .
Or
(c) What are the purposes of a copyright ? If such a right is infringed how can it be restored ?
And
(d) Can a person be punished with a jail sentence under Information Technology Act of 2000, for different types of computer related offences in India ?

3. a) What are the purposes of a Bill of Lading and a Charter Party
And
(b) A number of offences relating to inflow and outflow of money in the transactions related to the recently concluded IPL cricket matches involving franchisers, franchisees and broadcasters are alleged to have been committed . Discuss the important provisions of the Indian Foreign Exchange Management Act (FEMA)

under which such offences will be investigated and their possible consequences for the offenders.

Or

(c) What difference to Indian business will the main provisions of the Indian Competition Act of 2002. make ? Discuss with reference to the substantive provisions of this law.

And

(d) " The Microsoft case shows the effectiveness of the US anti-trust laws" : Discuss this statement with reference to provisions of US anti trust laws .

4. (a) Discuss the salient features of the UN Guidelines on Consumer Protection .

And

(b). Discuss the role of UNO in codifying International Trade law with suitable examples.

Or

(c) Can foreign entities be taxed under the Income tax Act in India ? Do you think that Vodafone will have to pay tax on capital gains in buying stakes in the Indian telecom company. Discuss with reference to the Vodafone case.

And

(d) What are the salient features of the Indian Consumer Protection Act, 1986 ?

5. Write short notes on any four of the following::

- a. Preferential treatment to developing countries under WTO
- b. Agreement of Subsidies and Countervailing measures
- c. Implications of Agreement on Anti- dumping duties..
- d. Agreement on TRIPS.
- e. Electronic Payment Systems in India
- f. Double taxation under Indian Income tax laws.
- g. International Chamber of Commerce.
- h. Digital Signatures.