


Name:			
Enrolment No:			
<b>UNIVERSITY OF PETROLEUM AND ENERGY STUDIES</b> <b>End Semester Examination, May 2023</b>			
<b>Course: International Trade Law</b> <b>Program: LLM (International Business Law)</b> <b>Course Code: <u>CLIB 7002P</u></b>		<b>Semester II</b> <b>Time : 03 hrs.</b>  <b>Max. Marks: 100</b>	
<b>Instructions:</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.		Marks	CO
Q 1	Define Incoterms.	2	CO1
Q 2	Enlist Air Carriage Documents.	2	CO1
Q3	Who/what is DGFT?	2	CO1
Q4	Mention two key takeaways of new FTP 2023.	2	CO1
Q5	Expand the abbreviation CISG in terms of International Trade.	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
	Statement of question:	Marks	CO
Q6	What is a Regional Trade Agreement? Elaborate.	5	CO2
Q7	Adam Smith's theory of absolute advantage can be the basis for large gains from trade between producers of different goods with different absolute advantages. Do you agree?	5	CO2
Q8	There are various types of Bills of Lading. Explain any two.	5	CO2
Q9	Is Letter of Credit a Negotiable Instrument? Explain.	5	CO2
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
	Statement of question	Marks	CO

Q. 10	Section 609 of United States of America(US) Public Law 101–102, enacted in 1989, dealt with imports. It said, among other things, that shrimp harvested with technology that may adversely affect certain sea turtles may not be imported into the US - unless the harvesting nation was certified to have a regulatory programme and an incidental take-rate comparable to that of the US, or that the particular fishing environment of the harvesting nation did not pose a threat to sea turtles. By the support of this provision, USA banned import of Shrimp Products from India, Malaysia and other countries. Can the US ban the import of these products under WTO norms. Explain in the context of tussle between Environment and Trade.	10	CO3
Q. 11	Disputes are settled internationally when trade and commerce cross boundaries. There are two ways of resolving international disputes, the pacific means and coercive means. Now answer the following questions.  1. Explain what means are followed when a dispute is sent to the Dispute Settlement Body of the WTO. Why?  2. With the help of a case example, explain the process of Dispute Settlement when members bring complaints.	10	CO3
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
	Statement of question:	<b>Marks</b>	<b>CO</b>
Q 12	Country A decided to ban the import of a particular commodity C from Country B into its territory. Country B was using an old technology for manufacturing C. Now look at the following statements and <b>resolve</b> them.  1. Reason given by Country A was that Sustainable Development Goals and International Trade have to go hand in hand. Is it true? Explain the possible reasons the import was banned.  2. With the World Trade Organization (WTO) now at its heart, the very existence of the rules-based trading system is under threat. Challenges facing the WTO and the reforms needed to deal with them are to be addressed at the earliest. Explain.	10 15	CO4
Q. 13	A Foreign Direct Investment (FDI) is an investment made by a firm or individual in one country into business interests located in another country. Apart from being a critical driver of economic growth, FDI has been a major	10 15	CO 4

	<p>non-debt financial resource for the economic development of India. Now answer the following questions:</p> <ol style="list-style-type: none"><li>1. A firm X from USA wants to invest in India. It has hired you as the lawyer and wants help. Help X in understanding, in how many ways can this firm invest in India?</li><li>2. Consider the following facts:<ol style="list-style-type: none"><li>a. A firm Y has invested in stocks in different blue-chip companies of India.</li><li>b. The Government of India is giving certain concessions to foreign companies/firms which have invested at least 50 percent in national manufacturing units of solar panels.</li><li>c. Y argues that he is an FDI investor.</li></ol></li></ol> <p>Apply your skills as a lawyer from India and write a legal opinion for Y stating the differences between FDI and FPI (Foreign Portfolio Investment).</p>		
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