

PGDM, 2013-15

Business Laws

DM-302

Trimester – III, Supplementary Examination: September 2014

Time allowed: 2 Hrs 30 Min

Max Marks: 50

Roll No: _____

Instruction: Students are required to write their Roll No. on every page of the question paper, writing anything except the Roll No. will be treated as **Unfair Means**. In case of rough work please use answer sheet

Section A: Please attempt any three out of the five given questions
(5 marks each)

1. Discuss Corporate Governance. Why is it assuming greater relevance today
2. Discuss the powers of a recognized stock exchange to make by-laws.
3. Discuss the Prevention of Money Laundering Act, 2002.
4. What are the major features of the new Land Acquisition Act which has become operational from 1st January, 2014?
5. Discuss importance of the new Company Law in the background of corporate frauds occurred in companies such as Satyam Computers and Sahara?

Section B: Please attempt any two out of the three given questions: (10 marks each)

1. Discuss the Competition Act, its scope and relevance today with the help of an example.
2. Discuss the following:
 - a. Differences between FERA and FEMA
 - b. FEMA provisions governing export of goods and services
 - c. FEMA provisions governing authorised dealers
 - d. FEMA provisions governing current account transactions
3. Indian handset maker Micromax has been sued by Ericsson on charges of patent infringement. The Swedish network equipment maker is seeking a whopping Rs. 100 crore in damages. The company also claims that it has been negotiating with Micromax for about three years now and has finally moved the Delhi High Court to seek legal remedy.

Patent Infringement cases have become common in the western countries where large technology companies such as Apple, Samsung, HTC, Motorola, Google, Microsoft et al are battling multiple cases. However, this is the first time a patent infringement case of such high stakes has rocked the Indian telecom space.

As per Ericsson, the bone of contention is Micromax's refusal to enter into a licensing agreement covering its patented innovations across several wireless technology standards such as GSM, EDGE and 3G.

Q - How does the case given above, correlate with the Indian Patent Law. Also, give a brief overview of the other Intellectual property laws in India

Section : C **Case Study**

(15 marks)

Give your answers for the following case.

On 22nd December 2013 Ms. Jayanthi Natarajan stepped down as Union Minister for Environment and Forests and she was replaced by Mr. Veerappa Moily. When the previous Environment Minister left the ministry 180 files were lying on the table waiting to get clearance from the minister. Besides, 169 files cleared by the minister were still kept pending without handing over to the concerned promoters. Immediately after taking over the charge, the new Environment Minister cleared the long pending linear projects such as gas pipe line by Indian Oil Company worth more than Rs.1400 crores.

1. What are the controversies surrounding the previous Environment Minister led to her resignation?
 2. What are the set norms for getting environmental clearances?
 3. What is the procedure for clearing linear projects such as gas pipeline as set by the Cabinet Committee on Investment presided by the Prime Minister in January 2013? Under which circumstance gas pipeline project by Indian Oil Company was kept pending?
 4. Give your comments on procedures for environmental clearance and its impact on business environment.
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