

LLM
SECOND SEMESTER
INTERNATIONAL TRADE AND COMPETITION LAW
LLM-2.1 [CCL-4]

(Use separate answer scripts for Objective & Descriptive)

Duration : 3 hrs.

Full Marks : 70

(PART-A : Objective)

Time : 20 min.

Marks : 20

Choose the correct answer from the following:

1X20=20

1. What does GATT stand for?
a. General Agreement on Trade and Tariffs b. General Accounts on Time of Trade
c. General Agreement on Tariffs and Trade d. Great Agreement on Trade and Tariffs
2. _____ is the precursor of WTO.
a. NAFTA b. SAARC c. EU d. GATT
3. Among the following options which is not the objective of the WTO?
a. To protect environment b. To improve the Balance of Payment situation of the member countries
c. To improve the standard of living of peoples of the member countries d. To enlarge production and trade of goods
4. TRIPS (Trade-Related Aspects of Intellectual Property Rights) agreement is administered by:
a. World Bank (WB) b. United Nations Organization (UNO)
c. World Trade Organization (WTO) d. United Nations Conference on Trade and Development (UNCTAD)
5. What were the objectives of the MRTP Act?
a. Prohibit monopolistic trade practices b. Control monopolies
c. Prohibit restrictive trade practices d. All of the above
6. Restrictive Trade Practices is a result of _____.
a. Refusal to deal with customers b. Selective pricing
c. None of the above d. All of the above
7. Which of the following body is not related to the WTO?
a. Dispute Settlement Body b. Trade Policy Review Body
c. Council of trade in goods d. Exchange Rate Management Body
8. What constitutes as abuse of dominant position?
a. Imposing unfair conditions or price b. Creating entry barriers or denying market access
c. Using dominant position in one market to gain entry in another market d. All of the above
9. Which among these is the headquarter of the WTO?
a. Austria b. Geneva c. New York d. London
10. In which GATT Conference was the Anti-Dumping Measures adopted?
a. Uruguay Round b. Geneva Round
c. Tokyo Round d. New York Round

11. Which of the following falls under Unfair Trade Practices as per the Economic Cooperation and Development (OCED)?
 - a. Distribution of false or misleading information that is capable of harming the business interests of another firm
 - b. Distribution of false or misleading information to consumers, including the distribution of information lacking a reasonable basis, related to the price, character, method or place of production, properties, and suitability for use, or quality of goods.
 - c. Unauthorized receipt, use or dissemination of confidential scientific, technical, production, business or trade information.
 - d. All of the above.
12. The GATT Settlement of Disputes were based on _____.
 - a. UN Charter
 - b. Rome Statute
 - c. Articles XXII and XXIII
 - d. Geneva Conventions
13. Which of the following is NOT true about the CCI?
 - a. It's a constitutional body
 - b. It's a statutory body
 - c. It's a quasi-judicial body
 - d. It's a Central Government authority
14. The Competition Appellate Tribunal (CAT) consists of:
 - a. 1 chairperson and 5 members
 - b. 1 chairperson and 3 members
 - c. 1 chairperson only
 - d. 1 chairperson and not more than 2 members
15. What were the principal shortcomings of the GATT Dispute Settlement System?
 - a. The relevant Articles were brief and did not specify clear objectives and procedures, such that settlement relied upon the creation of ad hoc processes
 - b. Ambiguity concerning the role of consensus, leading to the 'blocking' of adverse decisions
 - c. Delays in, and partial non-compliance with, panel rulings
 - d. All of the above
16. Which of these are included in the WTO Dispute Settlement Understanding
 - a. WTO Agreement
 - b. General Agreement on Trade in Services (GATS)
 - c. Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
 - d. All of the above
17. Unfair Trade Practices is governed by _____.
 - a. MRPT Act, 1969
 - b. Consumers Protection Act, 1986
 - c. Competition Act, 2002
 - d. Indian Contract Act, 1872
18. Which of the following is NOT an objective of the CCI?
 - a. Prevent policies and practices that have adverse effect on constructive competition in the economy
 - b. Promote and help sustain the environment
 - c. Create awareness and advocate for fair competition
 - d. Ensure freedom of trade in the market
19. Which of the following is not a member of the WTO?
 - a. USA
 - b. China
 - c. Russia
 - d. Iran
20. The most favoured nation (MFN) clause under the WTO regime is based on the principle of:
 - a. Non-discrimination between nations
 - b. Discrimination between nations
 - c. Differential treatment between locals and foreigners
 - d. Uniform traffic across commodities

(PART-B : Descriptive)

Time : 2 hrs. 40 min.

Marks : 50

[Answer question no.1 & any four (4) from the rest]

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| 1. Trace the historical evolution of GATT. | 10 |
| 2. What is the WTO? Write a short note on the Charter and functions of the organization. | 5+5=10 |
| 3. State the difference between the dispute settle mechanisms of GATT and WTO. | 5+5=10 |
| 4. "International trade rules are not as easy as those governing domestic trade. Indeed the international trade was governed by the laws and regulations in force in the country. The rules of international trade are far more complex. This complexity is due to the urgent need for each country to protect its national economic space". Explain this statement with the help of the provisions of GATT and its contribution to international trade. | 5+5=10 |
| 5. What do you understand by the term 'Dumping' in accordance to international trade law? State the anti-dumping measures undertaken by the WTO. | 5+5=10 |
| 6. Write a short note on the following:
a. Monopolistic Trade Practices
b. Restrictive Trade Practices | 5+5=10 |
| 7. What kind of orders can the CCI pass in case of:-
a. Anti-Competitive agreements.
b. Abuse of dominant position. | 5+5=10 |
| 8. Write a note on the composition, powers and functions of the Competition Appellate Tribunal. | 10 |

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