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**UNIVERSITY OF PETROLEUM & ENERGY STUDIES
DEHRADUN**

Final Exam: May 2019
Program/course: MBA PSM
Subject: MARINE LAW
Code : TRPS 8004

Semester – IV
Max. Marks- : 100
Duration: 3 Hrs.

No. of page/s: 3

Section A	
Q 1	Write short notes on. : Total Marks: 20 (answer all questions)

Sr.	Question	Marks	CO
a)	LMAA	2	CO 1
b)	'Identity of the carrier'	2	CO 2
c)	Order Bill of lading	2	CO 3
d)	DAMFORDET	2	CO 2
e)	COLREG	2	CO 2
f)	Bottomry Bond	2	CO 1
g)	Straight BL	2	CO 2
h)	CLC 1992	2	CO 1
i)	Average Adjuster	2	CO 2
j)	SCOPIIC	2	CO 1

Section B

Q 2. Please answer 4 questions out of 6 questions: Total Marks – 20 (4X5)

Sr.	Question	Marks	CO
a)	Bill of Lading is an ‘evidence of the Contract or Shipment’ – explain.	4	CO 2
b)	Explain Possessory Lien with a brief example.	4	CO 3
c)	Critically examine the need for ‘Clause Paramount’.	4	CO 2
d)	Explain how international conventions become established. Select one of the major International Conventions brought into being by the IMO and explain its role and function.	4	CO 3
e)	Discuss the difference between Common law & Enacted law.	4	CO 4
f)	Explain the context under which the York Antwerp Rule was created. What version is latest?	4	CO 3

Section C

Note: From the following questions (3/4/5/6) please answer any three. 10 Marks has been allotted against each question – thus **total 30 marks**

Sr.	Question	Marks	CO
Q 3	Assess the level of Indian Courts as far as admiralty jurisdiction is concerned	10	CO 4
Q 4	What are the options and benefits of arbitration instead of legal action?	10	CO 4
Q 5	Critically discuss the origin of “Himalaya Clause” and its current usage.	10	CO 3
Q 6	Explain General Average with a numerical example.	10	CO 3

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Section D : Compulsory question			
		Marks	CO
Q 7	<p>What are the main differences between The Hague Rules, Hague – Visby Rules and the Hamburg Rules?</p> <p>Comment as to why these are different sets of rules instead of one? Why Rotterdam Rules has not been in force across the global?</p> <p>Use a proper comparative chart to give a clearer picture.</p> <p>The chart must have few of the parameters like scope of application, jurisdiction, carrier, deck cargo, delivery etc.</p>	30	CO 4

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Section A	
Q 1	Please answer all questions. Write brief notes (each carries two marks): Total Marks: 20

Sr.	Question	Marks	CO
a)	Bill of Lading is an ‘evidence of the Contract or Shipment’	2	CO 1
b)	‘Identity of the carrier’	2	CO 2
c)	LMMA	2	CO 1
d)	DAMFORDET	2	CO 1
e)	COLREG	2	CO 2
f)	Average Adjuster	2	CO 1
g)	Straight BL	2	CO 2
h)	CLC 1992	2	CO 1
i)	Bottomry Bond	2	CO 1
j)	Multimodal Transport Act	2	CO 2

Section B

Q 2. Please answer 4 questions out of 6 questions: Total Marks – 20 (4X5)

Sr.	Question	Marks	CO
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a)	Differentiate between an ordinary BL and Multimodal Transport Document	4	CO 2
b)	Why is clause paramount used & where are these used?	4	CO 3
c)	Briefly examine the impact of maritime liens.	4	CO 3
d)	Elaborate on 'no-cure no-pay' in salvage.	4	CO 3
e)	Write a note on "New Jason Clause"	4	CO 2
f)	Examine limitation of liability in Hague Visby Rule against Hamburg Rules.	4	CO 4

Section C

Note: From the following questions (3/4/5/6) please answer any three. **Total 30 marks**

Sr.	Question	Marks	CO
Q 3	Elaborate the impact of 'Torts' in maritime trade.	10	CO 3
Q 4	When is 'Running down' clause used by insurers? Explain the logic.	10	CO 4
Q 5	Function of an 'Average Adjuster' is most complex – elaborate with their functions.	10	CO 4
Q 6	Trace the declaration of UNCLOS and its impact on shipping and other allied activities.	10	CO 3

Section D : Compulsory question

		Marks	CO
Q 7	Examine the aspect of 'Frustration of Charter' in the light of Hong Kong Fir Shipping Ltd V/S Kawasaki Kisen Kaisha Ltd.	15	CO 4
Q8	As a manager in a shipping company advice your principal on how ship arrest to be avoided in India.	15	CO 4