

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Infrastructure Law
Semester-VIII (Batch: 2013-18)

End Semester Examination: April-May 2017

Date: 10th May, 2017

Duration: 3 hours

Max. Marks: 50

Instructions:

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in-line.
- Do not write anything on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.

	Marks
Q.1 Define a) Share holders' agreement and b) EPC Contract. Explain the underlying Principles for evolution of the documentation for any project.	(10)
Q.2 'The concept of 'Works Contract Tax' arose due to a long history of litigation between the sales tax authorities and the building and construction industry'. With the help of decided cases, briefly trace the historical development of the concept.	(10)
Q.3 Elucidate in brief the major mechanism/ process by which Large Dams and Hydro-Electric Power projects are conceptualized, approved and eventually constructed. What are the mechanisms by which environmental and social rights are safeguarded?	(08)
Q.4 Enlist the causes of conflict between the CCI and the Sector Regulators with special reference to PNGRB Act 2006 (Petroleum and Natural Gas Regulatory Board Act 2006) and Telecom regulatory Authority Act 1997.	(08)
Q.5 Check the correctness of the statement: correct it if it is incorrect and justify your decision.	(3+3=06)
(a) For an indemnity to be triggered under the Indian and English Law, the loss of the promisor himself or by the conduct of any other person.	
(b) In the course of implementation of an infrastructure project there is enough scope for liability being imposed on the project developer under the law of torts which can be contractually controlled.	
Q.6 'Arbitration as a mode of settlement of disputes in relation to infrastructure projects may have its limitations.....'. Discuss the limitations of the Arbitration Agreements. How can a balance be struck between public interest in infrastructure and private claims with respect to injunctive relief?	(08)
