

B.A.LL.B., (Hons.) DEGREE NINTH SEMESTER EXAMINATION, NOVEMBER 2022

MARITIME LAW

Time: 3 Hours

Maximum Marks: 50

PART A

(Answer *ANY FOUR* questions)

(4 X 5 = 20)

- I. Write notes on any FOUR of the following:
- (a) Mare Liberum v. Mare Clausum
 - (b) Floating Island Theory
 - (c) 'Freight is the mother of wages'
 - (d) Inchmaree Clause
 - (e) Flags of Convenience
 - (f) 'Once on demurrage always on demurrage'

PART B

(Answer *ANY TWO* questions)

(2 X 6 = 12)

- II. Armed security personnel on board a MV RAINBOW registered in State A, while on the High Sea, fired at a fishing boat mistaking it for pirates. Two citizens of State B are killed. The vessel later enters the Contiguous Zone of State B for traversing the sea to enter a port in state C. The Coast Guard of State B intercepts the vessel and arrests the security personnel on board. Examine the legality of the action of the Coast Guard under international law.
- III. Mumbai Port Trust owns a floating light beacon worth Rs. 10 lakhs which is used to forewarn ships of sunken wrecks near the coast. The floating light beacon is a gas filled tank which is not able to propel itself. During a storm, the floating light beacon broke its moorings and began drifting to the sea. A group of fishermen intervened and after daring hard work they managed to bring back the floating light beacon to the Mumbai port wharf. Fishermen claimed salvage reward but the Port Trust declined. Is the refusal by Mumbai Port Trust legally valid?
- IV. Huge quantity of cocaine was found on board MT ANTWERP, a tanker registered in State A, while it was passing through the contiguous zone of state B. The vessel was detained and its Captain was arrested by the marine police of state B. It was contended in court by State A that since MT ANTWERP had not entered the territorial sea of State B, the action of marine police is illegal. Decide.

PART C

(Answer *ANY TWO* questions)

(2 X 9 = 18)

- V. What are the implied terms in a Towage Contract? When does a Towage Contract get converted into Salvage service?
- VI. Explain the defence of Compulsory Pilotage. Is such a defence available to a ship owner under Indian law?
- VII. Explain with case law the essential requirements to be satisfied before a voluntary salvor can seek a salvage claim.
