

**B.A.,LL.B (Hons.) DEGREE NINTH SEMESTER EXAMINATION,
JANUVARY 2021**

MARITIME LAW

Question carries TEN marks

Module 1 Time 10 a.m-10.45 a.m (35 minutes for writing and 10 minutes for uploading)

1. a) Explain the nature and extent of the civil and criminal jurisdictions exercisable by the coastal states over vessels exercising innocent passage. How and when can the right of innocent passage be suspended, and what are the recourses available to the coastal states in instances of violation of the freedom of innocent passage by the flag state.

OR

b) *“The EEZ combines characteristics of the territorial sea and the high seas, but cannot be assimilated to either. It is a sui generis zone with its own distinctive regime”*. Tracing the history behind the development of this unique zone, explain the jurisdictional powers exercised by the Coastal States and the freedoms guaranteed to other States in EEZ.

Module 2 Time 10.45 a.m-11.30 a.m (35 minutes for writing and 10 minutes for uploading)

2. a) Explain the relevant maritime law on Salvage. Do you think that the international conventions on Salvage and the Indian legislations on the same are adequate enough to protect the salvor's interest and also in preventing damage to the environment?

OR

b) Explain the meaning, attributes, and legal implications of lay-time and demurrage in a contract of charter-party.

Module 3 Time 11.30 a.m-12.15 p.m (35 minutes for writing and 10 minutes for uploading)

3. a) How did the courts in India exercise Admiralty Jurisdiction before the coming into force of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017? What are the major changes brought about by this Act? Cite relevant case laws.

OR

- b) Explain what you mean by actions *in Rem* and *in Personam*. How do you distinguish a maritime claim from a maritime lien?

Module 4 Time 12.15 -1.00 p.m (35 minutes for writing and 10 minutes for uploading)

4. a) Explain with the help of case laws (foreign or Indian) the responsibilities and liabilities of the carrier and the shipper under the Indian Carriage of Goods by Sea Act, 1925.

OR

- b) What is a bill of lading and what are the essential attributes of a bill of lading. To what extent the carrier is bound by the particulars entered in a bill of lading.

Module 5 Time 1.00 p.m-1.45 p.m (35 minutes for writing and 10 minutes for uploading)

5. a) Why was the concept of insurable interest developed? What are the different types of insurable interests recognised under the Marine Insurance Act, 1963. When and how can an insurable interest be assigned?

OR

- b) Explain the Principle of Utmost Good Faith. Examine the effect of misrepresentation and non-disclosure on marine insurance contracts.