

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online End Semester Examination, December 2020

Course: Investment Law Program: BBALLB (Hons)(Corporate Laws) 2017 Course Code: CLTX4001	Semester: VII Time 03 hrs. Max. Marks: 100
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SECTION A

1. Each Question carries 5 Marks
2. Instruction: Complete the statement / Write answer in 50-100 words.

S. No.	Question	CO
Q 1	The first Bilateral investment treaty was signed between _____ & _____ in the year _____.	CO1
Q2	What kind of assets of an investor does not form the part of investment under India's Model BIT?	CO2
Q3	Article 25 of ICSID defines _____.	CO4
Q4	Write the importance of "umbrella clause" under BIT?	CO4
Q5	Differentiate between Foreign Direct Investments and Foreign Portfolio Investment?	CO1
Q6	Write a short note on the protections available to foreign investor under NAFTA?	CO4

SECTION B

1. Each question carries 10 marks
2. Instruction: Write short / brief notes

Q 7	Discuss the recommendations of the Tarapore Committee on Capital Account Convertibility.	CO2
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Q 8	Explain any five sectors in which the foreign investments are subject to government approvals under India's FDI Policy?	CO2
Q 9	Explain the rights available to the Host State and protections available to the Foreign Investors laid down under International Investment Law?	CO4
Q 10	Discuss the condition required to be fulfilled prior to the submission of Claim of Arbitration as per the India's Model BIT.	CO4
Q 11	Discuss the changes brought about by Covid-19 pandemic on the Investment Law?	CO3
Section C		
<p>1. Each Question carries 10 Marks. 2. Instruction: Write long answer.</p>		
Q12	<p>(a) One of the innovative elements of the EU-Canada Comprehensive Economic and Trade Agreement (CETA) 2016 is the provision on so called 'fair and equitable treatment' and 'full protection and security' in Article 8.10. Compare and discuss how this formulation of the standard relates to the interpretation and development of the fair and equitable treatment standard with the treaty practice of any two countries?</p> <p>(b) Article 54(1) of ICSID Convention provides for recognition and enforcement of awards as if they were final judgments of State's courts. India, however, is not a member State of the ICSID Convention. Discuss the challenges faced by India while enforcing and executing the foreign awards declared under ICSID Arbitration? Support your answers with the help of case laws?</p>	CO4