

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-101

LL. M. (Semester - I) Examination - 2012

LW-101 : CONSTITUTIONAL AND LEGAL ORDER - I

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks. *i.e. 15 each.*

-
-
- Q.1)** Explain changing contours of Article 15 of the Indian Constitution with the First Amendment Act, 1951 and by the 93rd Amendment Act, 2005 for the upliftment of the socially and educationally backward. Critically comment and give a complete account of Article 15 as it stands today referring to most relevant and important decisions of the Court. **[15]**
- Q.2)** Whether the right to life includes Right to Die ? Explain Article 21 with this proposition in light of judicial decisions. **[15]**
- Q.3)** Article 13 of the Indian Constitution defines Law and also places limitation upon the Exercise of Legislative Power by the Legislature. Discuss along with the doctrine. **[15]**
- Q.4)** Article 19 is available against state action for the protection of freedoms enumerated in it but is the operation of this article ruled out where Articles 21 and 22 apply. Comment. **[15]**
- Q.5)** The Ninth Schedule of the Indian Constitution was an exception to the doctrine of basic structure despite of judicial review being held as a part of basic features doctrine by the Supreme Court. Critically comment on the said proposition and discuss amendability of Constitution with its changing nature and with the help of relevant case laws. **[15]**

Q.6) The word 'Minority' under Article 30 has not been defined by the Constitution and is not absolute, rather the State has power to regulate administration of the institutions established by the Minority Communities. Comment. **[15]**

Q.7) What is a State under Article 12 ? Can individual be claimed as a State within the meaning of 'Other Authorities' ? Critically comment. **[15]**

Q.8) Write short notes : **(Any Two)** **[15]**

- (a) Right to Information
- (b) Writ of Habeas Corpus
- (c) Self-incrimination
- (d) Doctrine of Reasonable Classification

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-102

LL. M. (Semester - I) Examination - 2012

LW-102 : LEGAL THEORY AND FEMINIST JURISPRUDENCE - I

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt any four questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** The Theory of Natural Law either incorporated into Positive Legal Order or came to be interpreted as a part of Positive Legal Order by the judiciary. Explain. **[15]**
- Q.2)** Prof. Fullers doctrine of internal morality doesn't appear to be complete or foolproof and needs certain changes. Do you agree ? Explain. **[15]**
- Q.3)** Critically analyze Theory of Law as propounded by Stamler. **[15]**
- Q.4)** Pound's Social Engineering Theory has been also branded as Theory of Justice. Explain and point out its demerits, if any. **[15]**
- Q.5)** Critically analyse Theory of Command as propounded by Austin. **[15]**
- Q.6)** According to American Legal Realist, Law is not that which is enacted by the Legislature but is a judicial decision. Explain. **[15]**
- Q.7)** Describe nature of the Historical School of Law by Sir Henry Maine and point out its drawbacks. **[15]**

Q.8) Write short notes : (**Any Two**)

[15]

- (a) Basic Common Goods
 - (b) Lex-Divina
 - (c) Grund Norm
 - (d) Fact-Skeptic
-

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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

[4146]-103

LL. M. (Semester - I) Examination - 2012

**LW-103 : LAW, SOCIAL TRANSFORMATION AND JUDICIAL
PROCESS IN INDIA**

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.
- (2) All questions carry equal marks i.e. **15** each.

-
-
- Q.1)** Explain interaction between Law and Tradition with special reference to Child Marriage and Polygamy.
 - Q.2)** What are the various Offences relating to Dowry and Dowry Death under various laws ? Justify your opinion about the efficacy of these laws.
 - Q.3)** How does Community as a Social Institution work as a divisible factor irrespective of the fact that India is a Secular State ?
 - Q.4)** “The ultimate aim of the Law is to change Society peacefully but tradition and culture create hindrance to it.” Comment.
 - Q.5)** What are the various Local Self Governing Bodies in Rural and Urban areas in India ? Evaluate their contribution in the Decentralisation of Democratic Governance.
 - Q.6)** Discuss impact of Right to Education on Eradication of Child Labour in India.
 - Q.7)** Write short notes : **(Any Two)**
 - (a) Religious Minorities and the Law in India
 - (b) Right to Movement and Residence
 - (c) Education and Role of Media

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-104

LL. M. (Semester - I) Examination - 2012

LW-104 : RESEARCH METHODS AND LEGAL EDUCATION - I

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks i.e. **15** each.*

-
-
- Q.1)** Discuss objectives of Legal Education in India with the help of various statutory provisions, juristic opinions and committee reports.
 - Q.2)** What are the different types of Teaching Methods ? Explain their merits and demerits with the help of suitable illustrations.
 - Q.3)** What is meant by 'Clinical Legal Education' ? Point out its significance in the field of Law with reference to Advocacy and Counselling in India.
 - Q.4)** Language is a divisive factor in Indian Policy today, which affects unity and integrity of the Nation. Critically evaluate your answer with the help of constitutional provisions.
 - Q.5)** What is meant by Alternative Approaches to Law ? Discuss Jurispudence of Sarvodaya and its impact on Indian Legal System.
 - Q.6)** Discuss characteristics of Scientific Methodology with the help of suitable examples.
 - Q.7)** What is the difference between Doctrine and Non-doctrinal Research ? Briefly analyse advantages and limitations of each.

[4146]-104

1

P.T.O.

Q.8) Write short notes : (**Any Two**)

- (a) Formation of Research Problem
 - (b) Seminar Method
 - (c) Marxist Critique on Law and Justice
 - (d) Gram Nyayalaya
-

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Total No. of Questions : 7]

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[4146]-11

LL. M. (Semester - I) Examination - 2012

LW - 703 : GROWTH OF THE MODERN INDIAN LEGAL SYSTEM

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

*(1) Attempt **any four** questions.*

*(2) All questions carry equal marks i.e. **15** each.*

Q.1) What were the special features of Adalat System in Bengal ? What was the contribution of Lord Bentik to it.

Q.2) What is the basis for Privy Council's Jurisdiction ? Explain Appellate Jurisdiction of Privy Council.

Q.3) What was the need for establishment of High Courts ? Throw light on the provisions of Government of India Acts, 1915 and 1935 pertaining to High Courts.

Q.4) Evaluate Adalat System, its plans of 1772, 1774 and 1780.

Q.5) What was the object behind establishment of Federal Court ? Discuss Jurisdiction and System of Appeal to Federal Court.

Q.6) Explain features of Indian Legal System prior to British Period and during the British Period.

Q.7) Write notes on :

(a) The Independence Act, 1947

(b) Cornwallis System of 1787

(c) Central Administrative Tribunal

[4146]-11/1

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Total No. of Questions : 7]

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[4146]-11

LL. M. (Semester - I) Examination - 2012

**LW - 703 : GROWTH OF THE MODERN INDIAN LEGAL SYSTEM
(Old Course)**

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 each*.

-
-
- Q.1)** What were the special features of Adalat System in Bengal ? What was the contribution of Lord Bentik to it.
 - Q.2)** What is the basis for Privy Council's Jurisdiction ? Explain Appellate Jurisdiction of Privy Council.
 - Q.3)** What was the need for establishment of High Courts ? Throw light on the provisions of Government of India Acts, 1915 and 1935 pertaining to High Courts.
 - Q.4)** Evaluate Adalat System, its plans of 1772, 1774 and 1780.
 - Q.5)** What was the object behind establishment of Federal Court ? Discuss Jurisdiction and System of Appeal to Federal Court.
 - Q.6)** Explain features of Indian Legal System prior to British Period and during the British Period.
 - Q.7)** Write notes on :
 - (a) The Independence Act, 1947
 - (b) Cornwallis System of 1787
 - (c) Central Administrative Tribunal

[4146]-11/1

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Total No. of Questions : 8]

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[4146]-201

LL. M. (Semester - II) Examination - 2012

LW-201 : CONSTITUTIONAL AND LEGAL ORDER - II

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt any four questions.*
- (2) All questions carry equal marks.*

Q.1) The Concept of 'Competitive Federalism' slowly gave way to 'Co-operative Federalism'. Discuss nature of Indian Constitution with the help of various instances of Federalism in India.

Q.2) The essence of federalism lies in the distribution of powers between Centre and State. Explain legislative relationship between Centre and State with reference to different principles of interpretation of the lists.

Q.3) Explain Sarkaria Commission Report on Centre - State Relationship with special reference to Freedom of Trade, Commerce and Intercourse under Indian Constitution.

Q.4) 'Satisfaction of the President' under Article 352 of the Indian Constitution is subjected to judicial review. Elaborate your answer in the light of Supreme Court's Decision in S. R. Bommai v. Union of India.

Q.5) Discuss need and role of Planning Commission in India.

Q.6) Critically evaluate procedure for the Appointment and Removal of Judges of Supreme Court with the help of judicial decisions in India.

Q.7) The Governor of the State plays a multifaceted role. Explain position, powers and functions exercised by him under Indian Constitution.

Q.8) Answer **any two** of the following :

- (a) Residuary Power
 - (b) Finance Commission
 - (c) Anti-defection Law
-

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Total No. of Questions : 7]

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[4146]-202

LL. M. (Semester - II) Examination - 2012

LW-202 : LEGAL THEORY AND FEMINIST JURISPRUDENCE - II

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1) "The notion of gender justice and feminist jurisprudence appears to be synonymous with each other and moreover the aim of both the notions is to do justice to women." Discuss with the help of relevant case laws.
 - Q.2) What is Precedent ? Discuss binding nature of Doctrine of Precedent in the Indo-British Legal Systems with the help of landmark cases.
 - Q.3) "Rights are not the gifts from the God or any favour done by the Legal System." Discuss Concept of Rights and Theories.
 - Q.4) "Rawls Theory of Justice is known as Distributive Justice which aims at ameliorating the conditions of lowest strata of the Society." In view of this, discuss its applicability to the provisions of 'Affirmative Action' as provided under the Indian Constitution.
 - Q.5) "The Notion of Morality differs from time to time and society to society." Discuss in the light of Hart - Devlin Debate.
 - Q.6) An Advisory Jurisdiction of the Indian Supreme Court under Article 143 of the Indian Constitution has its changing facets or dimensions. Discuss nature and scope of Advisory Jurisdiction with the help of recent judicial pronouncements in this area.

Q.7) Answer the following : (Any Two)

- (a) Kinds of Legal Rights
 - (b) Prospective Overruling
 - (c) Hofled's Fundamental Legal Conceptions
-

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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4146]-203

LL. M. (Semester - II) Examination - 2012

**LW-203 : LAW, SOCIAL TRANSFORMATION AND
JUDICIAL PROCESS IN INDIA - II**

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e 15 each.

-
-
- Q.1)** Judicial Review is one of the most effective tools in the hands of the Judges. Explain various dimensions of judicial review in the context of Indian Constitution and the judicial response to such exclusion.
 - Q.2)** “The function of Administration of Justice is to adjust relations of individuals so as to accord with the general moral sense.” Comment by giving reference to decided cases in Indian Law.
 - Q.3)** Explain “Administrative Institutions as Instruments of Legal Ordering.”
 - Q.4)** “The main problem of Distributive Justice is the choice of a Social System.” – John Rawls. Comment.
 - Q.5)** What are the basic aspects of Dharma as enunciated in the Hindu Philosophy? How has it provided foundation to Indian Legal System ?
 - Q.6)** The basic structure doctrine under Indian Constitution is the High Watermark of Judicial Activism. Evaluate judicial restraint of the basic structure and amendment of the Constitution for judicial restraint.

Q.7) Write short notes : (Any Two)

- (a) Conciliation
 - (b) Dharma as the Foundation of Legal Ordering
 - (c) Relationship between Judiciary and Legislature
-

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Total No. of Questions : 7]

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[4146]-204

LL. M. (Semester - II) Examination - 2012

**LW-204 : RESEARCH METHODOLOGY AND
LEGAL EDUCATION - II**

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
- Q.1)** Define Hypothesis. Are Hypothesis necessary in Legal Research ? What are the Sources of Hypothesis ?
 - Q.2)** “Research Design is the plan of the Research Project. It outlines basic steps the Researcher will follow and sets defined goals the Research is intended to achieve.” Elaborate.
 - Q.3)** Discuss Observation as a tool of Data Collection along with its types, advantages and disadvantages.
 - Q.4)** Define Sampling. Discuss in detail various types of Sampling classified under the two broad categories of Probability Sampling and Non-probability Sampling.
 - Q.5)** Discuss types, utility and modus operandi of Scaling Techniques.
 - Q.6)** Write a detailed critical note on Report Writing.

Q.7) Write notes on **any two** of the following :

- (a) Importance of Juristic Writing in Identification of Problem of Research
 - (b) Structured and Unstructured Interview
 - (c) Induction and Deduction
 - (d) Use of Case Studies and Surveys
-

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Total No. of Questions : 7]

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[4146]-21

LL. M. (Semester - II) Examination - 2012

**LW - 803 : GROWTH OF THE MODERN
INDIAN LEGAL SYSTEM - II**

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. **15** each.

-
-
- Q.1)** Trace 'Action on Assumpsit' originated in England and then introduced in India.
 - Q.2)** What do you understand by Codification ? What is its need ? What is the contribution of 1st and 2nd Law Commission in the history of Codification of Indian Laws ?
 - Q.3)** Trace in brief the history and development of Criminal Liability under English Law.
 - Q.4)** Explain and discuss emergence of the Concept of Tort in England. How did it come into application even in India ?
 - Q.5)** Trace development and historical importance of the Law relating to Contracts in India from 1818 to 1871 A.D. and then after passing of Indian Contract Act in 1872 to 1956 A.D.
 - Q.6)** Discuss evolution and growth of Common Law Courts in England.
 - Q.7)** Write short notes :
 - (a) Equity Follows the Law
 - (b) Types of Punishments in Modern India

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Total No. of Questions : 7]

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[4146]-21

LL. M. (Semester - II) Examination - 2012

**LW - 803 : GROWTH OF THE MODERN
INDIAN LEGAL SYSTEM - II**

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. 15 each.

-
-
- Q.1)** Trace 'Action on Assumpsit' originated in England and then introduced in India.
 - Q.2)** What do you understand by Codification ? What is its need ? What is the contribution of 1st and 2nd Law Commission in the history of Codification of Indian Laws ?
 - Q.3)** Trace in brief the history and development of Criminal Liability under English Law.
 - Q.4)** Explain and discuss emergence of the Concept of Tort in England. How did it come into application even in India ?
 - Q.5)** Trace development and historical importance of the Law relating to Contracts in India from 1818 to 1871 A.D. and then after passing of Indian Contract Act in 1872 to 1956 A.D.
 - Q.6)** Discuss evolution and growth of Common Law Courts in England.
 - Q.7)** Write short notes :
 - (a) Equity Follows the Law
 - (b) Types of Punishments in Modern India

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Total No. of Questions : 8]

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[4146]-301

LL. M. (Semester - III) Examination - 2012

LW-301 : INTERNATIONAL LAW AND PRACTICE

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer *any four* questions.
- (2) All questions carry equal marks i.e. *15* marks.

-
-
- Q.1)** “International Law is a system of rules which deals with rights and obligations of States only.” Discuss subjects of International Law, in the light of this statement.
 - Q.2)** Discuss History of International Law with special reference to various developments for its development and codification.
 - Q.3)** Write a detailed note on Law of Treaties with reference to Vienna Convention.
 - Q.4)** Trace evolution of various conventions that have developed International Law of the Seas.
 - Q.5)** Discuss role of the Outer Space Treaty in regulating peaceful use of Outer Space.
 - Q.6)** What is the State Responsibility ? What are the modes through which it arises ?
 - Q.7)** Critically evaluate Theories of ‘State Recognition’.

Q.8) Write notes : (Any Two)

- (a) Retro-active Effect of Treaties
- (b) Exclusive Economic Zone
- (c) General Assembly Resolutions

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-302

LL. M. (Semester - III) Examination - 2012

**LW-302 : INTERNATIONAL ORGANISATIONS –
THEIR ROLE AND INTERNATIONAL LAW**

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks i.e. **15** marks.*

-
-
- Q.1)** Write a detail note on the Establishment of the Specialized Agencies and their relationship with the UN.
 - Q.2)** Explain in detail the Normative Functions of the International Organisations.
 - Q.3)** Discuss in detail the Membership Criteria for the States or their entities to become part of International Organisations.
 - Q.4)** Explain in detail the role of 'Economic Social Council' in relation to the International Trade.
 - Q.5)** Write a detail note on the various aspects under which the Nationality of the Nation can be granted and relinquished.
 - Q.6)** What is the meaning of 'Collective Security' ? Explain in detail various provisions related to Collective Security under International Law.
 - Q.7)** Explain Amicable Means of Dispute Settlement under International Law. How far these mechanisms are successful in resolving matters of Human Rights Issues ?

[4146]-302

1

P.T.O.

Q.8) Write short notes : (Any Two)

(a) Extradition

(b) Veto Power

(c) Role of Diplomatic Agents in Maintaining International Relations

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Total No. of Questions : 8]

[Total No. of Printed Pages : 1

[4146]-303

LL. M. (Semester - III) Examination - 2012

LW-303 : PRINCIPLES OF CRIMINAL LAW AND PROCEDURE

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1)** Define Attempt. Examine various tests propounded by different Jurists to distinguish between 'Preparation' and 'Attempt'.
 - Q.2)** Discuss circumstances when *mens rea* may be excluded in fixing criminal liability ?
 - Q.3)** Critically examine maxim, "*actus non facit reum, nisi mens sit rea*". How far is this maxim reflected in the Indian Penal Code ?
 - Q.4)** Examine reasons for providing protection to children against criminal wrongs under IPC. Also state justification for treating a child below 7 years differently from a child above 7 years and below 12 years of age.
 - Q.5)** Discuss in detail M' Naghten's Case. How far is it reflected in Indian Criminal Jurisprudence ?
 - Q.6)** "The right to private defense is basically preventive in nature and not punitive it is neither a right of aggression nor a reprisal." Discuss this statement with the help of appropriate case laws.
 - Q.7)** Write a comment on right of accused person in criminal trial.
 - Q.8)** Elaborate maxims, "*Ignorantia facit doth excusat*" and "*Ignorantia jurist non excusat*". Substantiate your answer with the help of English and Indian Case Laws.

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Total No. of Questions : 8]

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[4146]-304

LL. M. (Semester - III) Examination - 2012

LW - 304 : CRIMINOLOGY

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1)** Discuss nature of Criminology and explain its Interdependence with other Disciplines. **[15]**
- Q.2)** Critically examine Concept of Deveance. Explain Labelling Theory of Deveance. **[15]**
- Q.3)** Explain Karl Marx's and William Bonger's contribution to the Crime Causation Phenomenon. **[15]**
- Q.4)** "Id, Ego and Super Ego are strong determinants for Criminal Behaviour." Explain. **[15]**
- Q.5)** Discuss changes brought about by the Juvenile Justice (Care and Protection) Act, 2000 in the earlier Juvenile Justice Act, 1986. **[15]**
- Q.6)** Explain Lombrossian Ideology regarding Criminal Behaviour. **[15]**
- Q.7)** "Violence is one of the greatest concerns of Humanity in the contemporary world." Comment. **[15]**
- Q.8)** Discuss National and International Documents that deal with the Rights of Victims. **[15]**

[4146]-304/1

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Total No. of Questions : 8]

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[4146]-305

LL. M. (Semester - III) Examination - 2012

LW-305 : LAW OF CONTRACTS

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 marks each*.

-
-
- Q.1)** “A contract without consideration is void.” Explain this rule alongwith the exceptions thereto.
 - Q.2)** “Quasi Contracts rest on the principle of Unjust Enrichment.” Explain.
 - Q.3)** Discharge of Contract by anticipatory breach fastens defaulting party to compensate. Discuss and state how to determine and measure damages in such cases ?
 - Q.4)** How and to what extent the Legislature and the Judiciary have endeavoured to save a third party from a Partnership ?
 - Q.5)** “Stipulations in a Contract of Sale with reference to goods may be Conditions or Warranties.” Explain. Which conditions are implied in a Contract of Sale ?
 - Q.6)** Who is an ‘Unpaid Seller’ ? What are the rights of Unpaid Seller ? Explain rules for exercising the Right of Lien by an Unpaid Seller.
 - Q.7)** "The Liability of a Surety is Co-extensive with that of the Principal Debtor." Discuss.
 - Q.8)** Write notes : **(Any Two)**
 - (a) Bailment
 - (b) Minor as a Partner
 - (c) Authority of an Agent

[4146]-305/1

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Total No. of Questions : 7]

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[4146]-306

LL. M. (Semester - III) Examination - 2012

LW-306 : COMPANY LAW

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 marks* each.

-
-
- Q.1)** Discuss rule as laid down in *Ashbury Railway Carriage and Company Ltd. v. Richie* and its legal implications. Support your answer with landmark judicial precedents.
 - Q.2)** “The doctrine of indoor management is a 'silver lining' to strangers dealing with the company.” Comment with the help of judicial cases.
 - Q.3)** Define ‘Shares’. Make a comparative account of ‘Preference Shares’ and ‘Equity shares’.
 - Q.4)** What is Compulsory Winding up of a Company ? Discuss procedure for the same under Companies Act.
 - Q.5)** Explain *Foss v. Harbottle’s* Principle and exceptions to it.
 - Q.6)** Write short notes : **(Any Two)**
 - (a) Prevention of Oppression
 - (b) Kinds of Debentures
 - (c) Statement in Lieu of Prospectus
 - (d) Liability for Misleading Statement in Prospectus
 - Q.7)** Discuss different characteristics of Incorporated Company with the help of case laws.

[4146]-306/1

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-307

LL. M. (Semester - III) Examination - 2012

LW - 307 : TRADE UNIONISM AND COLLECTIVE BARGAINING

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt any four questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** “The review of the Indian Trade Union Movement shows that in spite of its weaknesses it has manifold advantages.” Explain and briefly assess present role of Trade Unions in India in the context of Economic Development.
- Q.2)** Explain Concept of Collective Bargaining and discuss advantages and disadvantages of Collective Bargaining.
- Q.3)** State and explain various Theories of Collective Bargaining.
- Q.4)** Examine provisions relating to ‘Recognition of Unions’ under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.
- Q.5)** Critically examine ‘Rights and Liabilities of Registered Trade Unions’ under the Trade Unions Act, 1926.
- Refer to decided cases of the Supreme Court.

Q.6) Explain Concept of Workers Participation in Management. Discuss various types and levels of Workers Participation in Management in India.

Q.7) “Lock-out can be described as the antithesis of a Strike. Just as a Strike is a weapon available to the Employees for enforcing their industrial demands, a lock-out is a weapon available to the Employer to persuade by a coercive process the employees to accept his demands.” Comment

Q.8) Write short notes : (**Any Two**)

- (a) Right to Form Association and Unions under Constitution
 - (b) Types of Collective Bargaining
 - (c) Work Discipline
-

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Total No. of Questions : 8]

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[4146]-308

LL. M. (Semester - III) Examination - 2012

LW - 308 : LAW RELATING TO SOCIAL SECURITY AND WAGES

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

Q.1) “The Constitution of India lays down, among the Directive Principles of State Policy that the State shall, within the limits of its economic capacity and development, make effective provision for securing right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement and in other cases of undeserved want.” Comment.

Q.2) State and explain various Theories of Wages.

Q.3) “The Maternity Benefit Act, 1961 is a piece of Legislation for providing health, safety and welfare benefits to Women Employees.

Examine this statement in the light of various provisions of the Maternity Benefit Act, 1961.

Q.4) “Bonus is a Dynamic Concept.” Comment.

Q.5) “The Employees are entitled to the Minimum Wages at all times and under all circumstances. An Employer who can not pay minimum wage has no right to engage labour and no justification to run Industry.”

Examine above statement in the light of Supreme Court decisions.

Q.6) “The Object of the Employees’ Provident Fund and (Miscellaneous Provisions) Act, 1952 is to make some provision for distant future of the Industrial Worker so that he is not put to unnecessary hardship after retirement.” Elucidate.

Q.7) “The Employer is liable to pay compensation under the Workmen’s Compensation Act, 1923 if personal injury is caused to a workman by accident arising out of and in the course of employment.”

Comment in the light of leading cases.

Q.8) Write short notes on **any two** of the following :

- (a) Recent Amendment in the Employees State Insurance Act, 1948
- (b) Payment of Gratuity under the Payment of Gratuity Act
- (c) The Role of I.L.O. in Promoting Labour Welfare Work in India

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Total No. of Questions : 7]

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[4146]-309

LL. M. (Semester - III) Examination - 2012

LW-309 : MEDICAL LAW

(Science, Technology and Law - I)

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) All questions are compulsory.*
- (2) All questions carry equal marks i.e. 15 marks each.*

-
-
- Q.1)** Explain Concept of Health and its various dimensions. Trace Development of Law at National Level and International Level in the area of Right to Health.
 - Q.2)** What are the various criteria for determination of professional duty of a medical man and its ambits in Doctor-Patient Relationship ? Explain with the help of decided cases.
 - Q.3)** Give in brief the Review of Laws relating to Medical Education in India. Explain how far are they effective in regulating Malpractice in Medical Education.
 - Q.4)** Enumerate various laws regulating Drugs and Pharmaceutical Industry in India.
 - Q.5)** What do you understand by Assisted Reproductive Technology ? Elaborate social, ethical, legal issues involved in the same and the law in this regard.
 - Q.6)** Explain development of the Concept of Informed Consent at International Level and its role in Medical Experimentation.

Q.7) Write short notes : (Any Two)

- (a) Medical Termination of Pregnancy and Rights of an Unborn Child
 - (b) Transplantation of Human Organs Act
 - (c) Sterilization of Mentally Handicapped Person
-

Seat No.	
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Total No. of Questions : 7]

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[4146]-31

LL. M. (Semester - III) Examination - 2012

LW - 902 : PRIVATE INTERNATIONAL LAW - I

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1)** “The Private International Law has developed around three principal questions : The Choice of Jurisdiction; The Choice of Law and Recognition and Enforcement of Foreign Judgments.” Amplify.
 - Q.2)** “The Problem of ‘Renvoi’ arises in those cases where the rules of Private International Law either refer back to the law of the forum or refer to law of Third Country.” Comment. Do you agree to the view that the doctrine of Renvoi should be applied only in some exceptional cases ? If so, state those exceptional cases.
 - Q.3)** “Nationality is possible alternative to domicile as the criterion of the Personal Law.” Comment.
 - Q.4)** State and explain Theories of Private International Law.
 - Q.5)** Discuss various consecutive stages of conflicting case jurisdiction of the court, classification of the cause of action, selection of the Lex Causae and Application of Lex Causae.
 - Q.6)** Examine Law relating to recognition and enforcement of Foreign Judgements according to English Private International Law and compare it with the Indian Law on the subject.
 - Q.7)** Explain the following :
 - (a) Incidental Question and Time Factor
 - (b) Jurisdictional Immunity of Foreign Sovereigns

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-310

LL. M. (Semester - III) Examination - 2012

LW-310 : INFORMATION TECHNOLOGY LAW

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt any four questions.*
- (2) All questions carry equal marks i.e. 15 marks each.*

-
-
- Q.1)** Information and Technology Act, 2000 is based on UNCITRAL Model Law, 1998. Discuss historical background and salient features of IT Act, 2000.
 - Q.2)** What is E-governance ? Critically examine this concept under the Information and Technology Act, 2000.
 - Q.3)** Critically evaluate Ethics and Etiquettes in Cyber World.
 - Q.4)** Explain provisions relating to Protection of Internal Hardware Components.
 - Q.5)** Distinguish between Cyber Crimes and Traditional Crimes. Critically analyse legal mechanism available to tackle various forms of Cyber Crimes in India.
 - Q.6)** Define the term Cyberspace and various legal issues and problems relating to it and the relevant legal provisions.
 - Q.7)** Write a detailed note on Invasion of Privacy Rights and Computer Systems.

Q.8) Write notes : (Any Two)

- (a) Intellectual Property Rights in Cyber World
 - (b) Interrelationship between Fundamental Rights and Cyber Rights
 - (c) Artificial Intelligence v/s Human Resources
-

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-311

LL. M. (Semester - III) Examination - 2012

LW - 311 : CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** Explain Concept of Human Rights and trace evolution and development of Human Rights.
- Q.2)** State and explain Classification of Human Rights.
- Q.3)** Critically evaluate and discuss Value System underlying Human Rights of Minorities. How far Indian record of guarding and meaningfully enforcing Human Rights of Indian Minorities is favourably or otherwise impressive in the global context ?
- Q.4)** “Indian Criminal Justice System has failed to protect Human Rights of detenues, prisoners, under-trials and convicts.”
Comment and discuss Rights of Prisoners with the help of decided cases.
- Q.5)** “Genocide is not a crime against individuals but is a crime against the whole humanity.” Comment.
- Q.6)** Compare Rights of Children as protected in India and as mentioned in International Convention on the Rights of the Child.

Q.7) Explain Concept of 'Racial Discrimination' and discuss important features of International Convention on the elimination of all forms of Racial Discrimination.

Q.8) Write short notes on the following :

- (a) Public Interest Litigation to Enforce Human Rights
- (b) Philosophical and Legal Foundation of Human Rights

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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4146]-312

LL. M. (Semester - III) Examination - 2012

LW - 312 : HUMAN RIGHTS AND INTERNATIONAL ORDER

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** “United Nation’s Charter is a mother or a genus of all other Human Rights Instruments.” Comment and analyse UN Charter from the said perspective.
 - Q.2)** Covenant on Civil and Political Rights, 1966 contains basic Human Rights required for every human being across the world irrespective of nationality. Discuss scope and ambit of the Covenant.
 - Q.3)** The European Convention on Human Rights is the most significant development which has become a potent force against arbitrariness in Europe. Explain.
 - Q.4)** Critically examine African Convention on Human Rights and its contribution in African Countries.
 - Q.5)** The role of International Labour Organisation for Protection of Human Rights for Workers is significant. Explain.
 - Q.6)** Evaluate and discuss role of International Court of Justice in the field of Protection and Enforcement of Human Rights.

Q.7) Write short notes : (Any Two)

(a) UNICEF

(b) UNESCO

(c) NGO's role in Protection of Human Rights

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Total No. of Questions : 7]

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[4146]-313

LL. M. (Semester - III) Examination - 2012

LW-313 : ADMINISTRATIVE PROCESS – NATURE AND SCOPE

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 marks each*.

-
-
- Q.1)** How far is the Dicey's Concept of Rule of Law is applicable in India ? Also discuss expansion of the Concept of Rule of Law in modern time.
 - Q.2)** "It is difficult to arrive at any agreed definition of Administrative Law, because different Scholars and jurists look at the subject from the aspect arising from the particular problem before them for the time being." Do you agree with this statement ? Elaborate with reasons.
 - Q.3)** Describe and discuss characteristics and incidents of Government Contracts.
 - Q.4)** Can Government be held liable to compensate injured person on the principle of vicarious liability ? Elaborate your answer with the help of appropriate judicial pronouncements.
 - Q.5)** What do you mean by 'Delegated Legislation' ? Critically examine factors leading to the growth of Delegated Legislation in Modern Welfare State.
 - Q.6)** What is meant by Administrative Discretion ? Discuss nature and structure of Administrative Discretion in India.
 - Q.7)** Critically examine development of the Doctrine of Separation of Power in USA and India.

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Total No. of Questions : 7]

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[4146]-314

LL. M. (Semester - III) Examination - 2012

LW - 314 : ADMINISTRATIVE PROCESS AND JUDICIAL CONTROL

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt any four questions.*
- (2) All questions carry equal marks i.e. 15 each.*

-
-
- Q.1)** The Indian Supreme Court's stand in Ujjanabai is no longer tenable in today's circumstances. Explain. **[15]**
- Q.2)** Discuss essential components of Hearing. **[15]**
- Q.3)** Judicial Control of Delegated Legislation in one of the control mechanisms. Discuss its nature and scope in India. **[15]**
- Q.4)** Evaluate Judicial Control of Administrative Discretion and its grounds. **[15]**
- Q.5)** Legislative or Parliamentary Control on Delegated Legislations is not so much effective like Judicial Control. Do you agree ? Give reasons. **[15]**
- Q.6)** Doctrine of Promissory Estoppel is a moral doctrine and has acquired new dimensions in recent past. Explain. **[15]**
- Q.7)** Evaluate scope of Government Privileges in Legal Proceedings and its changing facets. **[15]**

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Total No. of Questions : 8]

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[4146]-315

LL. M. (Semester - III) Examination - 2012

LW - 315 : PUBLIC INTERNATIONAL TRADE LAW

(Role of UNO - I)

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks.*

Q.1) Trace development and evolution of International Trade Law in Pre and Post-world War periods.

Q.2) Examine the following :

- (a) Foundation of Modern Trade Theory
- (b) Nature of International Trade (Economic) Law

Q.3) Discuss role of UNO in evolving International Trade Law and New International Economic Order (NIEO) on the following :

- (a) Charter of Economic Rights and Duties of States (CERDS)
- (b) Problems and Prospects of the NIEO

Q.4) Explain structure and functions of The United Nations Conference on Trade and Development (UNCTAD).

Q.5) Critically examine role and functions of the International Bank for Reconstruction and Development (IBRD).

Q.6) “Arbitration is the most important method for the settlement of International Trade Disputes.”

Comment with reference to the United Nation’s Commission for International Trade Law Arbitration Rules, 1976.

Q.7) Critically examine work carried out by the United Nations Commission for International Trade Law. (UNCITRAC)

Q.8) Write short notes on the following :

(a) Advantages and Disadvantages of International Trade

(b) Objects and Functions of the World Intellectual Property Organisation

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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4146]-316

LL. M. (Semester - III) Examination - 2012

LW - 316 : PUBLIC INTERNATIONAL TRADE LAW - II

(GATT)

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** Explain Concept of Globalisation of Economy and examine its impact on Indian Economy.
- Q.2)** Trace historical evolution of the General Agreement on Tariffs and Trade (GATT) from Past to Present.
- Q.3)** “The unconditional Most Favoured Nation (MFN) provision is the corner stone of the International Trade Rules embodied in the General Agreement on Tariffs and Trade (GATT).” Comment.
- Q.4)** “The GATT is intended to reduce Tariff and Non-tariff Barriers in goods.” Comment.
- Q.5)** Explain objectives, scope and functions of the World Trade Organisation (WTO).
- Q.6)** Critically examine “The Understanding” on the Balance of Payments Provisions of the GATT, 1994.

[4146]-316

1

P.T.O.

Q.7) Write short notes : (Any Two)

- (a) Role of the Dispute Settlement Body (DSB)
 - (b) Final Act embodying the results of the Uruguay Round of Multilateral Trade Negotiations
 - (c) Intellectual Property Rights and Global Trade
-

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Total No. of Questions : 8]

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[4146]-317

LL. M. (Semester - III) Examination - 2012

LW-317 : ENVIRONMENTAL LAW - I

(Resource Management and Law)

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer **any four** questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** Examine critically the Polluter's Pay Principle, Precautionary Principle and Absolute Liability Principle as propounded by Indian Supreme Court.
 - Q.2)** Examine critically the National Forest Policy of 1988.
 - Q.3)** Examine harmful effect of Mining and Stone Crushing on Ecology. Are the Laws to control Mining effective in India ? Give reasons.
 - Q.4)** What would you include within the definition of 'Environmental Law' ? How might this definition differ in coming years ?
 - Q.5)** Examine in detail the Constitutional Perspective of Environmental Protection in India.
 - Q.6)** Discuss impact of Population Explosion on Environment and Development ? Substantiate your answer with appropriate examples and relevant statistics.

Q.7) What are the various Theories of Development ? Examine National and International Perspective on Sustainable Development.

Q.8) Write short notes on **any two** of the following :

- (a) Ground Water Management
 - (b) Non-conventional Energy
 - (c) Public Trust Doctrine
 - (d) Five Year Plans and Environmental Protection
-

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Total No. of Questions : 8]

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[4146]-318

LL. M. (Semester - III) Examination - 2012

LW-318 : ENVIRONMENTAL LAW - II

(Prevention and Control of Pollution)

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 marks each*.

-
-
- Q.1)** The Water Act, 1974 is a benchmark in the environment related legislation in India. It provides for the penalties and procedures, to prevent and control Water Pollution. Write your views on the sufficiency of this machinery to secure desired results.
 - Q.2)** The Concept of Protection of Environment finds its due place in several Indian Legislations prior to the modern 'post Stockholm Laws'. Present an overview of these laws as regards prevention and control of Pollution.
 - Q.3)** The growth of hazardous industries, processes and operations in India has been accompanied by the growing risks of accidents not only to the workmen employed in such undertakings but also to the innocent members of the public who may be in the vicinity. In the light of the above statement, comment upon the provisions of the Public Liability Insurance Act, 1991.
 - Q.4)** Environment (Protection) Act, 1986 was enacted under Article 253 of the Constitution of India in the wake of the Bhopal Tragedy. Elaborate role of the Central Government with reference to various authorities constituted under the provisions of this Act.
 - Q.5)** India has a long costal line which needs to be protected from environmental degradation. Write in detail about the legal provisions for the Coastal Zone Management.

Q.6) Write a detailed essay on the legal provisions on prevention and control of Noise Pollution.

Q.7) What are the various kinds of Wastes ? Explain legal rules as regards the disposal and recycling of Waste.

Q.8) Write short notes : **(Any Two)**

(a) Environment Audit

(b) Public Participation in Environmental Decision-making

(c) Vellore Citizens' Welfare Forum v/s Union of India

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Total No. of Questions : 8]

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[4146]-32

LL. M. (Semester - III) Examination - 2012

LW - 904 : PRINCIPLES OF CRIMINAL LAW - I

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1) What is meant by Inchoate Crime ? Examine in detail various kinds of Inchoate Crimes.
 - Q.2) Explain maxim, “*actus non facit reum, nisi mens sit rea*”. How far is this maxim reflected in the Indian Penal Code ?
 - Q.3) Examine some of the definitions propounded by jurist in order to understand the Concept of Crime in a correct perspective.
 - Q.4) Should Law enforce Morality ? If yes, to what extent ? If no, why ? Substantiate your opinion with the help of juristic writings and judicial decisions.
 - Q.5) Discuss General Principles of Deciding Criminal Jurisdiction. Substantiate your answer with appropriate case laws.
 - Q.6) Is *mens rea* necessary in cases of all Crimes ? If not, discuss circumstances when *mens rea* may be excluded in fixing criminal liability ?
 - Q.7) What is meant by Principle of First Degree and Principle of Second Degree ? Discuss scheme of Indian Penal Code with reference to the same.
 - Q.8) Discuss General Principles of fixing Criminal Liability of Co-operation.

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Total No. of Questions : 8]

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[4146]-33

LL. M. (Semester - III) Examination - 2012

LW-907 : SOCIAL SECURITY AND LEGISLATIONS

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt any four questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** Trace origin and development of the Concept of Social Security in India.
 - Q.2)** Critically analyse the expression “accident arising in the course of employment and out of employment” under the Workmen’s Compensation Act, 1923 with the help of judicial decisions.
 - Q.3)** Define the term ‘Basic Wages’ and discuss provisions relating to contribution and mode of recovery of money due from employer under the Employees’ Provident Fund and Miscellaneous Provisions Act, 1952.
 - Q.4)** Critically examine provisions of the Employees’ State Insurance Act, 1948 relating to ‘Adjudication of Disputes and Claims’.
 - Q.5)** Examine provisions relating to ‘Right to Payment of Maternity Benefit’ under the Maternity Benefit Act, 1961.
 - Q.6)** Explain theoretical justification for the Payment of Gratuity. What are the Eligibility Conditions and the Disentitlement Provisions under the Payment of Gratuity Act, 1972.
 - Q.7)** Examine main provisions of the Fatal Accidents Act, 1855.

[4146]-33

1

P.T.O.

Q.8) Write short notes on **any two** of the following :

- (a) Salient Features of the Employers Liability Act, 1938
 - (b) Employees' Provident Fund Scheme
 - (c) Various Benefits under the Employees' State Insurance Act, 1948
-

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Total No. of Questions : 8]

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[4146]-34

LL. M. (Semester - III) Examination - 2012

LW-908 : BRITISH CONSTITUTIONAL LAW

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. 15 each.

-
-
- Q.1)** Explain the term 'Constitutionalism' and describe salient features and sources of British Constitutional Law.
 - Q.2)** The British Constitution is 'Convention ridden' and the various Constitutional Conventions play prominent role in regulating Constitutional Mechanism. Discuss with the help of suitable illustrations.
 - Q.3)** English Law pertaining to parliamentary privileges is a well established common law, supported by several Statutory Laws. The privileges are available only for proceedings in Parliament and not otherwise. Explain with the help of judicial law.
 - Q.4)** Libery of discussion encompasses several matter that determine complex character of the freedoms. There are several restrictions under various laws that ultimately determine scope and extent of the freedom. Discuss with the help of case law.
 - Q.5)** Trace evolution of Civil Services and point out the constitutional perspective relating to the same under the English Constitution.

Q.6) Explain European Dimension of Civil Liberties and Human Rights under the English Legal System and critically evaluate nature and scope of Freedom of Property.

Q.7) Explain working of Parliamentary Form of Democracy and explain Constitutional Mechanism relating to the Cabinet and the Prime Minister under the English Law.

Q.8) Write notes : **(Any Two)**

- (a) Doctrine of Separation of Power
 - (b) Changing Parameters of Rule of Law
 - (c) The Privy Council
 - (d) Crown's Prerogative
-

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Total No. of Questions : 8]

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[4146]-35

LL. M. (Semester - III) Examination - 2012

LW-910 : LAW OF CONTRACT - I

(General Principles of Contract)

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt any four questions.*
- (2) All questions carry equal marks.*

Q.1) Define Quasi Contract. Discuss judicial attitude while granting relief under Quasi Contract Liability.

Q.2) What are Void Agreements ? Elaborate with the incidences of Void Agreements.

Q.3) Discuss various Modes of Discharge of Contract.

Q.4) Clarify nature and effects of Minor's Agreement under English and Indian Law. Substantiate your answer with appropriate case laws.

Q.5) Define Fraud. Discuss Suggestion Falsi-Suppressio Vari as an element to constitute a Fraud.

Q.6) "A Person cannot be allowed to gain unjust enrichment at the cost of other Person." Explain.

[4146]-35

1

P.T.O.

Q.7) The Principle of Quantum Meruit developed in English Law but also has application in India. Elaborate with the help of recent case laws.

Q.8) Write notes on : **(Any Two)**

- (a) Doctrine of pari delicto
 - (b) Pardanashin Women
 - (c) Doctrine of Frustration
 - (d) Void and Voidable Agreements
-

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Total No. of Questions : 8]

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[4146]-36

LL. M. (Semester - III) Examination - 2012

LW-911 : CORPORATE LAWS - I

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. 15 each.

-
-
- Q.1)** Discuss Notion of Corporate Personality in the light of the decision given in Soloman v. Soloman and Co. Ltd.
 - Q.2)** Explain and illustrate rule known as the Doctrine of Indoor Management. Are there any exceptions to the rule ?
 - Q.3)** Who is Promoter ? Discuss his legal position in relation to a company which he promotes.
 - Q.4)** Can a Company buy its own Shares ? If so, under what circumstances ?
 - Q.5)** Define Prospectus. State and explain Law relating to its Contents, Registration. Also explain liabilities relating to a Prospectus. What is a statement in lieu of a Prospectus ?
 - Q.6)** Describe procedure for effecting transfer of Shares. Can directors of a public company refuse to register a Transfer of Shares ?
 - Q.7)** "No dividend can be paid by a company except out of profit." Comment.
 - Q.8)** Write notes : **(Any Two)**
 - (a) Doctrine of Ultra-vires
 - (b) Debentures
 - (c) Various Forms of Corporate Investment

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Total No. of Questions : 8]

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LL. M. (Semester - III) Examination - 2012

LW-911 : CORPORATE LAWS - I

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 each*.

-
-
- Q.1)** Discuss Notion of Corporate Personality in the light of the decision given in Soloman v. Soloman and Co. Ltd.
 - Q.2)** Explain and illustrate rule known as the Doctrine of Indoor Management. Are there any exceptions to the rule ?
 - Q.3)** Who is Promoter ? Discuss his legal position in relation to a company which he promotes.
 - Q.4)** Can a Company buy its own Shares ? If so, under what circumstances ?
 - Q.5)** Define Prospectus. State and explain Law relating to its Contents, Registration. Also explain liabilities relating to a Prospectus. What is a statement in lieu of a Prospectus ?
 - Q.6)** Describe procedure for effecting transfer of Shares. Can directors of a public company refuse to register a Transfer of Shares ?
 - Q.7)** "No dividend can be paid by a company except out of profit." Comment.
 - Q.8)** Write notes : **(Any Two)**
 - (a) Doctrine of Ultra-vires
 - (b) Debentures
 - (c) Various Forms of Corporate Investment

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Total No. of Questions : 7]

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[4146]-37

LL. M. (Semester - III) Examination - 2012

**LW-912 : GENERAL PRINCIPLES AND CONSTITUTIONAL
SCHEME RELATING TO TAXATION**

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** Explain growth and development of Direct Tax Laws in India and evaluate changes made in the last five budgets.
 - Q.2)** Distinguish between Tax and Fees and explain principles laid down by the judiciary for the same.
 - Q.3)** Explain basic canons of Taxation in the backdrop of Indian Tax Scenario.
 - Q.4)** Discuss Constitutional Limitations on the Legislative Competence to Levy Tax.
 - Q.5)** Elaborate Doctrine of Promissory Estoppel as applicable to Tax Laws. Can it be pleaded against the Government ?
 - Q.6)** Discuss the functions of Finance Commission and comment onto the fact that the recommendations of the Finance Commission are not binding on the President.
 - Q.7)** Write explanatory notes on **any two** of the following :
 - (a) Service Charges
 - (b) Tax-levy Techniques
 - (c) Interpretation of Fiscal Statutes
 - (d) Natural Justice affecting Assessment Procedure

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Total No. of Questions : 8]

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[4146]-38

LL. M. (Semester - III) Examination - 2012

LW - 913 : TAX ON INCOME

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer **any four** questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** Define the term 'Income'. "Every receipt does not bear character of Income." Comment with reference to judicial pronouncements.
- Q.2)** State and explain expenses which are expressly disallowed under the head of 'Profits and Gains of Business or Profession' under the Income Tax Act, 1961.
- Q.3)** Critically examine provisions of the Income Tax Act, 1961 regarding various deductions to be made in computing total income of an Assessee.
- Q.4)** Critically examine powers of the Income Tax Authorities under the Income Tax Act, 1961.
- Q.5)** Discuss provisions relating to 'Procedure for Assessment' under the Income Tax Act, 1961.
- Q.6)** Summarize provisions relating to Collection and Recovery of Tax under the Income Tax Act, 1961.

Q.7) “A Partnership Firm is treated as a Separate Tax Entity under the Income Tax Act, 1961.” Comment.

Q.8) Write short notes on the following :

- (a) Residential Status of an Individual
 - (b) Provisions Relating to Set Off and Carry Forward and Set Off Losses
-

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Total No. of Questions : 7]

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[4146]-39

LL. M. (Semester - III) Examination - 2012

LW - 914 : ECONOMIC LEGISLATIONS

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer any four questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** State, explain and analyse rationale of Central Excise Duty. Explain 'Manufacture', 'Classification' and 'Valuation'. Substantiate your answer with relevant case law.
 - Q.2)** Critically evaluate statutory and judicial law relating to Search and Seizure, Investigation and Forfeiture under the Central Excise Act, 1944, examining rights of appeals, revisions and review under the Act against Search, Seizure, Investigation and Forfeiture.
 - Q.3)** Define the term 'Prohibited Goods' and critically examine provisions relating to Prohibitions on Importation and Exportation of Goods under the Customs Act, 1962.
 - Q.4)** Examine provisions relating to Levy of and Exemption from Customs Duties under the Customs Act, 1962.
 - Q.5)** Explain objects, nature and kinds of Restrictions under the Foreign Exchange Management Act, 1999.
 - Q.6)** Discuss provisions relating to Offences and Penalties under the Foreign Exchange Management Act, 1999.

[4146]-39

1

P.T.O.

Q.7) Write short notes : (Any Two)

- (a) History of Central Excise Act
 - (b) Non-resident Investment
 - (c) Appeals and Revisions under the Customs Act, 1962
-

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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

[4146]-40

LL. M. (Semester - III) Examination - 2012

LW-915 : MERCANTILE LAW

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.
- (2) All questions carry equal marks. i.e. 15 each.

-
-
- Q.1)** Explain necessity to Manage and Control Exchange. State, explain and critically analyse conceptual, legal and institutional aspect of Exchange Management and Exchange Control.
 - Q.2)** Explain Concepts 'Cheque', 'a Cheque in the Electronic Form' and 'a Truncate Cheque'. Explain Noting and Protest in relation to the Negotiable Instruments Act.
 - Q.3)** What is the prime object of the Banking Regulation Act ? How does it Control and Co-ordinate Banking System in India ? What recent amendments have been made in the Act, to strengthen Banking System ?
 - Q.4)** Give a critical review of the Negotiable Instruments Amendment Act, 2002. Point out changes it brought in the existing Law.
 - Q.5)** Enumerate provisions relating to Licensing of Banking Company and restriction on Banks on giving loans and recovery of debt.
 - Q.6)** Discuss role of Reserve Bank of India as prescribed under the Banking Regulation Act.
 - Q.7)** Write short notes on **any two** of the following :
 - (a) Transfer of Negotiable Instrument
 - (b) Export Credit
 - (c) Winding up of Banking Company

[4146]-40/1

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4146]-401

LL. M. (Semester - IV) Examination - 2012

LW-401 : INTERNATIONAL HUMANITARIAN LAW

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1)** Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949 lays down certain categories of persons, shall be known as Prisoners of War. Explain status of Prisoners of War.
 - Q.2)** Explain use of force and its different categories under International Law.
 - Q.3)** War Crimes are essentially serious violations of the rules of customary and treaty law concerning International Humanitarian Law, otherwise the law known as the law governing armed conflicts. Comment on war crimes and their jurisdiction.
 - Q.4)** Discuss Laws of Warfare under International Humanitarian Law.
 - Q.5)** Elaborate provisions and policies for Disarmament under the International Humanitarian Law. Support answer with the help of committees established by General Assembly for Disarmament.
 - Q.6)** Distinguish between 'Conventional Warfare' and 'Biological Warfare'. Explain effects of Outbreak of War.
 - Q.7)** Write short notes : **(Any Two)**
 - (a) Nuclear War
 - (b) Belligerent Occupation
 - (c) Role of Red-Cross
 - (d) Composition of International Criminal Court

[4146]-401/1

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-402

LL. M. (Semester - IV) Examination - 2012

LW-402 : PENOLOGY

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** Caldwell observed, "Punishment is an art which involves balancing of retribution, deterrence and reformation in terms not only of the Court but also of the values in which it takes place and in the balancing of these purposes of punishments, first one and then the other receives emphasis as the accompanying conditions change." Discuss Theories of Punishment. **[15]**
- Q.2)** "Before opting for death penalty, a balance sheet of aggravating and mitigating circumstances has to be drawn up and in doing so the mitigating circumstances have to be accorded full weightage and a just balance has to be struck between the aggravating and mitigating circumstances." Discuss. **[15]**
- Q.3)** The success of probation programme, largely depends on the quality of probation staff deployed to handle offenders. Discuss role and functions of probation officers. **[15]**
- Q.4)** "Parole is an act of grace and not as a matter of right." Explain the object of Parole and distinguish it from Probation. **[15]**

- Q.5)** The fundamental fact of prison reforms comes from our constitutional recognition that every prisoner is a person and personhood holds human potential which, if unfolded, makes a Robber a Valmiki and a Sinner a Saint. Examine policy of prison reforms in India. **[15]**
- Q.6)** Custodial torture is a naked violation of human rights, dignity and degradation, which destroys to a very large extent the individual personality. Critically examine. **[15]**
- Q.7)** Drug addiction, a decaying menace, is not only injurious to an individual but also imperils health of the entire social fabric with fast cascading impact. The governmental agencies and other social organisations need to work sincerely in controlling drug trafficking and save the future of our country. Comment. **[15]**
- Q.8)** Penology concerns itself with various aspects of Punishment and Penal Policies. Discuss nature and scope of Penology. **[15]**
-

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-403

LL. M. (Semester - IV) Examination - 2012

LW-403 : BUSINESS LAW

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1)** Define ‘Negotiable Instruments’. Discuss features of ‘Negotiable Instruments’ tracing recent judicial trends in this area.
 - Q.2)** “Every ‘Holder in Due Course’ is a ‘Holder’, but every ‘Holder’ may not be a ‘Holder in Due Course’.” Comment.
 - Q.3)** Discuss essentials of a Life Insurance Contract. How does it differ from Fire and Marine Insurance Contracts ?
 - Q.4)** What are Express and Implied Warranties in a Contract of Marine Insurance ? Discuss effects of breach of a Warranty.
 - Q.5)** “The Consumer Protection Act, 1986 is a Social Legislation in our Country.” Discuss this statement with reference to aims, objects and scope of the Act.
 - Q.6)** Discuss role of RBI over the Managerial Persons of Banks with the help of recent case laws.
 - Q.7)** Discuss provisions relating to Suspension of Business and Winding up of Banking Companies under the Banking Regulation Act, 1949.

[4146]-403

1

P.T.O.

Q.8) Write short notes : (Any Three)

- (a) Noting and Protest
 - (b) Licensing of Banking Companies
 - (c) Double Insurance
 - (d) Banker's Right of General Lien
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4146]-404

LL. M. (Semester - IV) Examination - 2012

LW-404 : INDUSTRIAL RELATIONS AND ADJUDICATION

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1)** Tribunals were created for the first time for the purpose of adjudicating upon industrial disputes referred to them by appropriate Government and then introduced compulsory adjudication where voluntary negotiation or mediation through the machinery of conciliation authorities fail. Give constitutional framework to this effect. [15]
- Q.2)** Discuss nature of power to make order of reference under section 10(1) and condition precedent to exercise it with the help of judicial decisions. [15]
- Q.3)** The leading judgement of Krishna Iyer in Bangalore Water Supply case formulated positively and negatively decisive principles for identifying 'industry' under Industrial Disputes Act which would be authoritative until overruled by larger Bench or superseded by Legislative Branch. Explain. [15]
- Q.4)** The Industrial Disputes Act, 1947 is a progressive measure of social legislation aiming at the amelioration of conditions of workmen in Industry. State object, scope and main features of Act in the light of this statement. [15]

- Q.5)** The definition of 'Settlement' now envisages two categories of settlements. The legal effect of both kinds of settlements is not identical. Explain. State also on whom settlement is binding with the help of judicial decisions. **[15]**
- Q.6)** Industrial adjudication harmonises interests of capital and labour. Explain. **[15]**
- Q.7)** The Concept of Workers Participation in Management crystallises concept of Industrial Democracy and indicates an attempt on the part of employer to build his employees into team which work towards realisation of common objective. State its scope. **[15]**
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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 1

[4146]-405

LL. M. (Semester - IV) Examination - 2012

LW-405 : BIOTECHNOLOGY LAW

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 marks*.

Q.1) Write in detail on the Historical Background of the Biotechnology Law.

Q.2) Discuss in detail the Social, Ethical and Human Rights concerns in the Pharmaceutical Inventions.

Q.3) Write in detail on the Grant and Maintenance of Biotechnological Patent in India.

Q.4) Explain in detail the TRIPS and WTO provisions which regulate International Biotechnological Patents.

Q.5) "The DNA and rDNA forms part of expert evidence." Comment.

Q.6) Explain in detail the rights and obligations of Agricultural Patentee in India.

Q.7) How far Cloning of Human Beings affects Human Rights ? Discuss.

Q.8) Write short notes : **(Any Two)**

- (a) Bio-piracy
- (b) Pharmaceutical Patents
- (c) Cell-Fusion

[4146]-405/1

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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4146]-406

LL. M. (Semester - IV) Examination - 2012

LW - 406 : PROTECTION AND ENFORCEMENT OF

HUMAN RIGHTS IN INDIA

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1) Examine reflection of Human Rights Jurisprudence in the Directive Principles of State Policy. Substantiate your answer with appropriate judicial pronouncements.
 - Q.2) Examine critically the role of Indian Supreme Court in developing Human Rights Jurisprudence in India.
 - Q.3) Discuss composition and functions of National Minorities Commission. To what extent it is effective in protecting Human Rights of the Minorities in India.
 - Q.4) Discuss in detail various types of Civil and Political Rights guaranteed under Part III of the Indian Constitution.
 - Q.5) Discuss composition and functions of State Human Rights Commission. Is the Commission effective in protecting and promoting Human Rights in India ?
 - Q.6) Examine extent to which the Rights of Scheduled Castes and Scheduled Tribes are recognized and protected in the Indian Constitution.

Q.7) Write short notes on **any two** of the following :

- (a) Fundamental Duties and Human Rights
 - (b) Human Rights of Bonded Labours
 - (c) Human Right Courts
 - (d) Role of National Commission of Women
-

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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

[4146]-407

LL. M. (Semester - IV) Examination - 2012

LW - 407 : COMPARATIVE ADMINISTRATIVE LAW

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks i.e. 15 each.*

-
-
- Q.1)** Trace milestones in the evolution of Administrative Law in England. In comparison to the 19th Century, how has the Current Administrative Law undergone a drastic change ?
 - Q.2)** Critically examine Concept of 'Rule of Law' as developed and established by A.V. Dicey.
 - Q.3)** Discuss grounds and remedies of judicial review of administrative action in England.
 - Q.4)** Discuss necessity, utility and suitability of the institution of Ombudsman in India.
 - Q.5)** Trace importance and relevance of the doctrine of Legislative Supremacy of the Parliament in light of recent constitutional changes in the United Kingdom, with the help of relevant laws.
 - Q.6)** Describe nature of 'Civil Liberties and point out the scope and extent of freedom of person under the English Constitutional Law. Refer to relevant statutes and case law.
 - Q.7)** Compare analytically the evolution of Administrative Law in England and France.

[4146]-407/1

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-408

LL. M. (Semester - IV) Examination - 2012

**LW-408 : BASIC ASPECTS OF
PRIVATE INTERNATIONAL TRADE LAW**

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks i.e. **15 marks.***

-
-
- Q.1)** Enumerate Law relating to Performance of Contract in the International Sales Contract with the help of relevant conventions and protocol.
 - Q.2)** Examine Legal Issues relating to Carriage of Goods by Sea. What are the objects of the United Nations Convention on the Carriage of Goods by Sea, Hamburg, 1978 ?
 - Q.3)** What is Bill of Lading ? Critically evaluate International Convention for the Unification of Certain Rules relating to Bill of Lading, Brussels, 1924 (Hague Rules).
 - Q.4)** Explain Law relating to Standardization of Terms in International Sales.
 - Q.5)** What is Transnational Operation ? Examine role of United Nations in establishing and regulating corporations to facilitate International Trade between Private Parties.
 - Q.6)** Enumerate problems of Credit Finance and Collection of Commercial Debts in the area of Private International Trade.

[4146]-408

1

P.T.O.

Q.7) Geneva Protocol on Arbitration Clauses, 1923 facilitates Settlement of Disputes in International Trade. Elucidate.

Q.8) Write short notes : (**Any Two**)

- (a) Marine and Aviation Insurance
 - (b) Letters of Credit
 - (c) Role of WTO under Private International Trade Law
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-409

LL. M. (Semester - IV) Examination - 2012

LW - 409 : ENVIRONMENT AND INTERNATIONAL LEGAL ORDER

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15* each.

-
-
- Q.1)** International Financial Institutions are in a unique position, they can continue to drive investments in a conventional ‘business as usual’ manner or they can take an alternative approach and raise environmental standards through their lending practices. Comment upon their role in sustainable development.
- Q.2)** Protection of the environment which, by definition, entails a reduction in cross-border environmental degradation is consequently a joint responsibility of all States. What are the International Legal Measures to control trans-boundary pollution ?
- Q.3)** “States shall ensure that environmental conservation is treated as an integral part of Planning and Implementation of Development Activities.” Comment upon the International Legal Efforts to introduce sustainability in the development process.
- Q.4)** In the present century, environmental degradation has emerged as a major global concern for human survival. A large number of International and Regional Organisations have deliberated upon environmental issues confronting the nations. Discuss role of such organisations in global scenario.

- Q.5)** Write a detailed note on Protection of Marine Environment, with special reference to the International Sea Bed Authority.
- Q.6)** The Transnational Movement of Hazardous Waste is becoming as issue of environmental concern for the members of International Community. Explain along with suitable examples.
- Q.7)** The concerted efforts of the United Nations and the World Bank to encourage a more sustainable global economic development have resulted in the establishment of the Global Environment Facility (GEF). Elucidate role and functioning of the GEF.
- Q.8)** Write short notes : **(Any Two)**
- (a) Space Pollution
 - (b) International Obligation for Poverty Alleviation
 - (c) Depletion of Ozone Layer
-

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-41

LL. M. (Semester - IV) Examination - 2012

LW-001 : PUBLIC INTERNATIONAL LAW - II

(Settlement of Dispute, War and Neutrality)

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

*(1) Answer **any four** questions.*

(2) All questions carry equal marks.

-
-
- Q.1)** Explain constitutional provisions regarding Conclusion of Treaties in India and its enforcement through Legislation and Judicial Pronouncement.
- Q.2)** Explain Coercive Methods of Settlement of Disputes. When can such Coercive Methods be resorted to ?
- Q.3)** Define War Crimes and Punishment for War Crimes.
- Q.4)** Explain role of Security Council for the Maintenance of International Peace and Security.
- Q.5)** Explain Development of Concept of Neutrality and what is the rational basis of Neutrality.
- Q.6)** Point out International Law in respect of “Treatment of Prisoners of War” and discuss the same from Human Rights perspective.
- Q.7)** What is Belligerents Occupation ? Explain rights and duties of Occupying Power.

[4146]-41

1

P.T.O.

Q.8) Write notes : (Any Two)

- (a) Economic Warfare
 - (b) Use of Force in Self-preservation
 - (c) Aggression and Armed Conflict
 - (d) Regional Institutions and Collective Security
-

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-42

LL. M. (Semester - IV) Examination - 2012

LW-002 : PRIVATE INTERNATIONAL LAW - II

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer *any four* questions.
- (2) All questions carry equal marks.

-
-
- Q.1) State and explain various grounds of Dissolution of Marriage under English and Indian Laws.
 - Q.2) Explain the term 'Proper Law of the Contract' under Private International Law. Discuss mode of ascertaining proper Law of Contract and remedy to be given for breach of Contract.
 - Q.3) Discuss 'Choice of Law' rules applicable to foreign adoption in India and illustrate with leading cases decided by the Supreme Court of India.
 - Q.4) Discuss Actionability of Foreign Tort and Law governing the measures of Liability.
 - Q.5) Comment on the distinction between a Legitimate Child and an Illegitimate Child under English and Indian Laws.
 - Q.6) Comment on the decision of Hyde v/s Hyde with respect to definition of Marriage and make out distinction between Christian and Non-Christian Marriage.

Q.7) Discuss various issues in respect of Private International Law relating to Inter-country Adoption.

Q.8) Write notes : (**Any Two**)

- (a) Philips v/s Eire
 - (b) Foreign Guardianship Order
 - (c) Nullity of Marriage
 - (d) Concept of Status and Characteristics of Status
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-43

LL. M. (Semester - IV) Examination - 2012

LW - 004 : PRINCIPLES OF CRIMINAL LAW - II

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

(1) Attempt *any four* questions.

(2) All questions carry equal marks.

Q.1) Mistake in Point of Law in Criminal Case is in Defence. Explain in the light of recommendations proposed by the Malinath Committee. [15]

Q.2) Critically examine rule regarding Burden of Proof when the accused invokes plea of General Defences under the Indian Penal Code. [15]

Q.3) Voluntary Drunkenness is no excuse for the commission of a Crime. Explain liability of a Drunkard and the circumstance when his liability is enumerated. [15]

Q.4) Legal Aid in Crystallised Form of Socio and Economic Justice under the Preamble of the Indian Constitution has been amplified and reflected substantially in various provisions of Constitution. Discuss. [15]

Q.5) Critically examine right of Private Defence for Property under the Indian Penal Code. [15]

Q.6) Explain Insanity as a Ground of Defence under the Indian Penal Code. [15]

Q.7) "Nullum Poena sine lege." Comment on this principle of Criminal Law. [15]

Q.8) Write short notes : (Any Two)

[15]

- (a) Act of Child
 - (b) Communication Mode in Good Faith
 - (c) Act Causing Slight Harm
-

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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4146]-44

LL. M. (Semester - IV) Examination - 2012

**LW-007 : PRINCIPLES OF WAGE FIXATION AND
THE LAW OF WAGES**

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer *any four* questions.
- (2) All questions carry equal marks.

Q.1) “Wage Policy should be an integral part of Planning for Economic Development.”

Comment and discuss importance and essentials of a National Wage Policy.

Q.2) Critically examine various Theories of Wages.

Q.3) Define the term ‘Scheduled Employment’ and explain procedure for fixing and revising minimum rates of Wages in respect of Scheduled Employment under the Minimum Wages Act, 1948.

Q.4) “The Wages of an employed person shall be paid to him without deductions of any kind except those authorised by or under the Payment of Wages Act, 1936.” Comment and refer relevant case laws.

Q.5) Explain Concept of ‘Bonus’ and discuss provisions relating to ‘Set On’ and ‘Set Off’ of allocable surplus under the Payment of Bonus Act, 1965.

Q.6) Explain concepts of ‘Fair Wage’ and ‘Living Wage’. Distinguish between Minimum Wage, Fair Wage and Living Wage.

[4146]-44

1

P.T.O.

Q.7) Write short notes on **any two** of the following :

- (a) Powers and Jurisdiction of Authority under the Payment of Wages Act, 1936
 - (b) Eligibility and Disqualification for Bonus
 - (c) Powers and Functions of Inspectors under the Minimum Wages Act, 1948
-

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-45

LL. M. (Semester - IV) Examination - 2012

LW-008 : BRITISH ADMINISTRATIVE LAW

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer *any four* questions.
- (2) All questions carry equal marks i.e. *15 marks each*.

-
-
- Q.1.)** Doctrine of Parliamentary Legislative Supremacy has contributed in shaping Administrative Law in the United Kingdom. Explain this doctrine in the light of European Union Act, 1972.
 - Q.2)** Dicey's Rule of Law had its good points and the broad principle had been accepted in several legal systems as a 'necessary constitutional safeguard'. But it has its own limitations and pitfalls as well. Critically discuss.
 - Q.3)** Trace objects and reasons that have contributed in passing of the Statutory Instruments Act, 1948. How has it created safeguards against the System Delegated Legislations in England ?
 - Q.4)** Explain contribution of the Parliamentary Commissioner for Administration in restructuring administrative responsibilities of the Ministers in the United Kingdom.
 - Q.5)** The System of Delegated Legislation is both legitimate by permissible and constitutionally desirable for certain purposes, within certain limits and under certain safeguards. Examine.
 - Q.6)** Discuss origin and development of public corporations in the United Kingdom and evaluate their relevance and significance at present.

Q.7) Point out clearly the contribution of the Crown Proceedings Act, 1947 in re-shaping liabilities of the Crown in England. Cite appropriate case law.

Q.8) Write notes : **(Any Two)**

- (a) Error of Law - Error of Jurisdiction
 - (b) Statutory Inquiries
 - (c) Doctrine of Natural Justice under Administrative Law
-

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Total No. of Questions : 7]

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[4146]-47

LL. M. (Semester - IV) Examination - 2012

LW-010 : LAW OF CONTRACT - II

(Special Contracts)

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.
- (2) All questions carry equal marks.

-
-
- Q.1)** What are the rights and liabilities of Partners after dissolution of Partnership ?
What are the various Modes of Settlement of accounts between Partners ?
- Q.2)** How is Agency created ? Discuss relevance of the doctrine of 'Relation Back' in ratification of the Agency.
- Q.3)** What is the rule of 'Holding Out' ? Is it a kind of liability more or less than a special application of the principle of estoppels ?
- Q.4)** Define 'Partnership'. Compare it with a 'Limited Liability Partnership' and a 'Company'.
- Q.5)** “It is the duty of the bailee not only to take reasonable care of the goods bailed but also not to make unauthorized use of the goods bailed.” Comment.
- Q.6)** Explain Principle of Caveat Emptor with the exceptions to it.
- Q.7)** Write notes : **(Any Two)**
- (a) Conditions and Warranties
 - (b) Rights of Unpaid Seller
 - (c) Sale and Agreement to Sell

[4146]-47/1

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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

[4146]-48

LL. M. (Semester - IV) Examination - 2012

LW-011 : CORPORATE LAWS - II

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 each*.

-
-
- Q.1)** State powers, rights and duties of Auditors of a Company.
- Q.2)** "The exact position of Directors with regard to the company is hard to define." Discuss this statement and bring out the exact position of the Directors in a Company.
- Q.3)** Define Winding Up of a Company. Discuss different Modes of Winding Up of Company.
- Q.4)** What are the different kinds of resolutions passed in the meetings of the Company ? What resolutions require registrations ?
- Q.5)** Write short notes :
- (a) Sick Companies
 - (b) Rights and Liabilities of Shareholders
- Q.6)** Write short notes : **(Any Two)**
- (a) Prevention of Oppression and Mismanagement
 - (b) Appointment and Removal of Directors
 - (c) Constitution and Powers of Company Law Board
 - (d) Statutory Meeting
- Q.7)** Elucidate provisions of Amalgamation, Absorption and Reconstruction of Companies.

[4146]-48/1

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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4146]-49

LL. M. (Semester - IV) Examination - 2012

LW-012 : CURRENT TAX PROBLEMS AND TAX REFORMS

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt *any four* questions.
- (2) All questions carry equal marks.

Q.1) “Taxation is one of the methods by which Economic and Social Goals of the State can be achieved.”

Critically examine this statement and evaluate main features of the current Taxation Policy of the Government of India.

Q.2) “Tax Planning is not Tax Avoidance.” Comment and distinguish between Tax Planning and Tax Avoidance with the help of case laws.

Q.3) “Searches, Surveys, Penalties and Prosecutions are the measures to curb Tax Evasion and unearthing Black Money.”

Examine this statement with reference to the relevant provisions of Income Tax Act, 1961.

Q.4) “Hindu Undivided Family is treated as a separate taxable entity for the purpose of Income Tax Assessment.” Comment.

Q.5) Critically examine Problems of Tax Recovery.

Q.6) Examine provisions relating to Taxation of Religious and Charitable Institutions under the Income Tax Act, 1961.

[4146]-49

1

P.T.O.

Q.7) Write short notes on **any two** of the following :

- (a) Concept of Black Money and its Effect on Society
 - (b) Clubbing of Income of Husband, Wife and Minor Children
 - (c) Agricultural Income
-

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4146]-50

LL. M. (Semester - IV) Examination - 2012

LW-013 : TAX ON CAPITAL AND TRANSACTION

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Answer any four questions.*
- (2) All questions carry equal marks.*

-
-
- Q.1)** What is the procedure followed in Valuing Business Assets for Wealth Tax purpose ?
- Q.2)** Explain provisions regarding Offences and Prosecution u/s. 35 of the Wealth Tax Act.
- Q.3)** How are the following Assets considered in Wealth Tax Assessment ?
- (a) Property of Charitable Trust
 - (b) Assets and Liabilities Outside India
- Q.4)** Who are eligible to avail benefit of Cenvat ? State conditions for availing of Credit under Cenvat.
- Q.5)** Define the term Small Scale Industry (SSI) under Central Excise Act. What concessions and exemptions are available to an SSI Unit in relation to Excise Duty ?
- Q.6)** Explain provisions of C.S.T. Act regarding Registration of Dealers.

Q.7) When a Sale or Purchase of Goods is said to take place in the course of Inter-state Trade or Commerce ?

Q.8) Write short notes : (**Any Three**)

- (a) Appropriate State (CST)
 - (b) Valuation Data (Wealth Tax)
 - (c) Concealment of Wealth
 - (d) Best Judgement Assessment (Wealth Tax)
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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

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LL. M. (Semester - IV) Examination - 2012

LW-014 : INTELLECTUAL PROPERTY LAWS

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

(1) Attempt any four questions.

(2) All questions carry equal marks i.e. 15 each.

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- Q.1)** Define Patent. Which inventions are Patentable ? What are the rights of Inventor ?
- Q.2)** Who can apply for Grant of Patent ? What is the procedure for obtaining a Patent ?
- Q.3)** Who is the first owner of Copyright in various works ? Critically examine provisions relating to Licenses by Owners of Copyright under the Copyright Act, 1957.
- Q.4)** What is Copyright ? Explain procedure and advantages of Registration of Copyright.
- Q.5)** What is meant by Trade Mark ? Explain Law relating to Assignment and use of Registered and Unregistered Trade Mark.
- Q.6)** What is Infringement of Trade Mark ? Critically differentiate between Infringement of Trade Mark and Passing Off.
- Q.7)** State and explain the term 'Design' along with the provisions, relating to registerable Designs under the Designs Act.

Q.8) Write notes : (Any Two)

- (a) Surrender of Patent
 - (b) Copyright Board
 - (c) Assignment of Trade Mark
 - (d) Procedure for Registration of Design
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Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

[4146]-52

LL. M. (Semester - IV) Examination - 2012

LW-015 : INTERNATIONAL TRADE LAW

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

- (1) Attempt **any four** questions.*
- (2) All questions carry equal marks i.e. **15** each.*

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- Q.1)** Trace development of International Trade during the Medieval and Modern Period.
 - Q.2)** What are the major issues relating to promotion of Foreign Investment considering the contemporary Trade Policy in India ?
 - Q.3)** What is Restrictive Trade Practice ? What are the legal regulations in India to control the same ? How far they are effective in that regard ? Explain.
 - Q.4)** State and explain role of Commercial Arbitration in Settlement of Trade Disputes.
 - Q.5)** Critically explain efforts on the part of Government of India and Industrial Policy towards Foreign Collaboration.
 - Q.6)** What is the role of W.T.O. in regulating International Trade ? Discuss.
 - Q.7)** Write notes : **(Any Two)**
 - (a) UNCITRAL Model
 - (b) Debt and Balance of Payment
 - (c) Nationalisation and Expropriation of Foreign Property

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