

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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.*

- 
- 
- Q.1)** State includes the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India. Explain Other Authorities as a dimension of State with relevant case laws.
- Q.2)** Preamble is the touchstone to determine the validity of the constitutional provisions. Analyse the Preamble with reference to judicial pronouncements.
- Q.3)** “The main object of Article 13 is to secure the paramountcy of the Constitution in regard to fundamental rights.” Comment.
- Q.4)** The doctrine of reasonable classification has been undisputed touchstone to determine the scope and content of Article 14. Support this statement in light of concept of protective discrimination.
- Q.5)** Freedom of Speech and expression is the cornerstone of functioning of the democracy. Explain Article 19(1)(a) with the inhibitions laid onto it by the Constitution itself.
- Q6)** The Supreme Court in Maneka Gandhi's case gave a new dimension to Article 21 and laid a new Constitutional Jurisprudence. Evaluate with the help of judicial decisions.

**Q7.)** Article 30(1) indicates that a minority for the purposes of this article may either be linguistic or religious and that it does not have to be both. Discuss the Rights of Minority Educational Institutions as a mean to serve the need of their community.

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

- (a) Right to Education
- (b) Double Jeopardy
- (c) Protection against Arrest and Detention
- (d) Traffic in Human Beings

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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) Prof. John Finnis Theory of Natural Law is based on a combination of basic common goods and methodological requirements. Discuss. [15]
  - Q.2) The Theory of Natural Law propounded by Kant hinges upon morality which is a matter of internal motive. Explain. [15]
  - Q.3) The Notion of Positive Natural Law was evolved by Stamler in his theory. Explain the said concept and point out its application to Indian Legal System. [15]
  - Q.4) "Social-engineering Theory is not outdated and it is still relevant to balance conflicting interests." Discuss. [15]
  - Q.5) Kelsen's Pune Theory suffers from certain anomaly or lacuna which cannot be made applicable to revolutionary regime. Explain. [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) Rule-Skeptic
  - (b) Principle of Participation
  - (c) Austin's Sovereignty
  - (d) Rule of Recognition
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4246]-103

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

LW-103 : LAW, SOCIAL TRANSFORMATION AND  
JUDICIAL PROCESS IN INDIA – 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 the magnitude of the issue of child labour in India and the role of NHRC in its eradication.
  - Q.2) Media trial has shown an ugly face in some cases recently and has raised public opinion in the others. Evaluate the role of Indian Media in the present context.
  - Q.3) What are the provisions in Constitution of India to prevent gender injustice ? Explain the development of law in India regarding gender discrimination by sexual harassment at workplace.
  - Q.4) Explain the role of law as an instrument of social change in the area of right to information.
  - Q.5) What do you mean by 'Secularism' ? How do the Constitution of India and Other Laws help to maintain India's feature of secularism ?
  - Q.6) How is democratic decentralization tried to be achieved in India ? Evaluate the success of it.

[4246]-103

1

[P.T.O.]

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

- (a) Article 19 of Constitution of India and Regionalism
  - (b) Nondiscrimination on the basis of Religion
  - (c) Preconception and Prenatal Diagnostic Techniques Act
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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 various methods of imparting Legal Education in India with their own advantages and limitations.
- Q.2)** What are the Essential Attribute of Effective Teaching and Learning Methods ?
- Q.3)** Discuss the Constitutional Provision guaranteed to Linguistic Minorities under Indian Constitution with the help of judicial decision.
- Q.4)** What do you understand by 'Sarvodaya' ? Explain thought by Mahatma Gandhi on 'Sarvodaya' to bring Social Transformation in India.
- Q.5)** Examine the Marxist Critique on Law and Justice with reference to Economic Pattern of India.
- Q.6)** Explain the interrelationship between Fact and Theory as on essential characteristic of scientific methodology with the help of suitable examples.
- Q.7)** Discuss Concept of Gram Nyayalaya and explain its role in the Administration of Justice.

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

- (a) Doctrinal and Non-doctrinal Research
  - (b) Examination Method
  - (c) Formulation of Research Problem
  - (d) Legal Research Model
-



Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4246]-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) Whether the Indian Constitution can be characterized as a Federal ? Discuss the Notion of Federalism with respect to distribution of powers between Union and State in Indian Context.
  - Q.2) What is Pith and Substance and Colourable Legislation ? Discuss its applicability and importance while ascertaining the validity of the Legislations by the Courts in India.
  - Q.3) The Supreme Court is a Multi-jurisdictional Court in the world. Explain the different kinds of jurisdiction conferred upon it by the Constitution of India.
  - Q.4) Critically evaluate the Power of President to Proclaim State Emergency under Article 356 of the Constitution of India with the help of relevant judicial decisions.
  - Q.5) Discuss the powers and functions of the Election Commission and also suggest the reforms in the working of Election System in India.
  - Q.6) Discuss the Scheme of Allocation of Taxing Powers and Distribution of Revenues between Center and State under Indian Constitution.

[4246]-201

1

P.T.O.

**Q.7)** Defection is more of a political question which involves various legal issues. Discuss the achievements and failures of Anti-defection Law enshrined in the Xth Schedule of the Indian Constitution.

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

- (a) National Judicial Commission
- (b) Pardoning Power of the Governor
- (c) Planning Commission

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4246]-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 law declared by the highest court of the land comes into effect from the date of cause of action occurred in the past. However the doctrine of Prospective Overruling appears to be an Exception to this Rule. Discuss with the help of relevant case laws.
- Q.2)** "Right is an interest recognized, protected and enforced by Law. – Prof. Pound." Discuss concept of right along with the theories and critically examine the Legal Concept of Right of Hohfeldian.
- Q.3)** "A right is always not coupled with a duty." Examine the statement in the light of the theory of Distributive Justice of John Rawls and point out its applicability to the Indian Legal System.
- Q.4)** "The Notion of Morality differs from society to society and time to time." Discuss its nature, role and recent recommendations made by the Law Commission of India vis-à-vis Indian Legal System.
- Q.5)** "The Bindingness or Authoritativeness of a decision emanates from ratio-decidenti and not from the judgement as a whole." Discuss the Doctrine of Precedent in India.

**Q.6)** "The Notion of Gender Justice or Feminist Jurisprudence is the product and result of the basic premise that Law is not only an instrument of social welfare or social change but also is an instrument of and responsible to women's subordinate position to their counterparts." Discuss the nature and types of Feminism along with the Indian Constitution.

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

- (a) Obiter Dicta
  - (b) Kinds of Legal Rights
  - (c) Advisory Jurisdiction
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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)** Evaluate the judicial process in India by Growth of Public Interest Litigation.
  - Q.2)** “Bentham had provided a model for Indian Legislative Order.” Comment.
  - Q.3)** “Relationship between Judiciary and Other Organs of the State is nothing but the checks and balances or the conflicts between the Judiciary and Other Organs.” Critically comment.
  - Q.4)** Explain how the Supreme Court of India has contributed towards development of law with respect to Payment of Compensation ?
  - Q.5)** Critically evaluate the efforts of Legislature to Seek Judicial Accountability.
  - Q.6)** In a Democratic System, judicial process becomes an instrument of social ordering. Evaluate the importance of judge made law in this process. What are the factors that play an important role in the Judicial Decision-making Process ?

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

- (a) Conciliation
  - (b) Lok Adalat
  - (c) Nature of Judicial Process - Contribution by Cardozo
  - (d) Judicial Review
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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)** Examine the importance of Scaling Techniques in Socio-legal Research. Discuss four main types of Measurement Scales.
  - Q.2)** Discuss the application of Content Analysis in Legal Research. Substantiate your answer with at least one illustration of its applicability in Legal Research.
  - Q.3)** Discuss Interview as a Method of Data Collection. Examine the advantages and disadvantages of Interview Technique.
  - Q.4)** Discuss major steps involved in preparation of Research Design.
  - Q.5)** What is mean by Sampling ? Discuss the types of Sampling along with its advantages and disadvantages.
  - Q.6)** Examine in detail the advantages and disadvantages of Case Study Method and Survey Method in Socio-legal Research.

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

- (a) Criteria of a Workable Hypothesis and its sources
  - (b) Interpretation of Data
  - (c) Citation Rules
  - (d) Methods for Collection of Case Laws
-



Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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 each*.

- 
- 
- Q.1)** International Law emanates from several sources, wherein United Nations General Assembly Resolutions become soft norms of International Law. Explain.
  - Q.2)** The desire for codification of International Law became intense mainly to remove uncertainties and fill up existing lacuna on one hand and to bring uniformity on the other hand. Discuss.
  - Q.3)** Discuss the importance of International Treaties as a source on International Law. Explain the Indian Constitutional provisions with respect to Law of Treaty.
  - Q.4)** "The State does not come into existence unless it is recognized by the International Community." Evaluate the Theories of Recognition of States.
  - Q.5)** Discuss various conventions instrumental in developing the Law of the Sea. Explain Concept of Continental Shelf.
  - Q.6)** Critically evaluate the role of International Law in the peaceful use of Outer Space.

**Q.7)** Examine the liability and responsibility of the State for Acts of Insurrectionary and Mob Violence under International Law.

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

- (a) Contemporary International Law
- (b) Exclusive Economic Zone
- (c) Vienna Convention

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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)** “United Nations is the successor of League of Nations.” Comment.

**Q.2)** Explain the Status of Diplomatic Agents and their immunities provided by the United Nations.

**Q.3)** Discuss the Contribution of International Commission of Jurists towards Settlement of Disputes between States.

**Q.4)** Nationality and Citizenship are often considered to be synonymous of each other. However, they differ from each other. Bring out the points of differences between them.

**Q.5)** Define Extradition. Explain with the help of case laws the role of Extradition Treaty in the International Criminal Justice System.

**Q.6)** Explain the role of Security Council towards the protection and promotion of International Peace and Security.

**Q.7)** Write a detail note on the various Alternative Dispute Settlements Mechanism under the International Law.

**[4246]-302**

**1**

**P.T.O.**

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

- (a) Aliens
- (b) General Assembly
- (c) Collective Security

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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)** Examine critically the Law of Consent in Indian Penal Code.
  - Q.2)** Is *mens rea* a part of Criminal Law in India ? Explain with the help of appropriate case laws.
  - Q.3)** What do you mean by Strict Liability ? Discuss the rationale of punishing a person for a crime in the absence of guilty mind ? Substantiate your answer with the help of few leading cases.
  - Q.4)** What is the test to determine as to whether 'apprehension of the danger to the body and property' has arisen to the extent of causing death in exercise of right of private ?
  - Q.5)** What is an Inchoate Crime ? Why are Inchoate Crimes punishable ? Discuss various kinds of Inchoate Crimes.
  - Q.6)** Write a critical note on Burden of Proof with relation to General Defenses in the Indian Penal Code.

**[4246]-303**

**1**

**[P.T.O.]**

**Q.7)** What are the essential conditions of the doctrine of necessity ? Do you agree with the decision of the Court in *Queen v. Dudley and Stephens* (1884) 14 QBD 273 ?

**Q.8)** “Every one concedes that the present (legal) definition of insanity has little relation to the truth of mental life.” Comment and explain the desirability of continuing the ‘right and wrong test’ in India.

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[4246]-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)** Define Criminology. Explain the nature and scope of Criminology. [15]
- Q.2)** Today's deviance may become tomorrow's norm. Discuss in light of negative functions of Deviance. [15]
- Q.3)** Karl Marx propounded capitalism is the root cause of crime. Are there any instances where economic gain is not considered as the only cause of crime ? [15]
- Q.4)** Explain Sigmund Freud's Psycho-analytical Explanation of Crime and Criminal Behaviour. [15]
- Q.5)** Comment on the Reformatory Institutions available to Juveniles. Are they effective in dealing with Deviant Behaviour of Juveniles ? [15]
- Q.6)** Explain the contribution made by the Italian School towards Crime and Criminal Behaviour. [15]
- Q.7)** Explain in detail the Sutherland's Theory of Crime Causation. [15]
- Q.8)** Critically evaluate the Indian Criminal Justice System to tackle with the rights available to Victim. [15]

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**[4246]-304/1**

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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 each.*

- 
- 
- Q.1)** "A stranger to the consideration can sue; but a stranger to a contract cannot sue." Explain.
  - Q.2)** Define 'Free Consent'. Distinguish between 'Fraud' and 'Misrepresentation'. State cases in which although fraud has been practised or misrepresentation has been made, nevertheless, the contract is not rendered voidable.
  - Q.3)** "No one can transfer a better title than he himself possesses." Explain this rule alongwith the exceptions thereto.
  - Q.4)** Explain the rules regarding passing of property from a seller to a buyer in a Contract of Sale of Goods.
  - Q.5)** Discuss the Implied Authority of a Partner. Critically examine restrictions on Implied Authority.
  - Q.6)** Define the terms 'Agent' and 'Principal'. Discuss Scope of Authority of an Agent. Explain the circumstances in which agent can delegate his authority.



**Q.7)** Define Bailment. What are the essential features of a Bailment ? How does it differ from Pledge.

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

- (a) Quasi Contract
  - (b) Remedies for Breach of Contract
  - (c) Contract of Indemnity
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[4246]-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 each*.

- 
- 
- Q.1)** “Company is an artificial person in the eyes of law, but not a citizen of the country.” Comment by bringing out the characteristics of a Company.
  - Q.2)** Discuss the relationship between the Articles and the Memorandum of Association.
  - Q.3)** “Directors are not only agents, but are also in some sense trustees of the Company.” Discuss.
  - Q.4)** What is Winding up of a Company ? Explain Voluntary Winding up of the Company and the consequence of it.
  - Q.5)** Explain the role of SEBI in achieving Corporate Governance in a Company.
  - Q.6)** Write short notes : **(Any Two)**
    - (a) Statutory Meetings
    - (b) Share Capital
    - (c) Debentures
  - Q.7)** Discuss the provisions of the Indian Companies Act in case of Oppression and Mismanagement in a Company.

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**[4246]-306/1**

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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)** State and explain various Theories of Collective Bargaining.

**Q.2)** Critically examine role of Trade Unions in India in the Context of Economic Development.

**Q.3)** Define the term 'Strike' and discuss various kinds of Strikes.

**Q.4)** Critically examine the rights and liabilities of Registered Trade Union under the Trade Unions Act, 1926.

**Q.5)** Examine the Problems of Trade Unions in India.

**Q.6)** "Worker's Participation in Management Decision-making is highly complex concept." Evaluate the Scheme of Worker's Participation in Management and role of State.

**Q.7)** Explain the following :

- (a) Right to Association in India, Constitutional and Legal aspects
- (b) Gherao

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

- (a) Conditions for Successful Collective Bargaining
  - (b) Unfair Labour Practices on the part of Employers under the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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 i.e. **15 marks**.

- 
- 
- Q.1)** Discuss Concept of 'Bonus' and trace evolution of the law relating to Bonus in India and give brief Scheme of the Law.
  - Q.2)** Define Social Security. Explain in detail various provisions related to Social Security under the Constitution of India.
  - Q.3)** “The Wage Differential between the Private and Public Sector is always considered as the unjust practice by the Employees.” Comment.
  - Q.4)** Write a detail note on the aims, purposes and scheme of the Gratuity Act, 1972.
  - Q.5)** “The Employees' State Insurance Act, 1948 provides assured benefits to the insured employees and their dependents.” Comment.
  - Q.6)** Explain origin and development of the Labour Welfare and Social Security Concepts in England and U.S.A. with special reference to Workmen's Compensation Laws.
  - Q.7)** Write a detailed note on the impact of Globalization and Mixed Economy on the Wage Fixation Policies in India.

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

- (a) Social and Economic Justice
  - (b) Trade Unions
  - (c) ILO
  - (d) Worker's Participation in Management
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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) Attempt *any four* questions.
- (2) All questions carry equal marks i.e. *15 each*.

- 
- 
- Q.1)** Justify the need of interdisciplinary approach in studying the impact of science and technology on law and the steps taken at various levels in that direction.
  - Q.2)** Examine the liability of a Medical Practitioner in the matters of professional negligence in the light of recent judicial trend in India.
  - Q.3)** What are the regulations existing in order to regulate medical and paramedical profession at various levels ? Are they effective to regulate professional misconduct and malpractices ?
  - Q.4)** What are the salient features of Drugs and Magic Remedies (Objectionable Advertisements) Act, 1950 ?
  - Q.5)** What are the legal, ethical and social issues surrounding PCPNDT Act ? Explain.
  - Q.6)** What do you know by Euthanasia ? What are the rights of terminally ill patients ?

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

- (a) Contract of Service and Contract for Service
- (b) Informed Consent in Clinical Research
- (c) Postmortem and Accountability of Doctors

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Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[4246]-31**

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

**LW - 902 : PRIVATE INTERNATIONAL LAW - I**

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

**Instructions :**

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

- 
- 
- Q.1)** “Private International Law has developed around Three Principal Questions : the choice of Jurisdiction, the choice of Law and Recognition and Enforcement of Foreign Judgements.” Comment.
- Q.2)** Critically examine the Theories of Private International Law.
- Q.3)** Examine doctrine of ‘Renvoi’ and refer to relevant judicial decisions.
- Q.4)** Explain Concept of ‘Domicil’ under the Private International Law. How can domicile of choice be acquired ? State the rules relating to domicile of a married woman.
- Q.5)** What is the Incidental Question ? Examine various elements of the Incidental Question with the help of suitable illustrations.
- Q.6)** Define Private International Law and critically assess the nature and scope of Private International Law.
- Q.7)** Write short notes on **any two** of the following :
- (a) Grounds for Exclusion of Foreign Law
  - (b) Jurisdictional Immunity of Foreign Sovereigns
  - (c) Unification of Private International Law

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**[4246]-31/1**

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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)** Examine the relation between UNCITRAL Model Law, 1998 and the Information Technology Act, 2000. Also enumerate duties of subscriber under the IT Act, 2000.
  - Q.2)** Explain the role of Better Business Bureau in the Protection of Rights of Consumers in the Cyber World.
  - Q.3)** Discuss the notion of Data Protection. Explain principles of Data Protection and Data Quality.
  - Q.4)** “Cyber Crimes are considered as Transnational Crimes.” Explain the problems faced so far as Jurisdiction of Cyber Crimes is concerned.
  - Q.5)** Critically examine Certifying or Governing Authorities under the Information and Technology Act, 2000.
  - Q.6)** Discuss establishment, powers and functions of Cyber Regulation Appellate Tribunal.

**Q.7)** Define E-governance and describe utility and legal issues surrounding E-governance under the Indian Laws.

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

- (a) Cyber Jurisprudence
  - (b) E-justice and E-education
  - (c) Cyber Rights and its Nexus with other Existing Legal Rights
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[4246]-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)** Human Rights are essential for all round development of the Personality of the Individual. Analyse the rights available under the Three Generations of Human Rights.
  - Q.2)** Positive Law contends laws are Man-Made. Discuss the evolution of Human Rights in the Positive Law Era.
  - Q.3)** Define Minority. Trace the Developmental Issues in Human Rights with reference to Religious and Linguistic Minorities.
  - Q.4)** The issues relating to rights of child care and welfare have been constantly engaging attention at National and International Levels. Discuss.
  - Q.5)** Define Genocide. Trace the History of Genocide. Explain in the light of conventions.
  - Q.6)** Critically examine the Rights available to Prisoners.
  - Q.7)** The Convention on Elimination of all forms of Racial Discrimination, 1965 has influenced States to change their legislations and take measures to prevent or stop Racial Discrimination. Explain.

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**[4246]-311/1**

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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)** Universal Declaration of Human Rights has influenced various National and International Legislations and Policies which protect Human Rights. Explain.
  - Q.2)** Explain the basic principles of the Covenant on Economic, Social and Cultural Rights and its reflection in the Indian Constitution.
  - Q.3)** European Court of Human Rights has strengthened mechanism of enforcement of Human Rights in Europe. Discuss.
  - Q.4)** Examine African Convention on Human Rights. Also state its Contribution in African Countries towards protection of Human Rights.
  - Q.5)** Explain the role of International Commission of Human Rights in enforcement of Human Rights at International Level.
  - Q.6)** The Role of International Labour Organisation for protection of Human Rights for workers is significant. Explain.

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

- (a) United Nations Charter
  - (b) UNESCO
  - (c) International Court of Justice
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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.

- 
- 
- Q.1)** Do you think that the distinction between Sovereign and Non-sovereign Function is nothing less than a fiction in Contemporary Society ? Elaborate your position with the help of appropriate judicial pronouncements.
- Q.2)** “The definition of Administrative Law propounded by various jurists are neither complete nor satisfactory; either they are too broad or too narrow; either they include much more than what properly should be included within the scope of the subject, or else, they leave out some essential aspect or element of Administrative Law.” Comment.
- Q.3)** Critically examine the doctrine of Rule of Law and its development in Britain and India.
- Q.4)** What is Delegated Legislation ? Discuss the Constitutional Validity of Delegated Legislation.
- Q.5)** “The real problem with the development of the Law relating Governmental Liability in Contract in India is that the Courts try to apply the principles of private law of contract to the public law area.” What new principles of public law of contracts can you suggest on which the liability of the Government in contract can be based on ?

**[4246]-313**

**1**

**[P.T.O.**

**Q.6)** Examine critically the doctrine of Separation of Power and its contemporary significance in a Welfare State.

**Q.7)** Discuss various grounds for issue of writs under the Indian Constitution to control Administrative Discretion.

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4246]-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 marks*.

- 
- 
- Q.1) The writ process has overshadowed all other techniques of judicial review of Administrative Action. Discuss.
- Q.2) All the principles of judicial review of discretionary powers fall into two major classification - one, abuse of power by the authority; two, non-exercise of power. Explain.
- Q.3) It is fundamental requirement of law that the doctrine of natural justice be complied with and the same has, as a matter of fact, turned out to be an integral part of administrative jurisprudence of this country. Elaborate.
- Q.4) Recording of reasons by the deciding authority ensures that it reaches its conclusions according to law and not according to caprice, whim or fancy or on grounds of policy or expediency. Elucidate.
- Q.5) The efficacy of judicial review on the ground of substantive *ultra vires* depends on the phraseology of the statutory provision delegating rule-making power. Examine.

- Q.6)** To invoke the doctrine of promissory estoppels "it is enough to show that the promisee has, acting in reliance on the promise, altered his position and it is not necessary for him to further show that he has acted to his detriment." Critically examine.
- Q.7)** In *State of Punjab v. Sodhi Sukhdev Singh*, the Supreme Court gave a liberal interpretation to the government privilege of withholding documents from the court. Comment.
- Q.8)** Write short notes : **(Any Two)**
- (a) Institutional Decision
  - (b) Publication of Rules
  - (c) Doctrine of Legitimate Expectations
  - (d) Exclusion of Natural Justice
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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) Answer **any four** questions.*
- (2) All questions carry equal marks.*

---

**Q.1)** Define International Trade (Economic) Law and discuss sources of International Trade Law.

**Q.2)** Explain advantages and disadvantages of International Trade.

**Q.3)** Discuss Institutional, Legal and Economic Framework of the United Nations Conference on Trade and Development (UNCTAD).

**Q.4)** “International Monetary Fund (IMF) has been established to promote International Co-operation on Monetary Problems through a Permanent Institution.”

Critically examine the above statement in light of role and functions of the International Monetary Fund.

**Q.5)** “The United Nations Commission for International Trade Law (UNCITRAL) has as its object the progressive harmonization and unification of the Law of International Trade.” Comment.

**Q.6)** What is New International Economic Order (NIEO) ? Examine problems and perspectives of the New International Economic Order and state the implications of the NIEO for India.

**Q.7)** “UNCITRAL Model Law on International Commercial Arbitration, 1985 applies to International Commercial Arbitration, subject to any agreement in force between the States.” Comment.

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

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

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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 i.e. *15 marks*.

- 
- 
- Q.1)** Write a detail note on different Waves of Globalisation and its impact on the International Trade.
  - Q.2)** Discuss aims and functions of various bodies provided under the Plurilateral Trade Agreements and Subsidiary Bodies.
  - Q.3)** Write a critical essay on World Trade Organisation - its composition, functions and powers.
  - Q.4)** How does the GATT deal with the two contradictory notions of non-discrimination and Most Favoured Nation clause ? Comment critically.
  - Q.5)** “WTO works on the principle of just and equitable distribution of economic justice within the member States.” Comment.
  - Q.6)** Explain with the help of relevant legal provisions, the relationship between Regionalism and International Trade.

**Q.7)** Discuss various fundamental and principles of GATT related to the International Trade.

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

- (a) Multilateral Trade Agreements
  - (b) General Council
  - (c) Trade Policy Review Body
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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) Attempt **any four** questions.*
- (2) All questions carry equal marks.*

- 
- 
- Q.1)** Examine in detail the principles laid down in Stockholm Conference, 1972 also examine its impact on Indian Legal System.
  - Q.2)** Discuss in detail various Five Years Plans and its role in protecting and preserving the Environment in India.
  - Q.3)** Examine the significance of National Water Policy of 1987.
  - Q.4)** Discuss the problems relating to Loss of Wetland. What are the measures to preserve it ?
  - Q.5)** It is argued that the appropriation of common property by the State is the root cause of poverty and also of the destruction of our natural resources. Do you agree with this ? Give reasons.
  - Q.6)** Examine in detail various remedies and strategies evolved by the Indian Supreme Court for protection of Environment in India.

**Q.7)** Discuss critically the Conventional and Non-conventional Sources of Energy. Discuss its advantages and disadvantages.

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

- (a) Interstate Water Management and Dispute
- (b) Right to Development
- (c) Ancient and Medieval Writings on Environment
- (d) Historical Monuments

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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*.

- 
- 
- Q.1)** Pollution has been around for a long time, in fact for as long as humans have been on the earth. In the light of the above statement, explain the meaning of Environmental Pollution, its kinds and its impact upon the contemporary world.
- Q.2)** Even though India has made progress in Development and Management of Water Resources, the country's water equation has worsened due to pollution of water. Comment upon the legal control of water pollution and its effectiveness in the present scenario.
- Q.3)** Today urban wastes present an exceptional challenge as they represent an unpredictable cocktail of polluting substances. Describe the kind of wastes and critically examine the functioning of the disposal agencies.
- Q.4)** Environmental Law has sought to redefine harm as long-term risk of ecosystem malfunction. In the light of the above statement, elaborate the sanctions against pollutions.
- Q.5)** Prior to the passing of Environmental Laws, the provisions relating to environment fell in the general category of public nuisance. Explain with reference to the provisions of the Indian Penal Code and the Criminal Procedure Code.

**Q.6)** Critically examine the 'Emerging Legal Controls' in the area of Environmental Protection.

**Q.7)** Explain the law for the handling and disposal of hazardous substances.

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

- (a) CRZ Notification
  - (b) Permissible Activities in Coastal Zone
  - (c) Aquaculture
  - (d) Pollution of Air
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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.*

- 
- 
- Q.1)** Discuss the Civil Liberties under the British Constitution and examine the scope and extent of Freedom of Person and Property in the light of judicial decisions.
  - Q.2)** Explain the Doctrine of Parliamentary Supremacy and its practical application under the British Constitution.
  - Q.3)** Examine Concept of Constitutional Conventions and its utility in making the British Constitution.
  - Q.4)** Trace and discuss the nature and sources of British Constitutional Law.
  - Q.5)** Enumerate the role of Prime Minister and his Cabinet in the working of Parliamentary Democracy.
  - Q.6)** Evaluate the functions of Parliament and its privileges in the light of relevant case laws.

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

- (a) Doctrine of Rule of Law
  - (b) Collective Responsibility
  - (c) Separation of Powers
  - (d) Military Law
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-35**

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

**LW-910 : LAW OF CONTRACTS - I**

**(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)** "The Indian Contract Act, 1872 is not a complete code dealing with all branches of the Law of Contract." Comment.

**Q.2)** Discuss briefly the Law relating to Communication of Offer, Acceptance and Revocation. When may an Offer and Acceptance be revoked ?

**Q.3)** What do you understand by 'Capacity to Contract' ? Discuss the effect of agreement made by persons not qualified to Contract with the help of relevant case laws.

**Q.4)** "Fundamental Error will not prevent a Contract from coming into existence unless the Mistake is as to the identity of the other party as opposed to his attributes." Discuss.

**Q.5)** What are Void Agreements and Void Contracts ? Whether the party who has received some benefits under a Void Contract bound to restore it to the other party ? Discuss with the help of appropriate case laws.

**[4246]-35**

**1**

**P.T.O.**

**Q.6)** Discuss the Law relating to the Rights and Liabilities of Joint Promisors in a Contract. Also explain the devolution of Joint Liabilities ?

**Q.7)** "Impossibility of Performance is, as a rule, not an excuse for non-performance of a Contract." Discuss with the help of recent case laws.

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

- (a) Quantum Meruit
- (b) Judicial Approach to Standard Form Contracts
- (c) Injunction
- (d) Kinds of Government Contracts and their usual Clauses

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[4246]-36**

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

**LW-911 : CORPORATE LAWS - I**

**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)** “A company is a legal entity distinct from its members.” In what cases do the courts ignore this principles ?
- Q.2)** “A promoter stands in a fiduciary relation towards the company which he promotes.” Discuss.
- Q.3)** Doctrine of Indoor Management protects the third parties dealing with the company. Explain this doctrine alongwith the exceptions thereof.
- Q.4)** Discuss the meaning of Share Capital and various kinds of Share Capital.
- Q.5)** What are different kinds of Debentures ? What remedies are available to Debentureholders for realisation of their security ?
- Q.6)** What provisions and rules have to be observed by a company before declaring dividend ?
- Q.7)** Define ‘Prospectus’. When a company is not required to issue a prospectus ? Also explain the Contents of Prospectus.
- Q.8)** Write notes : **(Any Two)**
- (a) SEBI
  - (b) Charges - Fixed and Floating
  - (c) Dividend

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**[4246]-36/1**

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4246]-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 the character of Income. Comment with reference to Judicial Pronouncements.
  - Q.2) "Tax incidence on assessee depends on his residential status." Comment.
  - Q.3) State and explain Expenses which are expressly inadmissible under the head Profit and Gains of Business or Profession under the Income Tax Act, 1961.
  - Q.4) Critically Examine provisions of the Income Tax Act, 1961 regarding various deductions to be made in computing total income of an assessee.
  - Q.5) "Hindu Undivided Family is treated as a separate taxable entity for the purpose of Income Tax Assessment." Comment.
  - Q.6) Summarize the provisions relating to 'Collection and Recovery of Tax' under the Income Tax Act, 1961.
  - Q.7) Critically examine the provisions relating to 'Search and Seizure' under the Income Tax Act, 1961. How long the seized record may be retained by the Income Tax Authorities ? Describe how the retained assets are dealt with ?

[4246]-38

1

P.T.O.



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

- (a) Best Judgement Assessment
  - (b) Basic Principles of the Charging Section of Income Tax
  - (c) Assessment of Firms and Partners
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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)** Define the term 'Excisable Goods' and critically examine provisions relating to Valuation of Excisable Goods for purposes of charging of Duty of Excise under the Central Excise Act, 1944.
  - Q.2)** Critically examine provisions regarding 'Appeals and Revision' under the Central Excise Act, 1944.
  - Q.3)** Explain the procedure for obtaining clearance for Foreign Collaboration and Joint Ventures Abroad under the Foreign Exchange Management Act, 1999.
  - Q.4)** State and explain the provisions relating to 'Regulation and Management of Foreign Exchange' under the Foreign Exchange Management Act, 1999.
  - Q.5)** Define the term 'Illegal Export' and examine the provisions relating to 'Prevention or Detection of Illegal Export of Goods' under the Customs Act, 1962.
  - Q.6)** Critically examine the provisions relating to 'Levy of and Exemption from Customs Duties' under the Customs Act, 1962.

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

- (a) Provisions relating to Search and Seizure under the Central Excise Act, 1944
  - (b) Nature and Kinds of Restrictions under the Foreign Exchange Management Act, 1999
  - (c) Clearance of Imported Goods and Export Goods under the Customs Act, 1962
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4246]-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.*

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**Q.1)** What is the role of Reserve Bank in the area of Industrial Finance ? Write a critique of this role and discuss establishment of an Institution Framework for Industrial Finance.

**Q.2)** Critically analyse the provisions relating to Monetary Management and Regulations of Non-banking Institutions.

**Q.3)** Discuss the scope and ambit of Section 138 of Negotiable Instruments Act. Also explain the power of the court and punishment in case of dishonor of cheque.

**Q.4)** What are the different forms of business in which banking companies may engage ? Discuss the provisions relating to suspension of business and role of the Central Government under the Banking Regulation Act.

**Q.5)** Discuss the provisions relating to Licensing of Banking Companies and Restrictions on banks to open new branch, transfer etc. What are the Restrictions on giving Loans and Recovery of Debt ?

**Q.6)** Explain :

- (a) Rehabilitation of Sick Industrial Units
- (b) Essentials of Negotiable Instruments

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

- (a) Winding up of Banking Company
  - (b) Types of Negotiable Instruments
  - (c) Prohibitions of Certain Activities
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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)** Discuss the historical development of International Refugee Law. Explain how United Nations relief and rehabilitation Administration is contributing for upliftment of refugees.
- Q.2)** Explain the Declaration of use of force 1987, and categories of force like Retorsion and Reprisals under International Law.
- Q.3)** What are the provisions for 'Amelioration of Wounded and Sick' under International Humanitarian Law. Explain with the help of provisions maintained under the Geneva Conventions.
- Q.4)** 'Aggression' is recognized as a crime in Customary International Law. Article 6 of the Nuremberg Charter defined its jurisdiction as including a crime against peace. Comment.
- Q.5)** The UN has currently adopted Thirteen International Conventions concerning terrorism, dealing with issues such as hijacking, hostages and terrorist bombing. With the help of this statement discuss the war against terrorism.

**Q.6)** Blockade of the Ports or Coasts of a State by the armed forces of another State is an example of Aggressive Act. Explain the Laws relating to Blockade under International Humanitarian Law.

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

- (a) Enemy Character
  - (b) Contraband
  - (c) Treatment of Prisoners of War
  - (d) Punishment to War Crimes
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4246]-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)** Punishment can be used as a method of educating the incidence of criminal behaviour either by deterring the potential offenders or by incapacitating and preventing them from repeating the offence or by reforming them into law-abiding citizens. Explain the Theories of Punishment. [15]
- Q.2)** The Cruelty of Capital Punishment lies not only in the execution itself and the pain incident thereto, but also in dehumanizing effects of the lengthy imprisonment prior to execution during which the judicial and administrative procedures essential to due process of law are carried out. Critically discuss. [15]
- Q.3)** Sentencing is the most critical stage in the Administration of Criminal Justice. Disparity in sentencing creates hostile attitude in the mind of the offenders and reduces the chances of their re-socialization as the offenders react strongly against the discriminatory treatment meted out to them. Elucidate. [15]



- Q.4)** Section 4 of the Probation of Offenders Act empowers the Court to release a convicted person on his entering into a bond with or without sureties on probation when he is found guilty of committing of any offence not punishable with death or imprisonment for life. Discuss. [15]
- Q.5)** The system of parole aims at restoring the inmate to the society as a normal law abiding citizen. Explain. [15]
- Q.6)** Emphasizing on the basic human rights of the prisoners, the apex court in Sunil Batra's Case observed that "Fundamental Rights do not flee the persons as he enters the prison although they may suffer shrinkage necessitated by incarceration". Discuss in light of judicial decisions. [15]
- Q.7)** The term 'Police' connotes a body of civil servants whose primary duties are preservation of order, prevention and detection of crimes and enforcement of law. Critically analyze the functions of the Police. [15]
- Q.8)** Write notes : (Any Two) [15]
- (a) Penology - Old and New
  - (b) Solitary Confinement
  - (c) Open Prison System
  - (d) Causes of Drug Addiction
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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 'Negotiation'. Discuss the importance of 'Delivery' in the matter of Negotiation and also distinguish between Assignability and Negotiability of an Instrument.
  - Q.2)** "Dishonour of a Cheque for want of funds is an Offence under the Negotiable Instrument Act." Do you agree with this statement ? Comment.
  - Q.3)** What is a 'Contract of Insurance' ? Discuss its nature and fundamental principles of Insurance.
  - Q.4)** "Good faith lies at the root of the Insurance Contract." Discuss the statement with special reference to Fire and Marine Insurances.
  - Q.5)** State and explain various Rights of Consumers and Constitutional Perspectives of Consumer Justice under the Consumer Protection Act, 1986.
  - Q.6)** How are 'Banking', 'Banking Company' and 'Banker' defined in the Banking Regulation Act ? What are the forms of business that such a Banking Company may engage in besides the Business of Banking ? Trace recent judicial trends in this area.

**[4246]-403**

**1**

**[P.T.O.**

**Q.7)** Define the terms 'Banker' and 'Customer'. Discuss the special features of legal relationship between the 'Banker' and 'Customer'.

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

- (a) Joint Notes and Bills
  - (b) Presentment of Negotiable Instruments
  - (c) Modes and Strategies for Regulating Non-banking Institutions
  - (d) Central Banking Functions
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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)** Discuss Constitutional Perspectives and Foundations Protecting Capital and Labour enshrined in Fundamental Rights, Duties and Directive Principles. Support your answer with leading cases. **[15]**
- Q.2)** All 'retrenchment' is termination of service but all termination of service may not be 'retrenchment'. Discuss. State also when retrenchment will be illegal ? With the help of cases. **[15]**
- Q.3)** Reference of Industrial Disputes by appropriate Government under Section 10 of Industrial Disputes Act, 1947 is undoubtedly and administrative function but amenable to judicial review. Explain with help of case laws. State also extent of Governmental Discretion. **[15]**
- Q.4)** State jurisdiction and powers of adjudicatory authorities where industrial dispute is relating to discharge or dismissal of workman under Section 11(A) of Industrial Disputes Act, 1947. **[15]**
- Q.5)** Define 'Award' and state provisions regarding 'Operation' and 'Duration of Award' under Industrial Disputes Act, 1947. **[15]**

**Q.6)** Discuss the provision regarding change of service conditions under Industrial Disputes Act, 1947. **[15]**

**Q.7)** Workers' participation in management is constitutional goal, but is dream. Explain. **[15]**

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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.*

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**Q.1)** What is Modern Biotechnology ? Explain in detail the different generations of Biotechnology.

**Q.2)** “Social, Ethical and Human Rights concerns plays a vital role in the Genetic Inventions.” Comment.

**Q.3)** Write a comparative note on the Biotechnological Patent Enforcement Mechanism in USA and Europe.

**Q.4)** Explain in detail the Convention on Bio-diversity.

**Q.5)** Discuss the Validity of Embryo Cell Research with reference to the Indian Legal Framework.

**Q.6)** Explain in detail the Rights and Obligations of the Pharmaceutical Patentee in India.

**Q.7)** Explain in detail the impact of globalisation on the protection of Biotechnological Inventions.

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

- (a) Bio-safety
  - (b) Agricultural Patents
  - (c) Doctrine of 'Product of Nature'
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Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

[4246]-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.

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- 
- Q.1) Write a critical comment on the working of the National Scheduled Castes Commission in India.
  - Q.2) “In the Constitution of India, which came into force on 26th January, 1950, most of the rights enshrined in the Universal Declaration of Human Rights 1948 were embodied.” Elaborate.
  - Q.3) Discuss critically the functioning of the National Human Rights Commission in India.
  - Q.4) Examine the role of Indian Supreme Court in protecting the Rights of Women in India.
  - Q.5) Discuss the role of Indian Judiciary in abolition of Bonded Labour System in India.
  - Q.6) Examine the contribution of Indian Judiciary in developing the Prison Jurisprudence in India.
  - Q.7) What is the effect of expanding the doctrine of locus standi on the Development and Protection of Human Rights in India ?

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[4246]-406/1



Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[4246]-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.*

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- 
- Q.1)** “In England the existence of the Administrative Law as a separate branch of Law was not recognized until the advent of the twentieth century.” Elaborate in detail the above statement.
  - Q.2)** “The British Constitution is founded on the ‘Rule of Law’ and Administrative Law is the area where this principle is to be seen in its most active operation.” Elaborate.
  - Q.3)** Examine critically the Doctrine of Judicial Review in US. How does the Judiciary Controls the Administrative Power in America ?
  - Q.4)** Give a comparative account of the English Ombudsman and the Indian Lokpal and Lokayukta, with the help of framework of the law and cases handled by the Institutions.
  - Q.5)** Discuss in detail Freedom of Discussion Guaranteed under the English Legal System.
  - Q.6)** Compare analytically the evolution of Administrative Law in England and France.
  - Q.7)** Trace the 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.

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**[4246]-407/1**

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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 each.*

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**Q.1)** Mechanisms of International Commercial Arbitration and International Conciliation Facilitate Settlement of Disputes in International Trade elucidate.

**Q.2)** United Nation's Convention on Contracts for the International Sales of Goods (Vienna 1980) unified the law relating to International Sales Comment.

**Q.3)** Explain the term 'Proper Law of the Contract' in relation to Private International Trade. What are various theories of ascertaining 'Proper Law of Contract' ?

**Q.4)** What is Charter Party ? Explain liability of Ship Owner for loss or damage of goods elucidate with case law.

**Q.5)** Define 'International Bill of Exchange' and state relevant UN Convention relating to International Bill of Exchange and International Promissory Notes.

**Q.6) Answer any two :**

- (a) Conflict of Laws
- (b) Letters of Credit
- (c) Convention on International Multimodal Transport of Goods

**Q.7) Answer any two :**

- (a) International Chamber of Commerce
- (b) Bank Guarantees and Other Guarantees
- (c) UN Commission on TNC

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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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.

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- 
- Q.1)** What are the various types of Trans Boundary Pollution Hazards ? What are the provisions under International Environment Law to control such pollution ?
- Q.2)** Oceans are home to an enormous range of species many still undiscovered. They influence climate, the carbon cycle and support an impressive diversity life forms. Environmental Degradation in the Marine Environment is likely to have a major impact on the planet as a whole and humanity in particular. What are the causes of Marine Pollution and what legal measures are adopted to protect Marine Environment ?
- Q.3)** The early efforts of the International Community prior to the Stockholm Declaration albeit sporadic, primarily bilateral as opposed to multilateral, and decidedly unsystematic, nevertheless materially contributed to the development of International Environmental Law. In the light of the above statement examine the role of International and Regional Organisations in the protection of Environment.
- Q.4)** Sustainable Development can be achieved through the co-operation between the rich and the poor nations. Give your views on the basis of some relevant examples.

- Q.5)** The impacts of disasters, whether natural or man-made, not only have human dimensions, but environmental ones as well. Comment upon the Disaster Management Techniques at the International Level.
- Q.6)** Disposal of Hazardous Waste by developed and industrialized countries to developing nations is a serious problem faced by International Environmental Law. What are the mechanisms to control such activities ?
- Q.7)** The Global Environment Facility (GEF) unites member governments in partnership with International Institutions, Non-governmental Organisations and Private Sector to address global environmental issues. Write a critical appraisal of the structure and functioning of GEF.
- Q.8)** Write short notes : **(Any Two)**
- (a) International Concern for Natural and Cultural Heritage
  - (b) Depletion of Ozone Layer
  - (c) International Law and Space Pollution
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-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.*

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**Q.1)** Explain Treaty Making Power of United Nations and explain various classifications of Treaties.

**Q.2)** Explain the peaceful means of Settlement of International Disputes.

**Q.3)** Define War and discuss the immediate effects of Outbreak of War on various normal relations of State.

**Q.4)** Discuss the different categories of use of force for the purpose of enforcement of International Norms.

**Q.5)** Explain the Development of Law relating to Economic Warfare.

**Q.6)** Critically examine the role of Regional Institutions in Collective Security.

**[4246]-41**

**1**

**P.T.O.**

**Q.7)** Explain the following :

- (a) Belligerent Occupation
- (b) Constitutional Provisions relating to Conclusion of Treaties in India

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

- (a) Aggression and Armed Attack
  - (b) Kinds of War Crimes
  - (c) Rights and Duties of Neutral State
  - (d) Interpretation of Treaties by Indian Courts
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4246]-42

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

LW-002 : PRIVATE INTERNATIONAL LAW - II

Time : 3 Hours]

[Max. Marks : 60

*Instructions :*

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

- 
- 
- Q.1) Explain the Development of Indian Private International Law with respect to the Tort.
  - Q.2) Examine the grounds of Void and Voidable Marriage under English and Indian Law.
  - Q.3) Define Status and explain its characteristics. Discuss Law affecting Status under the Private International Law.
  - Q.4) Discuss the important conventions on Right of Child of being adopted and issues under Private International Law relating to Inter Country Adoption.
  - Q.5) Critically examine concept of Divorce under Private International Law.
  - Q.6) Critically evaluates the aspects of formation of Contract and its effects which are govern by the proper Law of Contract.
  - Q.7) “The English Decisions with respect to Nullity of Marriage as regards both Jurisdiction and Choice of Law are Chaotic and Inconsistence.” Explain.



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

- (a) Mode of Discharge of Contract
  - (b) Chaplin v/s Bois
  - (c) Hyde v/s Hyde
  - (d) Legitimate and illegitimate Child
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4246]-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) Ignorance of fact is an excuse, but ignorance of law is no excuse. Bring out the difference between a Legal Obligation and Legal Justification. [15]
- Q.2) Discuss the provisions regarding the Burden of Proof in a Criminal Trial. [15]
- Q.3) Explain Legal Aid as provided by the Constitution of India, Indian Statutes and Bar Council of India. [15]
- Q.4) Does Voluntary Drunkenness Exonerate a person from Criminals Liability ? Explain in the light of provisions of Indian Penal Code. [15]
- Q.5) "Consent plays an important role in determining Criminal Liability." Comment. [15]
- Q.6) Critically examine the Right of Private Defence of Body under the Indian Penal Code. [15]

**Q.7)** Article 21 has brought about the sea change, post Maneka Gandhi's decision. Discuss the rights available to the accused. [15]

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

- (a) Accident
  - (b) Nullun Poena Sine Lege
  - (c) Necessity
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[4246]-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.

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**Q.1)** State and explain various Theories of Wages.

**Q.2)** Enumerate the authorised deductions from the Wages of an Employed Person under the Payment of Wages Act, 1936.

**Q.3)** “The passing of the Minimum Wages Act, 1948 is a landmark in the history of Labour Legislation in India. The provisions of the Act are intended to achieve Socio-Economic Justice for the employees employed in the schedule employment.”

Critically examine this statement in the light of Supreme Court Decisions.

**Q.4)** Trace evolution of Law of Bonus in India and discuss provision relating to Application and Non-application of the Payment of Bonus Act, 1965.

**Q.5)** Critically examine Powers and Jurisdiction of Authority under the Minimum Wages Act, 1948.

**Q.6)** Explain the following :

- (a) Payment of Minimum and Maximum Bonus
- (b) Offences and Penalties under the Minimum Wages Act, 1948

**[4246]-44**

**1**

**P.T.O.**

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

- (a) Concept of Fair and Living Wages
  - (b) Time for Payment of Wages under the Payment of Wages Act, 1936
  - (c) Payment of Dearness Allowance
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[4246]-45

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

LW-008 : BRITISH ADMINISTRATIVE LAW

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

*Instructions :*

(1) Attempt *any four* questions.

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

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**Q.1)** Administrative Law is the law relating to the Administration. It determines the organisation, powers and duties of the Administrative Authorities. Discuss the nature of Administrative Law.

**Q.2)** The process of passing delegated legislation is not only undemocratic but defeats the principles of separation of power. However, they are widely used but with sufficient safeguards. Discuss with the help of Statutory and Judicial Law in England.

**Q.3)** Judicial review is a protection and not a weapon. Discuss the grounds for judicial control of Administrative Powers.

**Q.4)** The Ombudsman in England is concerned with the function of investigating complaints from people who claim to have sustained injustice in consequence of maladministration in connection with action taken in exercise of administrative functions of Government Departments. Critically examine.

**Q.5)** What do you understand by the law relating to Statutory Enquiries ? How do they help in good governance and delivery of Administrative Justice ? Answer in light of Statutory Judicial Law.

[4246]-45

1

P.T.O.

**Q.6)** Explain the achievements and failures of the law relating to Parliamentary Commissioners in controlling Mal-administration in England.

**Q.7)** The Crown Proceeding Act, 1947 permitted suits being brought against the Crown in the ordinary courts to enforce contractual liability barring a few types of Contracts. Elaborate.

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

- (a) Parliamentary Sovereignty
  - (b) Administrative Tribunals
  - (c) Principles of Natural Justice
-

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4246]-46

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

LW-009 : INDIAN ADMINISTRATIVE LAW

(Old Course)

Time : 3 Hours]

[Max. Marks : 60

*Instructions :*

(1) Attempt *any four* questions.

(2) All questions carry equal marks.

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- 
- Q.1)** The jurisdiction conferred on the Supreme Court by Article 136 of the Constitution has a very vital significance to grant administrative relief. Critically examine.
- Q.2)** Explain the Institution of Ombudsman in India by making a special reference to the bills introduced in the Lok Sabha and the efforts to Curb Corruption in India.
- Q.3)** Examine the High Court's Power of Superintendence under Article 227 of the Constitution of India.
- Q.4)** Critically comment on the Government privilege of not to produce document in court proceedings.
- Q.5)** Explain the powers exercised by Administrative Authorities to Conduct Investigation and Enquiry under The Commission of Enquiry Act, 1952.
- Q.6)** Elaborate on the judicial control of administrative action through writs and the scope of review through writs.



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

- (a) Injunctions
  - (b) Governmental Tortious Liability
  - (c) Central Vigilance Commission
  - (d) Ouster Clause
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Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[4246]-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.*

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**Q.1)** Do you agree that Director may be an Agent, Trustee, Managing Partner or Employee of the Company also ? Justify your answer with reference to various legal provisions.

**Q.2)** Explain the constitution, powers and rules of Company Law Board.

**Q.3)** Examine the positions, powers and duties of various types of Liquidators.

**Q.4)** Discuss various kinds of meetings and elucidate the procedure and conduct of Meetings.

**Q.5)** Describe the role, constitution, procedure and powers of Board of Industrial and Financial Reconstruction.

**Q.6)** Give an account of the Amalgamation, Absorption and Reconstruction of Companies.

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

- (a) Meeting Notice and its Content
- (b) Kinds of Audit
- (c) Prevention of Oppression and Mismanagement
- (d) Consequences of Winding up of Company

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**[4246]-48/1**

Seat No.	
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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

[4246]-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) Answer *any four* questions.
- (2) All questions carry equal marks.

- 
- 
- Q.1) Critically examine the concepts of Black Money, Tax Evasion and Tax Avoidance in the light of Judicial Pronouncements and Recommendations of various Tax Committees.
  - Q.2) Explain Concept of 'Agricultural Income'. Critically examine whether Government of India is justified in not taxing fully Agricultural Income under the Income Tax Act, 1961.
  - Q.3) Critically evaluate Tax System in India and state with reasons whether the same satisfied criteria of a Good Tax System.
  - Q.4) Examine provisions relating to Clubbing of Income of Husband, Wife and Minor Children under the Income Tax Act, 1961.
  - Q.5) Discuss the problems of Tax Recovery in India.
  - Q.6) Distinguish between Double Taxation Avoidance and Double Taxation Relief Agreements.

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

- (a) Taxation of Hindu Undivided Family
  - (b) Penalties and Prosecutions under the Income Tax Act
  - (c) Tax Planning
-

Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-50**

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

**LW-013 : TAX ON CAPITAL AND TRANSACTIONS**

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

- 
- 
- Q.1)** Discuss provisions relating to Scope of Liability to Wealth Tax.
  - Q.2)** The Scope of Liability to Wealth Tax depends upon the Citizenship and Residential Status of an Assessee. Discuss.
  - Q.3)** Explain various types of Assessment under Wealth Tax Act.
  - Q.4)** What are the duties eligible for Cenvat Credit ? State the general procedure to avail 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 relating to Excise Duty ?
  - Q.6)** Discuss the provisions of C.S.T. Act regarding Levy and Collection of Tax.
  - 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) Place of Business (Maharashtra Sales Tax)
  - (b) Subsequent Sale under CST Act
  - (c) Authorities under Central Excise Act
  - (d) Best Judgement Assessment (W. Tax)
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Seat No.	
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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[4246]-51**

**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*.

- 
- 
- Q.1)** What is a Patent ? Discuss the Product Patent and Process Patent. Enumerate rights of Patentee.
  - Q.2)** Who are entitled to apply for Patents ? Explain procedure for granting of Patents under the Patents Act, 1970. Enlist various grounds for opposition to Grant of Patent in detail.
  - Q.3)** What is Copyright ? Explain Infringement of Copyright and discuss remedies available in case of such Infringement.
  - Q.4)** 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.5)** What is meant by Trade Mark ? Explain Law relating to Assignment and use of Registered and Unregistered Trade Mark.
  - Q.6)** Which Marks can be registered ? What is deceptive similarity ? Discuss, in detail, the provisions of Registration of Trade Mark.

**Q.7)** What is meant by Design ? What is the Procedure for Registration of Design ? Discuss the provisions regarding term of Design.

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

- (a) Non use of Trade Mark
- (b) Infringement of Patent
- (c) Piracy of Registered Design
- (d) Offences and Penalties under the Copyright Act, 1957

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