

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-101**

**LL. M. ( Semester - I ) Examination - 2010**

**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)** Indian Constitution is the most lengthy and detailed Constitution in the world. Discuss important features of Indian Constitution and compare them with US Constitution. **[15]**
- Q.2)** Though Fundamental Rights are provided in Part III of the Indian Constitution, however Parliament can limit their application under Article 31-A. Discuss with the help of judicial decisions. **[15]**
- Q.3)** Though Article 368 of the Indian Constitution confers power upon the parliament to amend Constitution; yet it is limited by the doctrine of basic feature or basic structure. Explain. **[15]**
- Q.4)** Right to Equality guaranteed under Article 14 is not an absolute one but it is limited by the doctrine of intelliible differentia. Do you agree ? Write your answer with case law. **[15]**
- Q.5)** The doctrine of Protective Discrimination or Affirmative Action envisaged under Article 16(4) is nothing but an instance of Social Justice. Comment. **[15]**
- Q.6)** Freedom of Assembly and Association are two-fold rights which promote a democratic Civil Society. Explain. **[15]**

**Q.7)** Right to Life and Personal Liberty is a sinequanon for every individual including criminals. Evaluate facet of Criminal Jurisprudence of Article 21. **[15]**

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

- (a) Doctrine of Severability
- (b) Double Jeopardy
- (d) State
- (e) Writ of Habeas Corpus

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-102**

**LL. M. ( Semester - I ) Examination - 2010**

**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)** According to Prof. H.L.A. Hart legal system comprises of Primary and Secondary Rules which are social in nature. Explain. **[15]**
- Q.3)** Pound's Social Engineering Theory has been also branded as Theory of Justice. Explain and point out its demerits, if any. **[15]**
- Q.4)** Karl Lewllyn has relied upon the grand style to the adopted by the judges in their Decision-making Process. Explain American Legal Realism. **[15]**
- Q.5)** The Theory of Natural Law propounded by Kant hinges upon morality which is a matter of internal motive. Explain. **[15]**
- Q.6)** Evaluate Austin's Notion of Law as a Command of Sovereign and its applicability in modern day circumstances. **[15]**

**Q.7)** The first phase of Natural Law was represented by St. Thomas Aquinas and his principle of Lex Divina. Explain. **[15]**

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

- (a) John Locke
  - (b) Rousseau
  - (c) Basic Norm
  - (d) Positive Natural Law
-

**Total No. of Questions : 7]**

**[Total No. of Printed Pages : 2**

**[3740]-103**

**LL. M. ( Semester - I ) Examination - 2010**

**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)** “The progress of the society is dependent upon the proper allocation of law according to the needs of society.” Explain this statement by considering the law as an instrument of social change.

**Q.2)** What do you mean by ‘Secularism’ ? How do the Consitution of India and other laws help to maintain India’s Feature of Secularism ?

**Q.3)** What are the protective measures taken by Indian Legislation for Women to save them from the menance of dowry ?

**Q.4)** “The words ‘fraternity assuring the dignity of the individual’ cannot be applied in its spirit unless the backward classes are brought up to the level of rest of the community and given a share in the administrative apparatus through the mechanism of constitution.” - Supreme Court of India. In view of this discuss judicial trend in India regarding reservation.

**Q.5)** What are various local self governing bodies in rural and urban areas in India ? Evaluate their contribution in the decentralization of democratic governance.

**Q.6)** Media trial has become an attractive tool to impart justice now a days. Critically evaluate role of media in delivery of justice to the victim in the real sense.

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

- (a) Protective Discrimination
  - (b) Offences Relating to Dowry
  - (c) Child Labour and the NHRC
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-104**

**LL. M. ( Semester - I ) Examination - 2010**

**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)** Explain characteristics of Scientific Methodology and briefly state systematic procedure of conducting Socio-Legal Research.
- Q.2)** Point out importance and significance of each Legal Research Model with appropriate illustration.
- Q.3)** Give a comparative account of different types of Teaching Methods and point out their significance in Law Teaching.
- Q.4)** Discuss forms and procedure of imparting Clinical Legal Education and explain nature of Syllabus in this context.
- Q.5)** Do you think Linguistic Freedom has become a divisive factor in the Indian Polity ? Discuss the Law of Remedy on this issue.
- Q.6)** What do you understand by alternative approaches to Law ? Discuss jurisprudence of Sarvodaya in Social Mobilization and Reform.
- Q.7)** Point out the relevance of Marxist Philosophy in the Indian Legal System and comment upon Indian Marxist Critique of Law and Justice.

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

- (a) Subordinate Legislation as a Source of Law
  - (b) Formulation of Research Problem
  - (c) Doctrinal and Non-doctrinal Research
  - (d) Naxalite Movement : Causes and Cure
-



Total No. of Questions : 8]

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**[3740]-11**

**LL. M. ( Semester - I ) Examination - 2010**

**LW - 703 : GROWTH OF THE MODERN  
INDIAN LEGAL SYSTEM - I**

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

- Q.1)** “The court established by the East India Company prior to 1726 suffered from absence of prior authority, uncertainty of Law and Justice being arbitrary and executive ridden.” In the light of this statement trace evolution and growth of company courts in India before 1726.
- Q.2)** Critically examine jurisdiction of the Supreme Court established at Calcutta in 1774 under the Regulating Act. How were various issues relating to jurisdiction settled in 1781. Explain.
- Q.3)** Explain scope of responsible Government and trace evolution of representative and responsible form of Government in India.
- Q.4)** Critically evaluate contribution of Lord Cornwallis in organising judicial structure and laws during his regime in India.
- Q.5)** Describe History of Appeals from Indian Court to the Privy Council and its contribution to Indian Legal System.
- Q.6)** Discuss merits and demerits of the Quasi-judicial System in India.
- Q.7)** Critically evaluate all the Plans of Warren Hastings.

**[3740]-11**

**1**

**P.T.O.**

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

- (a) Cossijurah Case
  - (b) Minto Morley Reforms
  - (c) Mayor's Court
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-201**

**LL. M. ( Semester - II ) Examination - 2010**

**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 Framers of the Indian Constitution avoiding a dogmatic approach, they fashioned a *suigeneris* system of two-tier polity in which the predominant strength of the Union with the blend of Co-operative Federalism.” Examine Concept of Federalism adopted by the Constitution of India in the light of the above statement.
- Q.2)** Critically evaluate implementation of the distribution of financial powers of the Union and the states in the light of the recommendations of the Sarkaria Commission.
- Q.3)** Critically examine powers and functions of the Planning Commission of India.
- Q.4)** Critically examine Impact of Public Interest Litigation in upholding Rights of the Citizens of India.
- Q.5)** To what extent the suggestions of the Thirteenth Finance Commission of India’s recommendations may drain out frictions between the Union and the States in the distribution of finances ?

**Q.6)** The Indian Judiciary is having a good amount of autonomy in exercising its judicial functions under the Constitution. However, at the same time it has no financial autonomy of its own. Critically examine, whether enhancing financial autonomy would increase tenacity of the Judiciary in disposing of pending cases quickly.

**Q.7)** Discuss Impact of the Electoral Reforms suggested by the National Commission to review working of the Constitution in bringing out desired changes in the Election System in India.

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

- (a) Parliamentary Procedures
  - (b) Women's Reservation Bill
  - (c) Original Jurisdiction of the Supreme Court
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-202**

**LL. M. ( Semester - II ) Examination - 2010**

**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.*

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---

**Q.1)** What is Precedent ? Discuss Binding Nature of Precedent in the Indo-British Legal Systems.

**Q.2)** “A right without a remedy is not a right to be exercised in the eyes of Law.” Critically evaluate Concept of Rights in the light of the above statement.

**Q.3)** According to Thomas Aquinas : “Law is nothing else than an ordinance of reason for the common good, promulgated by him who has the care of the community....” In the light of the above definition critically examine moral nature of Law.

**Q.4)** To what extent the constitutional jurisprudence of India achieved Concept of Gender Justice ?

**Q.5)** Critically examine impact of the Critical Legal Studies Movement on the principles of Law and Morality.

**Q.6)** What are the Positive and Negative Aspects in the Rawlsian Approach of Theory of Justice ?

**Q.7)** Critically evaluate Concept of Judicial Federalism that has been evolved by the framers of the Constitution of India.

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

- (a) Ratio Decidendi
  - (b) Gender Justice
  - (c) Social Engineering
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3740]-203**

**LL. M. ( Semester - II ) Examination - 2010**

**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)** What are the basic aspects of Dharma as enunciated in Hindu Philosophy ?  
How has it provided foundation to the Indian Legal System as exists today ?
  - Q.2)** According to Bodenheimer, “The judges do not legislate at all. The law is already there present in Customary Rules.” Do you agree ? Justify yourself with appropriate illustrations showing the true nature of judicial process.
  - Q.3)** What is the Concept of Political Liberalism ? How far Rawl’s Theory of Justice is applicable in Indian Legal System ? Explain.
  - Q.4)** “Independence and Integrity of the Judiciary in a Democratic System of Government is of the highest importance not only to the judges but also to the people at large seeking judicial redress.” Discuss the relevance and applicability of the statement by reference to the Indian Judicial System.
  - Q.5)** Discuss the Post-emergency Judicial Activism with special reference to Article 21 of Indian Constitution.
  - Q.6)** Critically explain the importance of mediation and conciliation as a part of reform in the process of alternative dispute resolution.

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

- (a) Stare Decisis
  - (b) National Judicial Commission – its role and purpose
  - (c) Problems of Accountability and Judicial Law Making
-



Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-204**

**LL. M. ( Semester - II ) Examination - 2010**

**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 i.e. **15** each.*
- 

- Q.1)** What are the characteristics of a Valid and Workable Hypothesis ? Examine Place of Hypothesis in a Scientific Inquiry.
- Q.2)** What is a Research Design ? Enumerate major steps in preparation of a Research Design.
- Q.3)** “History is the mirror of the Part of a Society.” Explain this statement and point out advantages of Historical Method in Legal Research.
- Q.4)** Point out requirements of a good questionnaire as a tool of data collection and mention process of its preparation.
- Q.5)** Discuss technique and undelying assumption of case study. Point out its utility in Legal Research.
- Q.6)** Success of an Interview as a tool of data collection depends on its process. Discuss.
- Q.7)** Define the term ‘Sampling Technique’. Explain its types and techniques of drawing a representative sample.

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

- (a) Types and Utility of Scaling Techniques
  - (b) Content Analysis
  - (c) Components of Research Reports
  - (d) Juri-metrics and Socio-metrics
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3740]-21**

**LL. M. ( Semester - II ) Examination - 2010**

**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)** Write an essay on the development of Criminal Jurisprudence in England and its relevance to Modern Indian Legal System.
  - Q.2)** Write a full dressed note on the contribution of the First, Second and Third Law Commission of India in making substantive Civil Laws.
  - Q.3)** Discuss evolution and growth of Common Law Courts in England.
  - Q.4)** Explain origin and evolution of the Concepts of Writs in England. Also throw light on its contribution to the development of Writ Jurisdiction in the present Legal System.
  - Q.5)** Explain Process of Transformation of the Criminal Law in India during the British Period.
  - Q.6)** Trace the 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.7)** Write short notes : **(Any Two)**
    - (a) 5<sup>th</sup> Law Commission and its contribution
    - (b) Types of Punishment in Modern India
- 

**[3740]-21/1**

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3740]-301**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** Critically trace evolution of the International Law and explain its utility and need.

**Q.2)** Write a note on different sources of International Law and with appropriate illustration point out the significance and importance of each source.

**Q.3)** Enumerate Theories of Recognition of State and kinds of recognitions.

**Q.4)** What are the conventions relating to Law of Sea. What do you mean by Exclusive Economic Zone and Continental Shelf.

**Q.5)** Critically evaluate role of International Law in peaceful use of outer space.

**Q.6)** Explain Law of Treaty in light of conventions and doctrines.

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

(a) Codification of International Law

(b) Nature of International Law : A Jurisprudential Analysis

(c) Concept of State Responsibility

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**[3740]-301/1**

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-302**

**LL. M. ( Semester - III ) Examination - 2010**

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

**(New Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

- Q.1)** Explain Concept of Collective Security. Discuss role of Regional Institutions in the context of collective security.
- Q.2)** Critically analyse Concept of Asylum and discuss Indian view on Territorial Asylum.
- Q.3)** Critically evaluate role of Non-governmental Organisations in rendering services in the area of Human Rights.
- Q.4)** Discuss amicable means of Dispute Settlement under International Law. Are these mechanisms successful in resolving Issues of Human Rights ?
- Q.5)** Critically evaluate role played by the Amnesty International in protection and promotion of Human Rights.
- Q.6)** Critically analyse essentials for a Valid Extradition. What do you think are the practical difficulties faced during Extradition ?
- Q.7)** Explain various modes by which Security Council settles disputes, which are likely to endanger International Peace and Security. How far is it effective in curbing International Disturbance ?

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

- (a) Role of Ecosoc
  - (b) Diplomatic Agents
  - (c) Negotiation and Conciliation
  - (d) Nationality
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-303**

**LL. M. ( Semester - III ) Examination - 2010**

**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 i.e. **15** each.
- 

- Q.1)** Explain the maxim : “*actus non facit reum, nisi mens sit rea*”. Give in brief the principles of Criminal Liability in its Historical Perspective.
- Q.2)** Does right of private defence of body and property extend to the extent of causing death ? If so, what is the test to determine as to whether ‘apprehension of danger to the body and property’ has arisen or not ? Explain.
- Q.3)** Do you agree with the statement of Prof. Pound that, “Statutory Crimes without *mens rea* go counter to the very common law conception of crime” ? Give appropriate reasoning.
- Q.4)** What is an Inchoate Crime ? What are various kinds of Inchoate Crimes ? Why are Inchoate Crimes punishable ?
- Q.5)** Examine critically how far does section 84 of Indian Penal Code embody principles laid down in M’Naghten Case.
- Q.6)** Distinguish between ‘Mistake of Law’ and ‘Mistake of Fact’ in the light of the maxims ‘*Ignorantia facit doth excusat*’ and ‘*ignorantia juris non excusat*’.

- Q.7)** Explain with the help of appropriate case laws, under what conditions consent may be pleaded as a defence to Criminal Charge under the Indian Penal Code.
- Q.8)** Write a critical comment on Burden of Proof with relation to general defenses.
-



**Total No. of Questions : 8]**

**[Total No. of Printed Pages : 1**

**[3740]-304**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** “The Concept of Crime is a highly debatable issue and the subject matter of Criminology varies accordingly in its nature and scope.” Discuss nature and scope of Criminology. **[15]**
- Q.2)** Define ‘Deviance’. Elaborate positive and negative functions of Deviance. **[15]**
- Q.3)** Discuss contributing factors to violence, specially emphasizing on violence against women in India. **[15]**
- Q.4)** What is Victimology ? Explain this concept of Victimology according to the National Standards and International Norms. **[15]**
- Q.5)** Discuss Contribution of Sigmund Freud with respect to psychological explanation of Crime and Criminal Behaviour. **[15]**
- Q.6)** Discuss in detail the Multiple Theory of Crime Causation. **[15]**
- Q.7)** Define Juvenile Delinquency. Explain in detail the Legislative and Judicial Approaches to tackle this menace. **[15]**
- Q.8)** Critically examine Sutherland’s Theory of Differential Association of Crime Causation. Do you agree that learning process is the same for both Criminal and Non-criminal Behaviour ? **[15]**

Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3740]-305**

**LL. M. ( Semester - III ) Examination - 2010**

**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.

- 
- 
- Q.1)** Quasi Contracts rest on the ground of equity that a person shall not be allowed to enrich himself unjustly at expense of another. Explain.
  - Q.2)** What are the remedies available for a breach of Contract ? Explain and exemplify principles on which damages are assessed.
  - Q.3)** Define 'Fraud' and distinguish it from 'Misrepresentation'. State cases in which although fraud has been practised or misrepresentation has been made, nevertheless, the contract is not rendered voidable.
  - Q.4)** "A partner is the agent of the firm for the purpose of the business of the firm." Explain.
  - Q.5)** Explain rules regarding passing of property from a seller to a buyer in a contract for the sale of goods.
  - Q.6)** Define Bailment. Discuss rights and responsibilities of a paid and a gratuitous bailee. How does a bailment differ from a pledge ?
  - Q.7)** "A surety is understandably and not unjustly an object of some favour, both at law and at equity." Explain with case laws.
  - Q.8)** Write short notes : **(Any Two)**
    - (a) Minor's Agreement
    - (b) Rights of Unpaid Seller
    - (c) Doctrine of Privity of Contract

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**[3740]-305/1**

Total No. of Questions : 4]

[Total No. of Printed Pages : 2

**[3740]-306**

**LL. M. ( Semester - III ) Examination - 2010**

**LW - 306 : COMPANY LAW**

**(New Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

*(1) All questions are compulsory.*

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

---

**Q.1)** “The doctrine of Legal Personality as applied to a company has produced astonishing effects and has been applied with few exceptions.” Discuss.

**OR**

**Q.1)** “The Memorandum of Association is an unalterable charter of a company.” Comment.

**Q.2)** What are Preference Shares ? Explain what is meant by :

(a) Cumulative and Non-cumulative Preference Shares

(b) Participating and Non-participating Preference Shares

**OR**

**Q.2)** Discuss importance of Meetings in Functioning of the Companies with special reference to Annual and Extra-ordinary General Meeting.

**Q.3)** “The exact position of directors with regard to a company is hard to define. They are not servants of a company but are rather in a position of managing partners.” Discuss relevancy of this statement and bring out the exact position of directors in company.

**OR**

**Q.3)** What is Share Capital ? What are its kinds ? How it is altered or reduced ? What is meant by Buy-back of Shares ? Explain.

**[3740]-306**

**1**

**P.T.O.**

**Q.4)** “The conduct must be burdensome, harsh and wrongful and mere lack of confidence between the majority shareholders would not be enough.” In the light of above statement discuss provisions of Companies Act, 1956 for prevention of oppression of the minority.

**OR**

**Q.4)** Set out briefly the methods by which the reconstruction of a company can be brought about.

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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3740]-307**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** Discuss salient statutory features in the Trade Union Act, 1926 which directly or indirectly promote multiplicity of Trade Unions in India.
- Q.2)** Discuss fully the provisions of Trade Union Act with regard to Registration of Trade Union.
- Q.3)** Critically evaluate Mode and Utility of Registration of Trade Union under the TU Act, BIR, MRTU and PULP Act and state whether registration is mandatory or not under these Acts.
- Q.4)** Discuss advantages and disadvantages of Collective Bargaining as a modality of dispute settlement. Consider essential requisites for successful Collective Bargaining in India.
- Q.5)** Discuss immunity of office bearers of Trade Union in a Civil Suit and a Criminal Prosecution. Are they sufficient ? Give reasons.
- Q.6)** Are Craft Unions an answer to the weakness of TU Movement ? Critically examine.

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

- (a) Minor's Right to Membership
  - (b) Amalgamation of Unions
  - (c) Rights and Privileges under BIR Act
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-308**

**LL. M. ( Semester - III ) Examination - 2010**

**LW - 308 : LAW RELATING TO SOCIAL SECURITY AND WAGES**

**(Labour Laws - 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)** Give a detailed account of ILO in evolving Social Security and Welfare Norms that have worked as foundation for various Labour Laws in India. Point out the Indian Scenario relating to Constitutional Mandate that has promoted idea of Labour Welfare and Social Security. **[15]**
- Q.2)** Trace innovative and dynamic judicial process that has extended the 'Compensation and Insurance' benefits to the workers in disaster with the help of coining doctrines and principles in India. **[15]**
- Q.3)** "Part IV of the Constitution is not less important or subordinate to Part III; but both are supplementary and complementary to each other." Discuss this statement focusing on specific goals of Industrial Justice set under part IV of the Constitution and Judicial responses. **[15]**
- Q.4)** Critically comment upon : **[15]**
- (a) Role of Trade Unions
  - (b) Role of the State  
in promoting and extending Social Security and Welfare Measures to the workers.
- Q.5)** Discuss Theories of Wages and examine their viability and relevance in the present era of privatisation, globalisation and liberalisation. **[15]**

**Q.6)** Do you think that Bonus, Allowances, Concessions and Perks are the means used by the Multinational Corporations to over-turn Wage Policy of the Government and lead to economic inequality and injustice, harmful to the Economy ? With specific reference to Law and Policy answer this question. **[15]**

**Q.7)** What do you understand by Wage Differentials ? With the help of judicial decisions explain norms for fixation of wages in various Industries and Sectors. **[15]**

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

- (a) II<sup>nd</sup> National Law Commission Report relating to Social Security and Wage Fixation
- (b) Comment upon aim, purpose and scheme of the Gratuity Act.
- (c) Workers participation in Management and its role in upliftment of workers terms of Employment and Condition of Living
- (d) Committee on Fair Wage and its recommendations.



**Total No. of Questions : 8]**

**[Total No. of Printed Pages : 2**

**[3740]-309**

**LL. M. ( Semester - III ) Examination - 2010**

**LW - 309 : MEDICAL LAWS**

**(Science, Technology and Law - I)**

**(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)** “The Law and Science represent strikingly different ways of thinking, which reflect their different methods.” Do you agree with this ? Justify your views by throwing light on the relations between Law and Science.

**Q.2)** Explain Concept of ‘Duty of Care’ along with its essentials as a part of Medical Negligence. Discuss English and Indian Law with the help of judicial trend in this regard.

**Q.3)** How can the Private Medical Educational Institutions be regulated by Law in respect of admissions and charging of fees ?

**Q.4)** What are various legal, social and ethical issues involved in artificial insemination and surrogacy ?

**Q.5)** What is the impact of Patents Law on Indian Pharmaceutical Industries ? Explain by giving appropriate examples.

**Q.6)** How are children or people in custody abused ? How did the concept of informed consent evolved in the procedure of medical experimentation ?

**Q.7)** What are various remedies available to the victim of Medical Negligence ? Which is the most effective remedy and why ? Discuss judicial trend in India in this regard. Give your comments.

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

- (a) Medical Termination of Pregnancy
  - (b) Drugs and Cosmetic Act
  - (c) Regulation of Blood Banks
  - (d) Euthanasia
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3740]-31**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** G. C. Cheshire defines Private International Law as “that part of Law which comes into play when the issue before the court affects some fact, event or transaction that is so closely connected with a Foreign System of Law as to necessitate recourse to that System”.

Elucidate above definition with appropriate illustrations.

**Q.2)** Trace origin and development of the Private International Law.

**Q.3)** Discuss doctrine of ‘Renvoi’, citing relevant case laws.

**Q.4)** (A) Distinguish Domicile of Origin from Domicile of Choice.

(B) Discuss General Rules relating to Domicile.

**Q.5)** What is an Incidental Question ? Examine various elements of Incidental Question with the help of suitable illustrations.

**Q.6)** Discuss problem of Jurisdictional Immunity of Foreign Sovereigns and their instrumentalities under English Law. What is the comparative position in Indian Law ?

**Q.7)** Examine comparative approaches of the Judiciary relating to recognition and enforcement of Foreign Judgement under English and Indian Law.

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**[3740]-31/1**

**Total No. of Questions : 8]**

**[Total No. of Printed Pages : 1**

**[3740]-310**

**LL. M. ( Semester - III ) Examination - 2010**

**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.*

- 
- 
- Q.1)** What is the Concept of E-governance ? Critically evaluate this concept under the Information and Technology Act, 2000. **[15]**
- Q.2)** Explain provisions in the context of Protection of Internal Hardware Components. **[15]**
- Q.3)** Explain role of Better Business Bureau in the Protection of Rights of Consumers in Cyber World. **[15]**
- Q.4)** Explain notion of Artificial Intelligence. Discuss whether it is a boon or curse for Human Resources. **[15]**
- Q.5)** Discuss nature and scope of Cyber Rights. Explain inter-relation between Fundamental Rights and Cyber Rights. **[15]**
- Q.6)** Discuss establishment, powers and functions of Cyber Regulation Appellate Tribunal. **[15]**
- Q.7)** Critically examine Certifying or Governing Authorities under the Information and Technology Act, 2000. **[15]**
- Q.8)** Discuss various Cyber Crimes and compare them with Traditional Crimes. **[15]**
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-311**

**LL. M. ( Semester - III ) Examination - 2010**

**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 in civilized societies have been developed as determinating factors of social, economical, political process.” Trace historical development of Human Rights. **[15]**
- Q.2)** Children need special care and protection as they are the most vulnerable section in our society. Discuss in the light of various International Documents that recognise children’s rights. **[15]**
- Q.3)** Convention on Prevention and Punishment of Genocide was adopted mainly to prevent and punish Genocide. Is the convention successful in fulfilling this main purpose for which it was adopted ? Suggest measures to make implementation system more effective. **[15]**
- Q.4)** Measures undertaken at National and International levels to combat Racial Discrimination have not produced satisfactory results. Do you agree with this proposition ? Support your answer with reasons. **[15]**
- Q.5)** Explain classification of Human Rights as given by Prof. Karal Vasak. Discuss inter-relation between three generations of Human Rights. **[15]**
- Q.6)** Prisoners, though culprits, are nevertheless Human Beings. Analyse in the light of International Instruments relating to rights of prisoners. **[15]**

**Q.7)** Discuss provisions for Minorities under the Indian Constitution with special reference to their Cultural and Educational Rights. **[15]**

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

- (a) Human Rights and Marxism
  - (b) Natural Law and Human Rights
  - (c) Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
-

**Total No. of Questions : 8]**

**[Total No. of Printed Pages : 2**

**[3740]-312**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** NGO's play a very vital role for enforcement of Human Rights along with other authorities. Explain.
- Q.2)** Universal Declaration of Human Rights has influenced various National and International Legislations and Policies which protect Human Rights. Explain.
- Q.3)** United Nation's Charter is a mother or a genus of all other Human Rights Instruments that came into existence thereafter. Comment and analyse United Nation's Charter from the said perspective.
- Q.4)** Elucidate basic principles of the covenant on Economic, Social and Cultural Rights and its reflection in the Indian Constitution.
- Q.5)** European convention of Human Rights is an instrument which has strengthened mechanism of their enforcement in Europe. Discuss.
- Q.6)** International Commission of Human Rights strengthens Enforcement of Human Rights at International Level. Comment.
- Q.7)** American Convention on Human Rights is the regional efforts made by the American Countries for the protection of Human Rights. Explain.

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

- (a) UNESCO
  - (b) Role of ILO
  - (c) UNICEF
-



Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3740]-313**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** “Power corrupts and absolute power corrupts absolutely.” If this analogy is true, then justify need of administrative discretion in modern State. Also examine limits of administrative discretion.
- Q.2)** What is meant by Delegated Legislation ? Discuss permissible limits of delegated legislation in India.
- Q.3)** Examine doctrine of Rule of Law and its development in England and in India.
- Q.4)** “It is difficult to evolve a satisfactory definition of Administrative Law so as to demarcate articulately its nature, scope and content.” Do you agree with this proposition ? Give reasons.
- Q.5)** Examine critically development of doctrine of separation of powers and its implications in India.
- Q.6)** Discuss characteristics and incidents of Government Contracts.
- Q.7)** Write a critical note on classification of Administrative Powers.
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3740]-314**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** Write in detail the Law on Grounds of Judicial Control and Remedies, to individuals affected by Administrative Decisions.
  - Q.2)** “Under many statutes the Legislature supervises and controls actual exercise of Legislative Power by Administrative Authorities and ensures against the danger of abuse.” Discuss critically.
  - Q.3)** Examine critically the role of judiciary in controlling Delegated Legislations in India.
  - Q.4)** Are the principles of Natural Justice absolute and mandatory upon the administrators or they are just guidelines ? Evaluate this rationale on the basis of judicial decisions.
  - Q.5)** With the help of Landmark Decisions, trace Law relating to the privileges of the Government in Legal Proceedings in India.
  - Q.6)** Point out the relevance of the doctrine of promissory estoppel under the Administrative Law with the help of judicial decisions.

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

- (a) Anisminic Decision of House of Lords
  - (b) Doctrine of Legitimate Expectation
  - (c) Publication as a Mechanism of Control on Executive Legislations
  - (d) Remedies against Administrative Wrongs
-

**Total No. of Questions : 7]**

**[Total No. of Printed Pages : 1**

**[3740]-315**

**LL. M. ( Semester - III ) Examination - 2010**  
**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)** Examine concept and nature of International Trade (Economic) Law.
- Q.2)** Discuss advantages and disadvantages of International Trade.
- Q.3)** Examine role of UNO in evolving International Trade Law and New International Economic Order on the following :
- (a) Charter of Economics Rights and Duties of States (CERDS)
  - (b) Problems and Prospects of the New International Economic Order [NICO]
- Q.4)** Critically evaluate legal roles of International Monetary Fund (IMF) and World Bank to regulate and promote International Trade.
- Q.5)** “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.6)** Examine Institutional Legal and Economic Frame Work of the United Nations Conference on Trade and Development (UNCTAD).
- Q.7)** Write short notes : **(Any Two)**
- (a) Sources of International Trade Law
  - (b) Foundation of Modern Trade Theory and its Historical Evolution
  - (c) Significance of NIEO

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3740]-316**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** Elaborate upon the problems and issues involved in Globalisation of Trade. **[15]**
- Q.2)** Give a comparative account of GATT 1947 and GATT 1994 and examine its relevance in present Global Economic situations. **[15]**
- Q.3)** Discuss GATT Article XV relating to implementation of Generalized System of Preferences and its structure. **[15]**
- Q.4)** What do you understand by Graduation Concept in relation to GATT ? How does GATT provide for special rules for developing countries ? **[15]**
- Q.5)** Discuss critically the Role of WTO in regulating Global Trade. Do you think the organisation works efficiently to settle issues and problems relating to World Trade ? Answer referring to specific provisions and functions of WTO. **[15]**
- Q.6)** Discuss aims and functions of various bodies provided under the Plurilateral Trade Agreements and Subsidiary Bodies. **[15]**

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

**[15]**

- (a) Developed, Developing and Least Developed Countries
  - (b) Bilateral and Multilateral Trade Agreements
  - (c) MFN Clause
  - (d) WTO General Council
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-317**

**LL. M. ( Semester - III ) Examination - 2010**

**LW - 317 : 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 critically the principles laid down in Stockholm Conference-1972 and their impact on Indian Legal System.
- Q.2)** Discuss various Five Year Plans and their role in Protecting and Preserving Environment in India.
- Q.3)** Res Nullious and Res Communious are the two pillars to best explain doctrine of Public Trust. Indian Judiciary has always welcomed this doctrine while protecting earth. Discuss landmark judgements of Indian Supreme Court on the above statement.
- Q.4)** Write a note on National Water Policy of 1987.
- Q.5)** What would you include within the definition of 'Environmental Law' ? How might this definition differ in another hundred years ?
- Q.6)** What are different Sources of Energy ? Examine problems relating to tapping, transmission and utilisation of Energy.
- Q.7)** Discuss Harmful Effects of Mining and Stone Crushing on Ecology.

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

- (a) Water Salinity
  - (b) Tribal Habitat
  - (c) Wise Use of Wet Land
  - (d) Eco-friendly Land Planning
-



Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-318**

**LL. M. ( Semester - III ) Examination - 2010**

**LW - 318 : 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** each.
- 
- 

- Q.1)** In the present Indian Scenario, what are the legal measures to prevent and control pollution of ground water ?
- Q.2)** Environmental Pollution had been a fact of life for many Centuries, but it became a real problem since the start of industrial revolution. Explain various kinds of Pollutions and their impact on the Eco-system.
- Q.3)** Write an essay on the efficacy of Criminal and Civil Sanctions against Environmental Pollution.
- Q.4)** The concern for environment protection appears in the provisions of the Criminal Procedure Code and the Indian Penal Code. Explain these provisions and their compatibility with the modern laws on prevention and control of pollution.
- Q.5)** The Absolute Liability Principle evolved by the Supreme Court, has found expression in many decided cases. Comment upon the scope and application of this principle with reference to decided cases.
- Q.6)** Write a detailed note on the Ganga Pollution Cases.

**Q.7)** What are various kinds of Wastes ? Explain role of various disposal agencies in the disposal and recycling of waste.

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

- (a) Environment Impact Assessment
  - (b) Coastal Zone Management Plans
  - (c) Legal Control of Noise Pollution
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3740]-32**

**LL. M. ( Semester - III ) Examination - 2010**

**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 the term 'Crime' ? Give an account of various definitions of Crime and Theories about the Origin of Criminal Law.
- Q.2)** Is *mens rea* necessary in case of all crimes ? If not, discuss circumstances when *mens rea* may be excluded in fixing criminal liability ?
- Q.3)** Discuss Territorial and Extra Territorial Operation of Indian Penal Code.
- Q.4)** "Ordinarily speaking, a crime is not committed if the mind of the person doing the act in question be innocent." Elaborate.
- Q.5)** Discuss relation between Law and Morality. Refer to the historic debate between Lord Devlin and Prof. H.L.A. Hart.
- Q.6)** Define Attempt. Examine various tests propounded by different jurists to distinguish between 'Preparation' and 'Attempt'.
- Q.7)** Is conspiracy to corrupt public morals is an offence under Common Law ? Is Indian Law similar to English Law on this subject ?
- Q.8)** At Common Law, no person is criminally liable for the act of another unless he has previously authorised or assented to it. Discuss exception to this rule.

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-35**

**LL. M. ( Semester - III ) Examination - 2010**

**LW - 910 : LAW OF CONTRACTS - 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)** How far do you think Contract is not a private affair amongst the parties. Explain with support of recent case laws in this area.
- Q.2)** Evaluate legal nature of consent as an essential element of contract formation with particular reference to standard form contract.
- Q.3)** Discuss different approaches of equity, common law and Indian statute to treat mistake as a vitiating element in contract, bringing out relevant contribution of Indian Courts.
- Q.4)** Consideration is one of the important elements for the Formation of Contract. What is the Scheme of Indian and English Contract Act on consideration ?
- Q.5)** Critically explain various Modes of Discharge of Contract with case laws.
- Q.6)** What is the Position of a Minor under Indian Law ? Also discuss how certain provisions differ from the English Law in this context.
- Q.7)** Explain process of Formation of Contract. Is intention a necessary element for the same ? Elaborate with reference to *Carblil V Carbolic Smoke Ball*.

**[3740]-35**

**1**

**P.T.O.**

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

- (a) Contractual Capacity of Government
  - (b) Assumpsit
  - (c) Hadley V Baryendale
  - (d) Duress
-

**Total No. of Questions : 4]**

**[Total No. of Printed Pages : 2**

**[3740]-36**

**LL. M. ( Semester - III ) Examination - 2010**

**LW - 911 : CORPORATE LAW - I**

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

**Q.1)** Discuss scope of the doctrine of Indoor Management. To what extent has the doctrine been incorporated in the Companies Act, 1956.

**OR**

**Q.1)** “No dividend can be paid by a company except out of profit.” Comment.

**Q.2)** “A company is a legal entity distinct from its members.” In what cases do the courts ignore this principle ?

**OR**

**Q.2)** “The Memorandum of Association is the Fundamental Law or a Charter defining objects and limiting powers of a Company.” Explain.

**Q.3)** 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 ?

**OR**

**Q.3)** Distinguish between a Member and a Shareholder in a Company and explain ways of acquiring Membership in a Company.

**Q.4)** What is Debenture ? What are its kinds ? What is Fixed Charge and Floating Charges ? What happens to Floating Charge due to winding up ?

**OR**

**Q.4)** Write notes : (**Any Two**)

- (a) SEBI
  - (b) Power of Board of Directors to refuse to Register the Transfer
  - (c) Transmission of Shares
-

**Total No. of Questions : 7]**

**[Total No. of Printed Pages : 1**

**[3740]-39**

**LL. M. ( Semester - III ) Examination - 2010**

**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)** Critically examine provisions relating to 'Levy and Collection of Excise Duty' under the Central Excise Act, 1944.
- Q.2)** Critically evaluate powers and duties of Central Excise Officers with special reference to 'Search and Seizure' under the Central Excise Act, 1944.
- Q.3)** Define the term 'Goods' and examine provisions relating to 'Prohibitions on Importation and Exportation of Goods' under the Customs Act, 1962.
- Q.4)** Explain provisions relating to 'Confiscation of Goods and Conveyances and Imposition of Penalties' under the Customs Act, 1962.
- Q.5)** Discuss definitions of 'Foreign Exchange' and 'Foreign Security' under the Foreign Exchange Management Act, 1999. Refer to decided cases.
- Q.6)** Critically examine provisions relating to 'Contravention and Penalties' under the Foreign Exchange Management Act, 1999.
- Q.7)** Write short notes :
  - (a) Appeals under the Central Excise Act, 1944
  - (b) Power of Reserve Bank to inspect authorised person under the Foreign Exchange Management Act, 1999

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**[3740]-39/1**



Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3740]-40**

**LL. M. ( Semester - III ) Examination - 2010**

**LW - 915 : MERCANTILE LAW**

**(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 different Forms of Business in which Banking Companies may engage ? Discuss role of Central Government under the Banking Regulation Act.
- Q.2)** Explain in light of relevant statutory provisions, need of Monetary Regulation of Non-banking Institutions.
- Q.3)** Elucidate object, scope and functional implications of the Banking Regulation Act, 1949.
- Q.4)** Discuss essentials of 'Negotiable Instrument'. Classify various Negotiable Instruments and point out distinctions and similarities in these instruments, if any.
- Q.5)** What do you mean by 'Dishonour of a Negotiable Instrument'. Explain with the help of judicial pronouncements powers, procedure and punishment awarded by the Court in Case of Dishonour of a Cheque.

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

- (a) Noting and Protest
- (b) Holder and Holder in Due Course

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

- (a) Discharge of Parties and Instruments
  - (b) Credit Planning
  - (c) Banks and Money Lending Institutions
  - (d) Transfer of Negotiable Instrument
-

**Total No. of Questions : 7]**

**[Total No. of Printed Pages : 1**

**[3740]-401**

**LL. M. ( Semester - IV ) Examination - 2010**

**LW - 401 : INTERNATIONAL HUMANITARIAN LAW**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

- Q.1)** Discuss Law of Use of Force before 1945, under International Law. **[15]**
- Q.2)** What do you understand as Blockade ? What are the rules of International Law in relation to it ? Explain. **[15]**
- Q.3)** Discuss provisions for 'Amelioration of Wounded and Sick' under International Humanitarian Law. **[15]**
- Q.4)** Elaborate Law of Warfare in the light of Conventional Weapons and its Threats. **[15]**
- Q.5)** Define 'Refugee'. Discuss United Nation's Relief and Rehabilitation Programme for the Refugees. **[15]**
- Q.6)** Explain Concept of Neutrality under International Law. **[15]**
- Q.7)** Write short notes : **(Any Two)** **[15]**
  - (a) International Terrorism
  - (b) Prisoners of War
  - (c) Effects of Outbreak of War

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-402**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** Discuss Concept of Punishment. Why do Punitive Policies have to vary according to time and place ? **[15]**
- Q.2)** “Capital Punishment is the most debated subject among the modern Penologists.” Examine this statement in the light of arguments advanced for and against abotition of Capital Punishment. **[15]**
- Q.3)** “The Police are primarily concerned with the maintenance of law and order in the Society.” Do you think Indian Police are successful in preventing and controlling Crime Rate ? **[15]**
- Q.4)** Penology concerns itself with various aspects of Punishment and Penal Policies. Discuss nature and scope of Penology. **[15]**
- Q.5)** Define an Open Prison. Trace out origin, characteristics and advantages of an Open Prison. **[15]**
- Q.6)** “Probation is a correctional measure that occupies an important place in reformative justice.” Explain utility of Probation as a Punitive Approach to Crime. **[15]**

- Q.7)** Bentham sought to achieve some element of rationality in the Penal Policy by advocating Punishment of different magnitudes for different kinds of offences. Explain in the light of process and policies of sentencing. **[15]**
- Q.8)** Discuss Notion of Parole. Explain structural setup of Parole Boards and their functions. **[15]**
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-403**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** Explain provisions relating to Suspension of Business and Winding up of Banking Companies under the Banking Regulation Act, 1949.
- Q.2)** State and explain provision regarding Presentment of Negotiable Instrument under the Negotiable Instruments Act, 1881.
- Q.3)** The Principle of 'Negligence' has widened Scope of Consumer Protection Act, 1986. Comment upon relevancy of above statement with the help of judicial trends in this area.
- Q.4)** What are the benefits of Insurance. Also state various kinds of Insurance.
- Q.5)** Is there any relationship between the Human Rights and the Consumer Rights ? If so trace relation between Human Rights and Consumer Rights.
- Q.6)** Discuss important principles of Insurance.
- Q.7)** What are the provisions relating to discharge from Liability on Negotiable Instrument ?

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

- (a) Licensing of Banking Companies
  - (b) District Consumer Forum
  - (c) Formation of Insurance Contract
  - (d) Noting and Protest
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3740]-404**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** Explain what is Constitutional Mandate in protecting Capital and Labour enshrined in the Fundamental Rights and Duties and the Directive Principles of State Policy ?
  - Q.2)** Every Industrial Dispute presupposes an industry. Comment upon this statement giving essentials of Industry and Industrial Dispute with special reference to Bangalore Water Supply and Sewerage Board Vs A. Rajappa.
  - Q.3)** In what way the process of judicial review helps in evolving significant formulations on certain areas of Industrial Relations despite Statutory Prescription of Finality of Industrial Adjudication ?
  - Q.4)** What is the Machinery provided under Industrial Dispute Act, 1947 for investigation and settlement of Industrial Disputes ?
  - Q.5)** What is the Jurisdiction of Adjudicatory Authority in respect of Dismissal of Workman ?
  - Q.6)** Define what amounts to retrenchment with decided case law ?
  - Q.7)** 'Standing Orders' plays an important role.

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**[3740]-404/1**



**Total No. of Questions : 8]**

**[Total No. of Printed Pages : 2**

**[3740]-405**

**LL. M. ( Semester - IV ) Examination - 2010**

**LW - 405 : BIO-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** each.*

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**Q.1)** Give a detailed account of universal declaration on the Human Genome and Human Rights.

**Q.2)** Discuss multifaceted aspects of Human Cloning with reference to Obsolescence and Resilience of Law.

**Q.3)** Explain Genetic Engineering and the role of Law to regulate reckless and harmful innovations and experimentations in this area.

**Q.4)** Discuss salient features of Cartagena Protocol on Bio-safety and the Indian Law in this context.

**Q.5)** What is Medical (Red) Bio-technology ? Discuss application of Medical Bio-technology to improve Health Care System.

**Q.6)** Explain Law on Conservation of Biological Diversity in India and its role in protection of Rights of Farmers.

**Q.7)** What do you understand by Bio-piracy ? With the help of judicial decisions explain issues of Bio-piracy arising due to Exploitation of Traditional Knowledge.

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

- (a) Bio-ethics and Patenting of Plants
  - (b) Human Rights and Human Genomic Projects
  - (c) Law on Amniocentesis in India
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3740]-406**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** Discuss role of Indian Supreme Court in protecting and developing the Rights of Women in India.
  - Q.2)** Discuss provisions of United Nations Instruments to prevent forced labour. How far India is successful in preventing forced labour despite constitutional guarantees ? Substantiate your answer with appropriate case laws.
  - Q.3)** Discuss various types of Civil and Political Rights Guaranteed under the Indian Constitution.
  - Q.4)** Discuss composition and functions of State Human Rights Commission. Is the Commission effective in protection and promoting Human Right in India ?
  - Q.5)** Discuss role and functions of National Commission for Scheduled Castes. Examine its efficacy in protecting the Rights of Scheduled Castes in India.
  - Q.6)** Examine composition and functions of National Commission on Women. Do you think the Commission is successful in the protecting the Rights of Women in India ?
  - Q.7)** Discuss critically the reflection of Human Rights in the Directive Principles of State Policy of the Indian Constitution.

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**[3740]-406/1**

**Total No. of Questions : 7]**

**[Total No. of Printed Pages : 1**

**[3740]-407**

**LL. M. ( Semester - IV ) Examination - 2010**

**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.*

- 
- 
- 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)** Critically examine Concept of ‘Rule of Law’ as developed and established by A. V. Dicey.
- Q.3)** Examine critically the doctrine of judicial review in US. How does the Judiciary Controls the Administrative Power in America ?
- Q.4)** Discuss functions and powers of Parliamentary Commissioner in United Kingdom under the Parliamentary Commissioner Act, 1967.
- Q.5)** Discuss in detail Freedom of Discussion Guaranteed under the English Legal System.
- Q.6)** What is Parliamentary Sovereignty ? Discuss effects of the doctrine of Parliamentary Sovereignty on Development of Administrative Law in England.
- Q.7)** Discuss evolution and development of Administrative Law in Australia.

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**[3740]-407/1**

**Total No. of Questions : 8]**

**[Total No. of Printed Pages : 2**

**[3740]-408**

**LL. M. ( Semester - IV ) Examination - 2010**

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

**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 do you understand by Conflict of Laws ? How is the issue of 'Proper Law' determined under the Private International Trade Law ?
- Q.2)** Examine Role of International Chamber of Commerce for Facilitating International Sale of Goods. Refer to relevant International Instrument and Norms.
- Q.3)** What do you understand by Uni-modal and Multi-modal Transport ? Examine the International Law relating to Carriage of Goods by Sea.
- Q.4)** Examine Dispute Settlement Machinery under the Private International Trade Law.
- Q.5)** What are the recent trends in Transnational Corporations ? Examine Role of UN Commission on TNC's.
- Q.6)** Examine Law of Insurance in the area of Export and Import of Goods at the International Level.

**Q.7)** Write notes :

- (a) UNIDROIT Convention on International Factoring, Ottawa, 1988
- (b) Bill of Exchange
- (c) Kinds of Letter of Credit

**Q.8)** Discuss Mechanism of Unification of the Law on International Sales with the help of Conventions and Protocols.

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-409**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** The scope and application of International Environmental Law has expanded significantly since the late 1960s. The role of International Organisations in this regard has been pivotal. Trace important developments with reference to the contribution of these organisations.
- Q.2)** 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.3)** Ships pollute waterways and oceans in many ways. Write in brief about measures to protect marine environment from the pollution from ships.
- Q.4)** 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.5)** While large corporations are able to profit, the cost from environmental and other damage has to be borne by the local population. Elucidate mechanism to control Multinational Corporations as regards their environmentally hazardous activities.

**Q.6)** Write a detailed note on legal control of trans-boundary dumping of hazardous waste.

**Q.7)** 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.8)** Write short notes : **(Any Two)**

- (a) Poverty Alleviation and Sustainable Development
  - (b) Legal Protection of Antarctic Environment
  - (c) International Law and Space Pollution
-



Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-41**

**LL. M. ( Semester - IV ) Examination - 2010**

**LW - 001 : PUBLIC INTERNATIONAL LAW - II**

**(Settlement of Dispute, War and Neutrality)**

**(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)** Point out the importance and significance of Treaties under the International Law. How has the Vienna Convention contributed towards construing the Treaty Law ?
- Q.2)** Within the Constitutional Frame Work, critically examine Treaty Law of India and its enforcement through legislation and judicial pronouncements.
- Q.3)** For the purpose of enforcement of International Norms, what are the different categories of use of Force ? Write brief note on each.
- Q.4)** Explain Concept of Collective Security and with the help of appropriate illustrations evaluate role of Security Council and General Assembly in the UN Security System.
- Q.5)** Examine in detail the fundamental principles of Law of War and the International Norms in this regards.
- Q.6)** Trace development of Concept of Neutrality and what is the rational basis of Neutrality.
- Q.7)** When does war 'Commence' ? Discuss effects of Outbreak of War.

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

- (a) Punishment of War Crimes
  - (b) Belligerent Occupation
  - (c) Peaceful Means of Settlement of Disputes between the States
  - (d) Economic Warfare
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3740]-42**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** Critically examine rules and relating to the Formal Validity of Marriages and Statutory Exceptions to it.
- Q.2)** State and explain various grounds of Dissolution of Marriage under English and Indian Laws.
- Q.3)** Define 'Legitimacy' and distinguish between Legitimacy and Legitimation. What law governs legitimacy of a child ?
- Q.4)** Examine theories relating to the application of law with regard to Foreign Torts.
- Q.5)** What is the Proper Law of Contract ? What is the distinction between 'Presuming an Intention' and 'Imposing the Intention' in determination of the proper Law of Contract ?
- Q.6)** What is Status ? What are its characteristics ? Discuss Law affecting Status under the Private International Law.

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

- (a) Maritime Torts and Torts in the Air
  - (b) Adoption
  - (c) Nullity of Marriage
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-43**

**LL. M. ( Semester - IV ) Examination - 2010**

**LW - 004 : PRINCIPLES OF CRIMINAL LAW - II**

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

**Q.1)** Critically examine Rule regarding Burden of Proof when the accused invokes plea of General Defences under the Indian Penal Code. Support your answer with appropriate case laws. **[15]**

**Q.2)** A Blanket of Protection has been conferred upon the Judges and the Executive Officers so that they conduct their functions independently and fearlessly. Do you think the Exemption from Criminal Liability is justified ? If so, does it go unrestrained ? Substantiate with relevant case law. **[15]**

**Q.3)** “Ignorantia facit excusat, Ignorantia Juris non-excusat is the rule recognised as a basic principle of Law on the ground of judicial expediency and public policy.” Elaborate this maxim as is enunciated into the General Exceptions under Indian Penal Code. **[15]**

**Q.4)** Discuss Rights and Protection available to an accused under the Indian Criminal Justice System. Answer in the light of pertinent case laws. **[15]**

**Q.5)** The Right of Private Defence is absolutely necessary for the protection of one’s life, liberty and property. Explain extent and limits of Right of Private Defence of Property under the Indian Penal Code. **[15]**

**Q.6)** No man will consent what is injurious or harmful to him. Critically analyse defence of consent as is given under the Indian Penal Code. **[15]**

**Q.7)** Discuss fully the Law relating to Intoxication as is crystallised under Section 85 and Section 86 of Indian Penal Code that mitigates rigours of Law. **[15]**

**Q.8)** Write critical notes on **any two** of the following : **[15]**

- (a) Malitia Supplet Aetatem
  - (b) Diminished Responsibility
  - (c) Provocation, a Partial Defence
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-44**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** “There is no complete and concrete Theory of Wages and hence the determination of Wage Policy is not an easy task.” Examine validity of this statement giving reference of different Wage Theories.
  - Q.2)** Critically examine Definition of Wage and explain authorised deductions from the Wages of an employed person under the Payment of Wages Act, 1936. Refer relevant case laws.
  - Q.3)** Examine provisions relating to ‘claims arising out of deductions from wages or delay in Payment of Wages and Penalty for malicious or vexatious claims’ under the Payment of Wages Act, 1936.
  - Q.4)** Define the term ‘Employee’ and examine provisions relating to fixing and revising minimum rates of wages in respect of any scheduled employment under the Minimum Wages Act, 1948.
  - Q.5)** Critically examine nature of ‘Bonus’ and discuss provisions relating to Payment of Bonus linked with production or productivity under the Payment of Bonus Act, 1965.

**Q.6)** Explain the following with reference to the Payment of Bonus Act, 1965 :

- (a) Application and Non-application of the Payment of Bonus Act, 1965
- (b) Eligibility and Disqualification for Bonus

**Q.7)** Critically examine Concept of 'Minimum Wage', 'Fair Wage' and 'Living Wage' in the light of norms laid down by the Fair Wage Committee and recommendation of the National Commission on Labour.

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

- (a) Types of Dearness Allowances
- (b) Recommendations of the Second National Commission on Labour

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-46**

**LL. M. ( Semester - IV ) Examination - 2010**

**LW - 009 : INDIAN ADMINISTRATIVE LAW - II**

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

- Q.1)** Discuss scope of review of administrative action through writs. Elaborate your answer with appropriate judicial decisions.
- Q.2)** What is a 'Tribunal' as regards the Supreme Court's Jurisdiction over tribunal under Article 136 of the Constitution ? Elaborate your answer with appropriate case laws.
- Q.3)** "The attempt to preclude judicial review may be direct as well as indirect." Comment.
- Q.4)** "The real problem with development of the law relating to Governmental Liability in Contract in India is that the Courts try to apply principles of private law of contract to the public law area." Do you agree with this proposition ? What new principles of Public Law of Contracts can you suggest on which the liability of the Government in Contract can be based on ?
- Q.5)** Would it be desirable to abolish Government privilege to withhold official information except in case of 'State Secrets' ? Even in this situation who should decide, what is a 'State Secret' ? Elaborate your opinion with appropriate reasoning and decided cases.

- Q.6)** Discuss statutory remedies of declaration and injunction available to the aggrieved person in addition to other Constitutional Remedies.
- Q.7)** Discuss extent to which the doctrine of promissory estoppel is applicable against administration in India. Support your opinion with relevant case laws.
- Q.8)** Write critical and explanatory notes on **any two** of the following :
- (a) High Courts Power of Superintendence
  - (b) Ombudsman in India
  - (c) Powers of Investigation and Inquiry under Statutes
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-47**

**LL. M. ( Semester - IV ) Examination - 2010**

**LW - 010 : LAW OF CONTRACTS - 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)** “The object of a contract of guarantee is to provide additional security to the creditor in the form of a promise by the surety to fulfill a certain obligation, in case the principal debtor fails to do that.” Examine this statement with the example of bank guarantee, its forms and practices.
- Q.2)** How have the Concepts of Condition and Warranty been dealt with under Sale of Goods Act ? When can condition be treated as warranty ?
- Q.3)** “Nemo dat quod non habet.” How far is this principle embodied under Sale of Goods Act ? Explain and compare English Law with Indian Law in this regard.
- Q.4)** Define ‘Partnership’. Compare it with a ‘limited liability partnership’ and a ‘company’. Do you think that concept of limited liability partnership is suitable to Indian Business ? Justify your view.
- Q.5)** When does a partner get implied authority of the other partner ? What are the limits on this authority ?

**Q.6)** Define 'Sale' and 'Agreement to Sell'. What are the essential requisites of Sale ? Discuss statutory transactions under English and Indian Law in this regard.

**Q.7)** How is agency created ? Discuss relevance of the doctrine of 'Relation Back' in ratification of the Agency.

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

- (a) Documents of Title of Goods
  - (b) Unpaid Seller
  - (c) Continuing Guarantee
  - (d) Kinds of Partnerships
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3740]-48**

**LL. M. ( Semester - IV ) Examination - 2010**

**LW - 011 : CORPORATE LAWS - II**

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

**Q.1)** What are the statutory duties and liabilities of Directors ?

**Q.2)** What are the different kinds of Meetings and Resolutions ? Explain with procedure.

**Q.3)** What are the qualifications, powers and duties of Auditors ?

**Q.4)** Explain provisions related to Prevention of Oppression and Mismanagement of a Company.

**Q.5)** What are different types of Winding Ups and their consequences ?

**Q.6)** Explain Concept of Reconstruction and Amalgamation with judicial references.

**Q.7)** How Sick Industrial Company can be revived ? Explain.

**Q.8)** Answer **any two** :

- (a) Qualification Shares
  - (b) Powers and Functions of Liquidators
  - (c) Difference between Absorption and Amalgamation
  - (d) Quorum and Special Resolution
- 

**[3740]-48/1**

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3740]-49**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** Critically explain measures to curb Tax-evasion and unearthing Black Money, discussing surveys, searches and seizures, penalties, prosecutions, acquisitions, in this context.

Refer relevant Case Laws.

**Q.3)** Examine provisions relating to Clubbing of Income of Husband, Wife and Minor Children under the Income Tax Act, 1961.

**Q.4)** “Tax Planning is not Tax Avoidance.” Comment and distinguish between Tax Planning and Tax Avoidance with the help of Case Laws.

**Q.5)** Explain meaning and importance of ‘Agricultural Income and Partly Agricultural Income’ under the Income Tax Act, 1961. Give examples of incomes which are not Agricultural Incomes though connected with land.

**Q.6)** Critically examine 'Problems of Tax Recovery' under all the Taxation Laws.

**Q.7)** Write notes :

- (a) Problems of Double Taxation and Double Taxation Relief
  - (b) Taxation of Private Trusts and Associations
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-50**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** The Scope of Liability to Wealth Tax depends upon the Citizenship and Residential Status of an Assessee. Discuss.

**Q.2)** How are the following Assets considered in Wealth Tax Assessment ?

- (a) Property of Charitable Trust
- (b) Assets and Liabilities Outside India

**Q.3)** Explain various types of Assessments under Wealth Tax Act.

**Q.4)** Who are eligible to avail the CENVAT ? State conditions for availing of Credit under CENVAT.

**Q.5)** What is Small Scale Industry (SSI) Unit for Excise Duty purpose ? What are the concessions available to an SSI in relation to Excise Duty ?

**Q.6)** What is a Sale under Central Sales Tax Act ? What are the transactions that do not constitute a Sale under the Act ? Discuss.

**Q.7)** Explain provisions of C.S.T. Act regarding liabilities and obligations of the Liquidator of the Company and a Director of Private Company in Liquidation.

**[3740]-50**

**1**

**P.T.O.**



**Q.8)** Write short notes :

- (a) Subsequent Sale under CST Act
  - (b) Settlement Commission under Central Excise Act
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3740]-51**

**LL. M. ( Semester - IV ) Examination - 2010**

**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)** What is meant by Infringement of Patents ? What are the remedies available against it ?

**Q.2)** Explain Infringement of Copyright and discuss remedies available in case of such infringement.

**Q.3)** State and explain the term 'Design' along with the provisions, relating to 'Registration of Designs' under the Designs Act.

**Q.4)** What is meant by Trade Mark ? Which marks can be registered ?

**Q.5)** What is 'Copyright' and explain procedure and advantages of Registration of Copyright ?

**Q.6)** Who are entitled to apply for Patents and explain procedure for granting of Patents under the Patents Act, 1970.

**Q.7)** Discuss Concept of 'Deceptive Similarity' under the Trade Mark Law.

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

- (a) Performers' Right
  - (b) Non-use of a Trade Mark
  - (c) Copyright Societies
  - (d) Assignment of Patents
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3740]-52**

**LL. M. ( Semester - IV ) Examination - 2010**

**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.*

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**Q.1)** Discuss Concept and Sources of International Trade Law.

**Q.2)** Critically evaluate role played by India in the formation of WTO.

**Q.3)** Discuss Impact of Cold War on the International Economic Institutions.

**Q.4)** Discuss structure, powers and functions of UNCTAD.

**Q.5)** Critically evaluate structural changes that took place in the funding procedures of IMO after the adoption by NIEO.

**Q.6)** Critically examine role of the International Centre for Settlement of Investment Disputes after the evolution of WTO.

**Q.7)** What is the Impact of Bilateral Investment Trade Agreements on the developing economies of the world ?

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

- (a) Development Aid
- (b) UNICTRAL Model Law on Conciliation
- (c) Permanent Sovereignty over Natural Resources

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**[3740]-52/1**



[3742] – 203

**Master of Labour Laws and Labour Welfare (Part – II) Examination, 2010**  
**Paper – VIII : INDUSTRIAL SOCIOLOGY AND PSYCHOLOGY**

Time : 3 Hours

Max. Marks : 100

*N.B. : a) Answer **any five** questions.  
b) All questions carry **equal** marks.*

1. Define 'Industrial Sociology'. Examine nature, scope and importance of Industrial Sociology.
2. What do you mean by 'Industrialisation' ? Examine the modern-trends and effects of Industrialisation.
3. Critically examine the role and functions of an 'Executive' in modern Industrial organisation.
4. Explain the concept of 'Industrial Bureaucracy' and discuss the characteristics of Industrial Bureaucracy.
5. Define Industrial Psychology. State the nature and scope of Industrial Psychology with reference to modern Indian industries.
6. Critically examine the various Psychology Tests for selecting the right person for the right job.
7. What is 'motivation' ? Discuss the role of monetary and non-monetary motivations in promoting labour efficiency.
8. What do you mean by 'Morale' ? Explain the various factors determining of industrial morale.
9. Write notes on the following :
  - a) Importance of leadership in a Industry
  - b) Human Relations in Industry.