

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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)** The Constitution has conferred on religious and linguistic minorities the right to establish and administer education institutions of their choice; however, it does not mean that the State has no authority to regulate working of such Institutions. Evaluate nature and scope of these rights with the help of decided cases.
- Q.2)** The Guarantee of Fundamental Rights is made complete by providing a remedy for the enforcement of these rights under Article 32. Explain.
- Q.3)** Doctrine of equality ensured under Article 14 is a combination and culmination of the British and USA Models. Evaluate doctrine of reasonable classification with appropriate case laws.
- Q.4)** Examine nature of the preamble and its significance in Judicial Interpretation.
- Q.5)** Describe and evaluate amendability of Fundamental Rights and the Constitutions along with the doctrine of basic structure and point out its changing facts with the help of relevant judicial decisions.

**Q.6)** Judicial decisions have given a wide scope to the expression ‘Other Authorities’ under Article 12. The main theory evolved is that of ‘Instrumentality or Agency of Government’. Explain this theory with the help of judicial pronouncements.

**Q.7)** Custom or usage having the force of law has been held to be law under Article 13; whereas Personal Laws are excluded. Comment.

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

- (a) Right to Education
  - (b) Freedom of Associations
  - (c) Doctrine of Eclipse
  - (d) Double Jeopardy
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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.*

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**Q.1)** “The Theory of Natural Law advocated by Lon Fuller is based upon the doctrine of Internal Morality.” Comment. **[15]**

**Q.2)** According to American legal realist, “Law is not that which is enacted by the legislature but it is a judicial decision.” Explain. **[15]**

**Q.3)** “Social-engineering Theory is not outdated and it is still relevant to balance conflicting interests.” Discuss. **[15]**

**Q.4)** Explain Theory of Positivism as propounded by Prof. HLA Hart. **[15]**

**Q.5)** “Austin’s notion of Law as a Command of Sovereign has become inapplicable in today’s modern world.” Analyse critically. **[15]**

**Q.6)** Describe nature of the Historical School of Law by Sir Henry Maine and point out its drawbacks. **[15]**

**Q.7)** Discuss important propositions of “Kelsen’s Pure Theory of Law”. Point out its demerits. **[15]**

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

**[15]**

- (a) Hobbes
  - (b) Aquina's Philosophy of Law
  - (c) Categorical Imperative
  - (d) Basic Goods of Human Nature
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3840]-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.

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**Q.1)** How has the law worked as an instrument of social change in India ? How has it brought changes in these areas ?

(a) Marriage

(b) Right to Information

**Q.2)** “A country cannot be developed without the participation of village unit-local self government.” - Mahatma Gandhiji.

Discuss what were the steps taken in India to involve these units into active participation in the process of Governance ? How far have these attempts been successful ?

**Q.3)** What are the efforts taken by the Indian Constitution and other domestic legislations to empower women in India ?

**Q.4)** “The Constitution of India grants Right to Equality to all the people but it provides special protection to some of the social groups for their development as they are socially behind.” Explain this statement by giving appropriate examples.

**Q.5)** What is the Concept of Grama Nyayalaya ? What role do they play in Indian Judicial System ? Evaluate System of Grama Nyayalaya.

**Q.6)** The media is not only the eyes and ears of the general public but is also considered as the fourth estate in the democracy. Critically evaluate role of media in Indian Democratic Structure.

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

- (a) Language and Regionalism
  - (b) Right to Education of the Children
  - (c) National Commission for Women
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-104**

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

**LW-104 : RESEARCH METHODOLOGY 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)** With the help of Juristic Opinions and Committee Reports, evaluate objectives of Legal Education in India.
- Q.2)** “As all teaching methods have their inherent utility and shortcoming, teaching methods in Law should be appropriate combination of all methods.” Discuss and substantiate your answer with appropriate illustrations.
- Q.3)** Write a detailed note on Clinical Legal Education as a Method of Learning through doing.
- Q.4)** Enumerate various Laws and Policies dealing with Language as a Social Factor.
- Q.5)** “Inspite of Disintegration of Marxist States, Marx is still relevant and more so during the Globalisation, Liberalisation and Privatisation era of today.” Explain from the Legal Perspective in India.
- Q.6)** Establish nexus between Sarvodaya and Reformist School of Penology and comment critically with suitable examples.
- Q.7)** According to Good and Hatt speculation, fact and theory are circular movements and ongoing concepts. Explain from Scientific Research Methodology perspective.

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

- (a) Doctrinal and Non-doctrinal Research
  - (b) Legal Research Models
  - (c) Attributes of Scientific Research
  - (d) Significance of Empirical Research in Law
-



Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-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 i.e. 15 each.

---

**Q.1)** What was the object behind establishment of Federal Court ? Discuss Jurisdiction and System of Appeal to Federal Court.

**Q.2)** How were the following Acts responsible for evolution of representative Legislative Authority in India ? Discuss along with the special features of the Government of India Acts, 1919, 1935.

**Q.3)** Explain features of Privy Council. Give critical appraisal of this system along with case laws.

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

**Q.5)** Trace evolution and growth of the Crown Court and Company Courts at Surat, Madras, Bombay, Calcutta.

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

**Q.7)** Write notes on :

- (a) Central Administrative Tribunal
- (b) Cornwallis System of 1787

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**[3840]-11/1**

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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.*

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**Q.1)** What is Federalism ? Critically evaluate theoretical perceptions of Federalism linking with respect to the distribution of powers between the Union and the States in the Indian Context.

**Q.2)** What is Colourable Legislation ? Discuss its impact on the Legislation in light of the decided cases of the Indian Supreme Court.

**Q.3)** Critically evaluate idea of the Law Ministry to establish different Benches of the Supreme Court in the Four Metro Cities of India and to make present Supreme Court as a Constitutionally Significant Court to deal with significant matters of the Country.

**Q.4)** Critically evaluate Thirteenth Finance Commission's Report on the proposed Goods and Services Tax Implementation from the Current Financial Year and its impact on the Foreign Trade of the Country.

**Q.5)** Critically evaluate Emergency Powers of the President of India under Article 356 of the Constitution of India.

**Q.6)** Discuss Powers and Functions of the High Courts.

**Q.7)** The Office of the Governor is not a linchpin of the Union of India ? Critically evaluate Powers and Functions of a Governor.

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

- (a) Anti-defection Law
  - (b) Powers of the Chief Election Commissioner
  - (c) Declaration of Assets
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3840]-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.*

---

**Q.1)** Discuss significance of Precedent in Indian Legal System.

**Q.2)** Discuss merits and demerits of the Rawls Theory of Justice.

**Q.3)** “The judicial decision as a whole is not a precedent as such; hence it is not a source of Law.” Discuss significance of Ratio Decidendi.

**Q.4)** What are the merits and demerits of the Doctrine of Prospective Overruling ?

**Q.5)** Discuss impact of Moral Principles on the Personal Laws of India.

**Q.6)** Discuss merits and demerits of the Proposed Women’s Reservation Bill in achieving concept of Gender Justice in the Indian Context.

**Q.7)** Critically examine Legal Concept of Right of Hohfeldian.

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

(a) Precedent in British Legal System

(b) Role of Morality

(c) Radical Feminist Theory

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**[3840]-202/1**

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3840]-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.

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**Q.1)** “The function of administration of justice is to adjust relations of individuals so as to accord with the general moral sense.” Comment by giving reference to decided cases in Indian Law.

**Q.2)** “An independent judiciary is the strongest guarantee to uphold rule of law and protection of human rights.” Comment in the context of the Indian Constitution.

**Q.3)** “Law means not only the rules laid down by the legislature alone but also the decisions laid down by the courts of law.” - Justice Cardozo.

In this context discuss scope of judicial process, advantages and limitations of Judicial Process.

**Q.4)** “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.5)** “The Lok Adalats are meant for a speedy, simple, effective and less expensive solution of the disputes.” Do you think that it has achieved its object significantly ? Justify yourself. Also critically evaluate experiment of Lok Adalat in India.

**[3840]-203**

**1**

**P.T.O.**

**Q.6)** The basic structure doctrine under Indian Constitution is the high watermark of judicial activism. Evaluate judicial restraint of the basic structure and amendment of the constitution for judicial restraint.

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

- (a) Judicial Creativity through Judicial Process
  - (b) Ratio Decidendi and Obiter Dicta
  - (c) Confrontation V/s Consensus
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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)** Define Hypothesis. What are the Sources of Formulation of Hypothesis ? Point out the significance of Hypothesis in Legal Research.
  - Q.2)** Explain probability and non-probability sampling technique and enumerate their inherent shortcomings and advantages.
  - Q.3)** “The purpose of observation is to discover casual relation between various facts.” Critically discuss this statement in light of the utility of the tool in data collection.
  - Q.4)** What are the requisites of Successful Interview ? Briefly discuss process for conducting Interview.
  - Q.5)** Define Content Analysis and explain utility and method of analysing Contents in Communication.
  - Q.6)** Discuss in detail different types of Scaling Techniques and explain Modus Operandi of each of them.
  - Q.7)** Explain Essential Components of Research Report with the help of illustrative Legal Research Problem.

**[3840]-204**

**1**

**P.T.O.**

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

- (a) Research Design on Article 21
  - (b) Induction and Deduction
  - (c) Technique of Data Processing
  - (d) Identification of Problem of Research
-



Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-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.

- 
- 
- Q.1)** What was the purpose of introducing mechanism of Law Commissions in India ? How and to what extent have they contributed to the Codification of Substantive Laws in India ?
  - Q.2)** Discuss various features of Judicature Act. How did various legal concepts evolve under Common Law and equity in India during British Period ? What is its relevance in the present legal system ?
  - Q.3)** How did the Law of Contract develop in England before Assumpsit and after Assumpsit ?
  - Q.4)** Discuss working and contribution of 3rd, 4th and 5th Law Commission of India.
  - Q.5)** Trace in brief the History and Development of Criminal Liability under English Law.
  - Q.6)** Explain and discuss emergence of the concept of Tort in England. How did it come into application even in India ?
  - Q.7)** Write short notes : **(Any Two)**
    - (a) Jurisdiction of Writs in India
    - (b) Need of Codification in India

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**[3840]-21/1**

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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 marks**.*

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**Q.1)** Critically evaluate various Theories of International Law as to its basis in light of nature and scope of the International Law.

**Q.2)** Explain Sources of International Law. What according to you is the most suitable and effective source in the present era ? Answer with illustrations.

**Q.3)** Discuss Law of State Responsibility and explain how the State can be made liable and accountable for its actions under the International Law ?

**Q.4)** Referring to various conventions explain International Law on Sea.

**Q.5)** Explain role of International Law on peaceful use of outer space by States.

**Q.6)** How do the Indian Laws confer recognition to treaty obligations for its fulfilment ? Can treaty be suspended ? Explain with illustrations.

**Q.7)** Critically evaluate Theories of 'State Recognition'.

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

- (a) Vienna Convention
  - (b) Role of UN in Restructuring International Relations
  - (c) Exclusive Economic Zone
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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)** The General Assembly is essentially a deliberate body. Discuss composition, functions and powers of General Assembly as the principal organ of the United Nations.
  - Q.2)** Nationality and Citizenship are oftenly considered to be synonymous of each other. However, they differ from each other. Bring out the points of differences between them.
  - Q.3)** Discuss role of Security Council in the maintenance of International Peace and Security.
  - Q.4)** Discuss peaceful methods of Settlement of International Disputes.
  - Q.5)** Explain provisions relating to Asylum under the International Law. How far this subject is more occupied by Human Rights Conventions ?
  - Q.6)** Discuss role played by Economic and Social Council in Protection and Implementation of Human Rights.
  - Q.7)** “International Commission of Jurist is an Organisation functioning under the Control of Western Countries which involves in exposing only the affairs of the Third World Countries.” Comment.

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

- (a) Embargo
  - (b) Pacific Blockade
  - (c) Rule of Double Criminality
  - (d) Amnesty International
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[3840]-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)** What is the burden of proof when insanity is pleaded as a defence to a charge of Crime ? Discuss.
- Q.2)** Do you agree that section 80 of the Penal Code gives statutory recognition to the common law doctrine of mens rea, that there can be no crime without a criminal intention ? Elaborate.
- Q.3)** State Law relating to intoxication as laid down under the Penal Code. What is the justification for reducing criminal liability in case of intoxication ?
- Q.4)** With the help of English and Indian case laws elaborate maxims, "*Ignorantia facit doth excusat*" and "*Ignorantia jurist non excusat*".
- Q.5)** Define Abetment and examine provisions relating to abetment under Indian Penal Code.
- Q.6)** "The right to private defence is basically preventive in nature and not punitive. It is neither a right of aggression nor a reprisal." Elaborate this statement with the help of appropriate legal provisions and case laws.

- Q.7)** It is said that definition of Crime is one of the most thorny intellectual problem of law. Explain this statement with the help of various definitions.
- Q.8)** Why is Consent a General Defence ? Examine critically the Law of Consent in Indian Penal Code.
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3840]-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)** Define Criminology. Explain its Inter-relation with other Social Sciences. **[15]**
  - Q.2)** The Universal Phenomena of Escalating Violence is among the greatest concerns of humanity in the contemporary world. Explain specific problems of Communal Violence with special reference to peculiarity of Indian conditions. **[15]**
  - Q.3)** Critically evaluate Position of Indian Criminal Justice System to deal with the Rights of Victim. **[15]**
  - Q.4)** Critically examine Psycho-analytical Theory of Crime Causation. **[15]**
  - Q.5)** Discuss Notion of Deviance. Explain Sociological Perspectives to Crime and Deviation. **[15]**
  - Q.6)** Discuss contribution of various schools of Criminology to the development of Modern Criminology. **[15]**
  - Q.7)** Explain Concept of Juvenile Delinquency. Discuss factors that contribute towards this problem and suggest remedial measures to curb this menace. **[15]**
  - Q.8)** Critically examine Italian School of Criminology. **[15]**

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**[3840]-304/1**



Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3840]-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)** How and to what extent the legislature and the judiciary have endeavoured to save a third party from a Partnership ?
  - Q.2)** Critically discuss various statutory rights and remedies available under the Sale of Goods Act, 1930 with reference to their object, scope and judicial application.
  - Q.3)** Discuss judicial attitude on Liability of the Principal Creditor, Debtor and Surety in Contract of Guarantee.
  - Q.4)** A stranger to the consideration can sue; but a stranger to a contract cannot sue. Explain.
  - Q.5)** Critically examine an action for breach of contract may be converted into an action for tort to make a minor liable.
  - Q.6)** An Agreement requires a Meeting of Minds. Comment.
  - Q.7)** State remedies available to an aggrieved person in case of breach of Contract.
  - Q.8)** Write short notes : **(Any Two)**
    - (a) Quasi Contract
    - (b) Bailment
    - (c) Rights of Indemnity Holder

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**[3840]-305/1**

Total No. of Questions : 4]

[Total No. of Printed Pages : 2

**[3840]-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.

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**Q.1)** “The fundamental attribute of corporate personality is that company is a legal entity distinct from the members.” Elucidate this statement.

**OR**

**Q.1)** “A company cannot alter conditions contained in its Memorandum except in cases, in the mode and to the extent for which express provisions are made in the Act.” Explain.

**Q.2)** The Rule in Royal British Bank V/s Turquand is designed to protect persons dealing with the company. Explain doctrine of Indoor Management with exceptions.

**OR**

**Q.2)** Explain in detail the Law relating to Share Allotment and Transfer. Also explain difference between Transfer and Transmission of Shares.

**Q.3)** What are the statutory provisions regarding holding of an annual general meeting ? What type of Business is transacted at such meeting ?

**OR**

**Q.3)** State and explain in detail the Law relating to appointment, removal, rights, powers and liabilities of Directors.

**[3840]-306**

**1**

**P.T.O.**

**Q.4)** “Majority will have its way but the Minority must be allowed to have its say.” Discuss this proposition with special reference to prevention of oppression and mismanagement in a company.

**OR**

**Q.4)** State and explain provisions of the Companies Act, 1956 regarding arrangement for the purpose of reconstruction and amalgamation of companies.

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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 i.e. 15 each.
- 
- 

- Q.1)** Trace Evolution of Trade Union Movement in India along with its political and economical implications.
- Q.2)** Explain Legal Provisions that attempt to curtail prevailing problems in Trade Unionism in India.
- Q.3)** “In the Indian Context it is said that the Laws in India encourage all other mechanisms for Settlement of Industrial Disputes and Collective Bargaining is mere ornamental.” Explain.
- Q.4)** In light of current stage of Globalisation and Privatisation, identify problems of Labour - Management Relations in India.
- Q.5)** Answer the following :
  - (a) Right to Association : Constitutional and Legal Aspects
  - (b) Workers’ Participation in Management
- Q.6)** With the help of judicial dictum examine Law relating to Right to Strike in India.

**Q.7)** Give a comparative account of Rights and Liabilities of the Trade Union under the Trade Unions Act and MRTU and PULP Act.

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

- (a) Lock-out and Legal Implications
  - (b) ILO on Industrial Relations
  - (c) National Wage Policy
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-308**

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

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

**(New Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

- Q.1)** “The employees are entitled to minimum wage at all times and under all circumstances. An employer who cannot pay minimum wage has no right to engage labour and no justification to run industry.” Critically examine this statement in the light of historical background, objectives, applicability of the Act and Supreme Court Judgments.
- Q.2)** Social Security is a necessary phenomenon of a Welfare State. The ideal of social security is prevalent in the Constitution. It is an important objective to be achieved in Democratic Polity. Examine in the light of Directive Principles of the State Policy relating to Right to adequate means of livelihood, old age sickness and disablement and maternity relief.
- Q.3)** “If personal injury is caused to a workman by an accident ‘arising out of and in the course of an employment’ the employer is liable to pay compensation.” Critically examine above statement in the light of judicial interpretation and objectives of Workmen’s Compensation Act, 1923.

- Q.4)** “The object of the Payment of Bonus Act being to maintain peace and harmony between labour and capital by allowing workers to share prosperity of the establishment and prescribing maximum and minimum rates of bonus together with the scheme of ‘Set off’ and ‘Set on’ not only secures right of the labour to share in the profits but also ensures a reasonable degree of uniformity.” Explain in the light of historical background and objectives of the Payment of Bonus Act, 1965.
- Q.5)** Critically evaluate the provisions of the Employee’s State Insurance Act, 1948 and Employee’s Provident Funds and Miscellaneous Provisions Act, 1952 as a measure to achieve social justice and welfare of the workers by conferring several benefits and providing security.
- 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)** Explain Concept of ‘Wage’ and briefly narrate Theories of Wages.
- Q.8)** Write notes : **(Any Two)**
- (a) Employer’s Duty to Determine and Pay Gratuity
  - (b) Worker’s Participation in Management
  - (c) National Wage Policy
  - (d) Role of Trade Unions

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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) Attempt *any four* questions.
  - (2) All questions carry equal marks i.e. *15* each.
- 
- 

- Q.1)** What is 'Informed Consent' ? What is the importance of Informed Consent in 'Doctor - Patient Relationship' ? Discuss views of Supreme Court of India in this regard.
- Q.2)** What are the objectives and strategies of National Blood Policy ? Give a short review of the same.
- Q.3)** "Science and Technology is advancing at a breakneck pace. But with each advancement and innovation, legal issues arise." Discuss correctness of this statement with the help of examples in the present decade.
- Q.4)** Discuss legal, social and ethical issues revolving around 'Right to Privacy V/s Duty to Disclose'.
- Q.5)** What are the various Laws to regulate Medical Education and Medical Profession in India ? Do you think that they are proved effective in keeping check on Professional Misconduct ? Justify your answer.



**Q.6)** Write notes :

- (a) Drugs and Magic Remedies Act
- (b) Euthanasia

**Q.7)** What are the regulations at International Level on Medical Experimentation ?  
How far are they successful in achieving their objects ?

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

- (a) Fundamental Right to First Aid
  - (b) Medical Termination of Pregnancy
  - (c) Contract of Service and for Service
  - (d) Post Mortem Report and Duties of Doctors
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-31**

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

**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)** Critically examine nature and scope of Private International Law.

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

**Q.3)** “The Doctrine of ‘Renvoi’ involves Process of Application of Law of a Country.” Comment.

**Q.4)** Define the term ‘Domicile’ and discuss different kinds of Domicile.

**Q.5)** Critically examine nature of the Problem of Classification in the Private International Law and indicate how the English Courts deal with it ?

**Q.6)** “..... No action will lie in English Courts against a Foreign Sovereign, his diplomatic representatives and in respect of the Property of the Foreign Sovereign.” Comment.

**Q.7)** Examine law relating to recognition and enforcement of Foreign Judgements according to English Private International Law and compare it with the Indian Law on the Subject.

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**[3840]-31/1**

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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)** Discuss notion of Data Protection. Explain principles of Data Protection and Data Quality. **[15]**
- Q.2)** Evaluate and examine advantages and disadvantages of E-commerce. **[15]**
- Q.3)** Critically evaluate Ethics and Etiquettes in Cyber World. **[15]**
- Q.4)** “Cyber Crimes are considered as borderless crimes.” Explain problems faced so far as jurisdiction is concerned. **[15]**
- Q.5)** Information and Technology Act, 2000 is based on UNCITRAL Model Law, 1998. Discuss historical background and salient features of IT Act, 2000. **[15]**
- Q.6)** “Cyber Crimes are more dangerous than the Traditional Crimes.” Comment. **[15]**

**Q.7)** What is a Digital Signature ? Explain steps involved in creating a Digital Signature. **[15]**

**Q.8)** Explain E-governance. State whether shifting from Paper Work to Paperless Transaction is an easy task. **[15]**

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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 is a generic term and it embraces civil rights, civil liberties and social, economic and cultural rights. Comment and discuss philosophical foundation of Human Rights. **[15]**
- Q.2)** The rights of the child are inalienable and the State which neglects their rights is indeed guilty of lack of Humanism. Explain with reference to the National and International Recognition of Rights of Children. **[15]**
- Q.3)** The theory of positive law states that all laws are man-made laws. Explain this with reference to International Documents that support Human Rights Concern. **[15]**
- Q.4)** Discuss elaborately the human rights of Prisoners. Substantiate your answer with relevant case law. **[15]**
- Q.5)** Discuss Concept of Generations of Human Rights and state their relationship with each other. **[15]**
- Q.6)** Define the term Racial Discrimination. Explain obligations on the state parties to eliminate racial discrimination as given under the International Convention on Elimination of all forms of Racial Discrimination. **[15]**

**Q.7)** United Nations have adopted a number of conventions to prevent commission of certain acts which are inhuman and against the dignity and worth of human persons. Explain efforts taken by UN to tackle with the acts of Genocide. **[15]**

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

- (a) Rights of Linguistic Minorities
  - (b) Human Rights and Communism
  - (c) Child Labour
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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)** The nature and status of Human Rights has been accorded new dimensions in America by its Convention. Explain in detail the mechanism of their enforcement provided in the said Convention.
  - Q.2)** Universal Declaration of Human Rights, 1948 is not addressed to the Sovereign States but an Individual. Explain scheme of UDHR and its influence upon Indian Legal System.
  - Q.3)** Covenant on Civil and Political Rights, 1966 encompasses various kinds of Rights. Discuss.
  - Q.4)** The role of International Labour Organisation for Protection of Human Rights for Workers is significant. Explain.
  - Q.5)** Evaluate and discuss role of International Court of Justice in the field of Human Rights.
  - Q.6)** United Nations Charter not only creates organs of UN or its authorities but primarily it consists plethora of rights meant for individuals. Comment and analyse UN Charter in the light of said statement.

**Q.7)** Examine African Convention on Human Rights and its contribution in African Countries.

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

- (a) NGO
  - (b) European Convention on Human Rights
  - (c) UNICEF
-



Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-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)** The Courts in India have developed Law on State Liability for the tortious act of his servant without expressly overruling some of the earlier decisions which defines State Liability in very narrow terms. Comment on the given statement citing appropriate case laws.
- Q.2)** Examine Contractual Liability of State. Substantiate your answer with the help of appropriate case laws.
- Q.3)** Write a critical comment on Emergence and Growth of Delegated Legislation in modern time.
- Q.4)** It is said that Fundamental Rights guaranteed by the Indian Constitution play a major role in the process of controlling the functions of the administration. Comment on the above statement. Substantiate your answer with appropriate case laws.
- Q.5)** The doctrine of separation of powers has been characterised as the 'Principal Doctrinal Barrier' to the Development of Administrative Law in the USA. Do you support this proposition of K.C. Davis ? Give reasons.
- Q.6)** Examine doctrine of Rule of Law as enumerated in the Indian Constitution. Also substantiate your opinion with appropriate case laws.
- Q.7)** Examining the definitions given by different jurists discuss nature and scope of Administrative Law.

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**[3840]-313/1**

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-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)** Explain nature, scope and extent of judicial control of Administrative Actions through writs in India.
- Q.2)** What do you understand by 'Institutional Decision' ? Explain judicial response on this issue in India.
- Q.3)** Trace evolution and significance of the principle of 'Audi Alterm Partem' through the judicial decisions in India and United Kingdom.
- Q.4)** Point out the shortcomings and limitations of Legislative Control on Delegated Legislation. Why Delegated Legislations need to be controlled ?
- Q.5)** Give a comparative account of Jurisdictional Error and Error of Law on the basis of Judicial Decisions.
- Q.6)** Write notes : **(Any Two)**
- (a) Doctrine of Legitimate Expectations
  - (b) Privileges of the Government in Legal Proceedings
  - (c) Reasoned Decision
  - (d) Publication
- Q.7)** Give a Comparative Analysis of Indian and English Law (Judicial) on Doctrine of Bias.

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**[3840]-314/1**

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-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)** Trace development and evolution of International Trade Law in Pre and Post World War periods.

**Q.2)** State and explain sources of International Trade Law.

**Q.3)** “The adoption of the Charter of Economic Rights is the most significant achievement in the direction of solution of the problems posed by economic inequality in the world.” Comment.

**Q.4)** Examine role and functions of the International Bank for Reconstruction and Development (IBRD).

**Q.5)** Explain the following :

- (a) Structure and functions of the United Nations Conference on Trade and Development (UNCTAD).
- (b) Foundation of Modern Trade Theory.

**Q.6)** Critically examine work carried out by the United Nations Commission for International Trade Law (UNCITRAL).

**Q.7)** Write notes on the following :

- (a) Objects and Functions of the World Intellectual Property Organisation
- (b) Codification of International Economic Law

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**[3840]-315/1**

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-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 i.e. 15 each.*
- 
- 

**Q.1)** Give an overview of nature of Global Trade and the dynamic changes it underwent in recent times. Evaluate role of WTO in this context.

**Q.2)** Trace evolution of the GATT from past to present.

**Q.3)** How does the GATT deal with the two contradictory notions of non-discrimination and most favoured nation clause ? Comment critically.

**Q.4)** Critically evaluate provisions of GATT relating to the Concept of GSP.

**Q.5)** Discuss Law and Procedure under GATT for Negotiation Rounds.

**Q.6)** Explain objectives, scope, functions and structure of WTO.

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

- (a) Membership and Withdrawal of WTO
- (b) Uruguay Round
- (c) Dispute Settlement Mechanism under WTO

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**[3840]-316/1**

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[3840]-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.

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Q.1) Write a critical note on National Forest Policy of 1988.

Q.2) Discuss the most acceptable and feasible solution of Interstate Water Management and Dispute in India.

Q.3) Mining and Quarrying have immense ill effect on the Natural Environment and they destroy it. What legal methods do you suggest to combat this problem ?

Q.4) What are various Theories of Development ? Discuss National and International Perspective on Sustainable Development.

Q.5) Examine contribution of Supreme Court of India in protecting Environment in India.

Q.6) Discuss in detail the Constitutional Perspective of Environmental Protection in India.

Q.7) Comment critically on Conventional and Non-conventional Sources of Energy.

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

- (a) Protection of Historical Monuments
  - (b) Ground Water Management
  - (c) Population Explosion and its Impact on Environment
  - (d) Polluters Pay Principle
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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)** Examine critically the role, powers and functions of the Pollution Control Boards under the Water Act, 1974.
- Q.2)** The air quality in urban India continues to decline. Is this an indication of the insufficiency of the existing legal machinery for prevention and control of Air Pollution ? Comment on the modalities of control and the conflicts of jurisdiction of different controlling agencies.
- Q.3)** Explain legal provisions about disposal and recycling of Waste.
- Q.4)** Discuss with the help of decided cases the role of Indian Judiciary in Prevention and Control of Pollution.
- Q.5)** Examine liability of companies, for their environmentally hazardous activities. Do you feel that the sanctions against pollution are sufficient to deter these polluters ?
- Q.6)** Write a detailed essay on the legal provisions on Prevention and Control of Noise Pollution.

**Q.7)** Explain in detail the background and provisions of the Environment (Protection) Act, 1986.

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

- (a) Permissible Activities of Coastal Zone
  - (b) Incentives for Pollution Control
  - (c) Eco-tourism
-



Total No. of Questions : 8]

[Total No. of Printed Pages : 1

[3840]-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) Explain the maxim, “*actus non facit reum, nisi mens sit rea*”. How far is this maxim reflected in the India Penal Code ?
  - Q.2) Examine some of the definitions propounded by jurist in order to understand concept of crime in a correct perspective.
  - Q.3) Should Law enforce Morality ? If yes, to what extent ? If no, why ? Substantiate your opinion with the help of Juristic Writings and Judicial Decisions.
  - Q.4) What do you mean by Strict Liability Crime ? What is the rationale of punishing a person for a crime in absence of guilty mind ? Discuss principles with the help of few leading cases.
  - Q.5) Trace development of the Theories of Criminal Liability of the Common Law in England.
  - Q.6) Discuss with the help of leading judgements of Supreme Court of India, the tests evolved by the court to distinguish between ‘Attempt’ and ‘Preparation’.
  - Q.7) Discuss general principles of deciding Criminal Jurisdiction. Substantiate your answer with appropriate case laws.
  - Q.8) What are the essential conditions for conviction for an offence of abetment under the Indian Penal Code ?

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[3840]-32/1

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-33**

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

**LW - 907 : SOCIAL SECURITY AND LEGISLATIONS**

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

**Instructions :**

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

*(2) All questions carry equal marks.*

---

**Q.1)** Define ‘Social Security’. Distinguish between ‘Social Assistance and Social Insurance’. How far the Government of India has taken steps for making Social Insurance Legislation more effective ?

**Q.2)** “Notional Extension of Time and Place of Employment can make an employer liable to pay compensation under the Workmen’s Compensation Act, 1923.”

Critically examine this statement with decided case laws.

**Q.3)** Examine conditions of eligibility of an insured person for obtaining various benefits under the Employees’ State Insurance Act, 1948.

**Q.4)** “The Payment of Gratuity Act, 1972 provides for determination of the amount of gratuity and resolving disputes.”

Comment with reference to various provisions of the Payment of Gratuity Act, 1972. Refer relevant case laws.

**Q.5)** What is the measure of damages (compensation) awarded to families for loss occasioned by death of a person caused by an actionable wrong of another person under the Fatal Accidents Act, 1855 ?

**Q.6)** Critically examine all P.F. Schemes under the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952.

**[3840]-33**

**1**

**P.T.O.**

- Q.7)** “The Maternity Benefit Act, 1961 is a measure of social assistance and developed out the doctrine of Employers’ Liability.” Comment.
- Q.8)** Explain defences which shall not be raised in suits for damages in respect of injuries sustained by Workmen under the Employers’ Liability Act, 1938.
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-35**

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

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

**(Principles of Contract)**

**(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)** Evaluate Position of Modern Law of Contract in the light of its history.

**Q.2)** A mere statement of intention made in course of conversation or even negotiated agreements does not necessarily give rise to legal obligation. Explain in the light of recent judicial trends.

**Q.3)** Define Misrepresentation. What are the basic requirements to constitute an Act as Misrepresentation ?

**Q.4)** What shall be the effect of the following Conditions of Contract ? Discuss with reasons.

- (a) Failure to perform a contract when time is not an essence of contract.
- (b) Failure to perform at fixed time, a contract in which time is an essence.

**Q.5)** An agreement becomes a contract if it is entered in between the parties who are competent to contract. Explain in the context of section 10 and section 11 of India Contract Act.

**Q.6)** “In case of anticipatory breach by renunciation of contract the cause of action is not the future breach but the renunciation itself.” Discuss in the light of *Hochster v. De La Tour*.

**Q.7)** Analyse various views of Law Commission of India on Standard Form of Contract.

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

- (a) Privity of Contract
  - (b) Wagering Contract
  - (c) Undue Influence
  - (d) Floating Offers
-

Total No. of Questions : 4]

[Total No. of Printed Pages : 2

**[3840]-36**

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

**LW - 911 : CORPORATE LAWS - 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)** Trace evolution of Company Law in England with reference to basic concepts like Corporate Personality, Limited Liability and Perpetual Succession.

**OR**

**Q.1)** Discuss legal formalities that are to be complied with under the Indian Companies Act, 1956 regarding formation of a Company.

**Q.2)** Discuss rule laid down in Royal British Bank V/s. Turquand. Are there any exceptions to this rule ?

**OR**

**Q.2)** What is meant by Allotment of Shares ? State statutory requirements in this regard. Also explain consequences of an irregular allotment of shares.

**Q.3)** “A promoter stands in a judiciary relation towards the company he promotes.” Explain.

**OR**

**Q.3)** How is transfer of shares effected ? How does it differ from transmission ?

**Q.4)** State and explain Law relating to Borrowing Powers, including Debentures and Charges.

**OR**

**Q.4)** “When any ‘right issue’ of shares is made, the shares can only be issued to the existing shareholders.” Comment.

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Total No. of Questions : 6]

[Total No. of Printed Pages : 1

**[3840]-37**

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

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

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

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

*(2) All questions carry equal marks.*

- 
- 
- Q.1)** The fact that the recommendations of the Finance Commission are not binding on the President, the efficacy of setting up the commission is rendered futile. Comment.
- Q.2)** Can the Doctrine of Promissory Estoppel be pleaded against the Government for withdrawing of a tax exemption ?
- Q.3)** “The cannon of convenience states that every tax ought to be levied at the time or in the manner in which it is most likely to be convenient for the contributor to pay it.” What do you understand by this statement ? Explain with reference to the cannons of taxation.
- Q.4)** In case of interpreting a taxing statute, one has to look at what is clearly stated. There is no room for searching intentions, presumptions or equity. Comment.
- Q.5)** What are the Constitutional Limitations on the legislative competence to tax ?
- Q.6)** There is judicial insistence on following the principles of natural justice and fair play by the authorities who make orders that may have an adverse impact on the rights of a person, especially in the field of taxation. Comment.

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**[3840]-37/1**



Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-38**

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

**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.*

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**Q.1)** State and explain incomes which are exempted from tax under the Income Tax Act, 1961.

**Q.2)** Critically examine provisions of the Income Tax Act, 1961 regarding various deductions to be made in computing total income of an assessee.

**Q.3)** Examine provisions relating to 'Appeal and Revision' under the Income Tax Act, 1961.

**Q.4)** Critically examine object, scope and implication of the law relating to Set Off and Carry Forward and Set Off of Losses under different heads of Income under the Income Tax Act, 1961.

**Q.5)** 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.6)** Critically examine provisions relating to 'Procedure for Assessment' under the Income Tax Act, 1961.

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

- (a) Collection and Recovery of Tax
- (b) Basic Principles of the Charging Section of Income Tax

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

- (a) Power and Procedure of Settlement Commission
- (b) Unexplained Investments and Expenditures

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Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3840]-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)** Define the term 'Excisable Goods' and critically examine provisions relating to Valuation of Excisable Goods for the purpose of charging of Duty of Excise under the Central Excise Act, 1944.

**Q.2)** Discuss the following with reference to the Central Excise Act, 1944 :

- (a) Consumer Welfare Fund and Utilization of the Fund
- (b) Offences and Penalties

**Q.3)** Critically examine role of the Reserve Bank of India under the Foreign Exchange Management Act, 1999.

**Q.4)** Discuss the following with reference to the Foreign Exchange Management Act, 1999 :

- (a) Foreign Exchange and Foreign Security
- (b) Exemption from Realisation and Repatriation

**Q.5)** Examine provisions relating to conveyances carrying imported or exported goods under the Customs Act, 1962.

**Q.6)** Critically examine provisions relating to 'Goods in Transit', 'Warehousing' and 'Drawback' under the Customs Act, 1962.

**Q.7)** Write notes on the following :

- (a) Special provisions regarding baggage, goods imported or exported by post and stores under the Customs Act, 1962.
  - (b) Power of Custom Officer in respect of searches, seizure and arrest.
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3840]-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)** Write a critical note on the Control over Management and Suspension of Business during winding up of companies under the Banking Regulation Act, 1949. Explain with relevant case law.
- Q.2)** Write an elaborate note on Evolution of Indian Banking Companies. Discuss provisions regarding Supervision of Business in the Current Indian Statute.
- Q.3)** Write a critical comment on Establishment of an Institutional Framework for Industrial Finance and the provisions for Rehabilitation of Sick Industrial Units.
- Q.4)** Define the term Negotiable Instrument. Who can be a party to the Negotiable Instrument ? What is the test of the Negotiable Instrument ?
- Q.5)** What do you mean by 'Holder' and 'Holder in Due Course' ? Discuss various rights enjoyed by them under the Negotiable Instruments Act.
- Q.6)** What do you mean by 'Presumptions' in case of any Negotiable Instrument ? Enlist these Presumptions with the help of examples.

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

- (a) Endorsement
  - (b) Noting and Protest
  - (c) Export Credit
  - (d) Monetary Policy
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-401**

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

**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)** Explain use of force provided under International Law before 1945. [15]
- Q.2)** Discuss Laws of Warfare under International Humanitarian Law in the light of nuclear weapons and threats therefrom. [15]
- Q.3)** Examine provisions for 'Prisoners of War' under International Humanitarian Law. [15]
- Q.4)** Elaborate role of Red-Cross in promoting Welfare of the persons affected by War. [15]
- Q.5)** Who is a 'Refugee' ? Discuss role of United Nations in relief and rehabilitation programme for the Refugees. [15]
- Q.6)** Discuss Law in relation to Blockade. [15]
- Q.7)** Write short notes : **(Any Two)** [15]
- (a) International Criminal Court
  - (b) Amelioration of Wounded and Sick
  - (c) International Terrorism

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**[3840]-401/1**

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

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

**[3840]-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)** Critically discuss Theories of Punishment. Which theory in your opinion is most suitable in the contemporary times ? **[15]**
- Q.2)** Examine various forms of Punishment prescribed under the Indian Criminal Justice System. **[15]**
- Q.3)** Critically examine role of Indian Police in Indian Set-up. Do you agree that the Human Rights aspect is altogetherly violated by Police whilst discharging their functions ? **[15]**
- Q.4)** Trace out historical perspective of Probation Law in India and also explain main provisions of Probation of Offenders Act, 1958. **[15]**
- Q.5)** In the ancient times Brahaspati laid stress on imprisonment of convicts in Closed Prison. Explain concept of a Closed Prison and differentiate it from an Open Prison. **[15]**
- Q.6)** Critically analyse objects and essentials of an Ideal Parole System. **[15]**
- Q.7)** The problem of Drug Abuse is highly complicated and multi dimensional. Explain causes of Drug Addiction and suggest measures to combat Drug Addiction. **[15]**
- Q.8)** Explain nature, scope and importance of Penology. **[15]**

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**[3840]-402/1**



Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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.*

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**Q.1)** State and explain Restrictions on the Nature of Subsidiary Companies of Banking Companies.

**Q.2)** What are the various ways by which a bill is accepted ?

**Q.3)** State and explain Loans and Advances to be made by Banking Companies.

**Q.4)** “‘Consumer’ includes the user of goods and beneficiary of services.” Comment on the above proposition with the help of relevant case laws.

**Q.5)** Discuss rights of an insurer to avoid policy on the ground of Misrepresentation and Suppression of Material facts.

**Q.6)** “Insurance has been playing protective role towards development of Industry and Commercial Institutions.” Discuss.

**Q.7)** Discuss in detail the Mechanism under the Consumer Protection Act, 1986 established for Protection and Enforcement of Consumer Rights.

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

- (a) Acceptance for Honour and Payment for Honour
  - (b) Accommodation Bill
  - (c) Double Insurance
  - (d) Rights of Consumer
-

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

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

**[3840]-404**

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

**LW - 404 : INDUSTRIAL RELATIONS AND ADJUDICATION**

**(New Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

- 
- 
- Q.1)** The Social and Economic Upliftment of Labour is important for securing industrial peace which is essential to increase National Productivity. Explain with reference to Directive Principles of State Policy engrafted in the Constitution for Welfare of Labour.
- Q.2)** Explain Jurisprudence of Industrial Adjudication Formulations through Constitutional remedies of writs and appeal.
- Q.3)** The definition of 'Industrial Dispute' is, it is no exaggeration to say, a key concept of literally central importance in Law relating to Industrial Disputes. Comment with decisional case law.
- Q.4)** Explain Direct Access to Adjudicatory Authority by employer and employee - problems and perspectives.
- Q.5)** Define 'Award'. State Commencement and Publication of Award. What are the matters not to be included in the award and to be kept confidential ?
- Q.6)** Explain Domestic Enquiry, Disciplinary Action and Powers of Labour Courts and Tribunals under section 11-A of Industrial Disputes Act, 1947.
- Q.7)** The object of section 33 of Industrial Disputes Act is to maintain status quo during the pendency of industrial conciliation, arbitration and adjudication. - Comment. Who is a protected workman ?

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**[3840]-404/1**

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-405**

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

**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** each.*

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**Q.1)** What do you understand by Biotechnology ? Discuss Areas of Biotechnology requiring Legal Intervention ?

**Q.2)** Trace Evolution of Biotechnology Patent Law in Europe, USA and India.

**Q.3)** Examine role of Biotechnology in enhancing quality of Life of Human Beings while discussing Human Rights issues involved in the application of the Science of Biotechnology.

**Q.4)** Critically evaluate Law on Bio-safety in India and point out problems of Bio-hazards in rDNA Research.

**Q.5)** Make a comparative study of the Law relating to Protection of Plant Varieties and Protection of Farmers' Rights in India, USA and Europe.

**Q.6)** Enumerate boon and baneful impacts of biotechnology with reference to genetically muted micro organisms and give a comparative account of the Law in this respect with India, Europe and USA.

**Q.7)** Define Technology of Cloning. Discuss various arguments against and in favour of Human Cloning.

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

- (a) Biotechnology Transfers and Commercialisation, Uses and Misuses
  - (b) Law on Conservation of Biodiversity
  - (c) Disease-diagnostic Biotechnology for Genetic Disorders
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

**[3840]-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)** Write a critical comment on the working of the National Commission for Women in India.
  - Q.2)** Examine role of Judiciary in Development of Prison Jurisprudence in India.
  - Q.3)** Discuss role of Indian Constitution in Promotion and Protection of Human Rights in India.
  - Q.4)** To what extent are the rights of Scheduled Castes and Scheduled Tribes recognised and protected in the Indian Constitution ?
  - Q.5)** What is meant by Bonded Labour ? Discuss role of Indian Judiciary in abolition of Bonded Labour System in India. Substantiate your answer with appropriate case laws.
  - Q.6)** Discuss composition and functions of National Human Rights Commission. Is the Commission effective in protecting and promoting Human Rights in India ?
  - Q.7)** What are the types of Human Rights recognised in Part IV of the Constitution ?

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**[3840]-406/1**

Total No. of Questions : 7]

[Total No. of Printed Pages : 1

[3840]-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) Discuss meaning, origin and main features of the *Droit Administratif* System in France.
  - Q.2) Examine critically the Dicey's Concept of 'Rule of Law' and its development thereafter by different jurists.
  - Q.3) "The Sovereignty of Parliament is a peculiar feature of the British Constitution which exerts a constant and powerful influence." In light of the above statement discuss consequences of Parliamentary Sovereignty in Britain.
  - Q.4) Discuss in detail the Judicial Control of Administrative Powers in England.
  - Q.5) Discuss role of Parliamentary Commissioner in UK with special reference to the *Barlow Clowes affair*.
  - Q.6) Examine critically the civil liberties available to an individual in the United Kingdom.
  - Q.7) Examine grounds of judicial review of administrative action and remedies available in the USA.

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[3840]-407/1

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-408**

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

**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.*

- 
- 
- Q.1)** Explain provisions relating to Formation of Contract under the International Trade Law.
  - Q.2)** What do you understand by Standard Form Contracts ? What are the International Transactions to which Standard Form Contracts are applicable ? Explain rights and remedies of the parties in this respect.
  - Q.3)** Examine Law relating to Performance of Contract under the Private International Trade Law.
  - Q.4)** Examine Law relating to Special Trade Term in Export Sales.
  - Q.5)** What is Bill of Lading ? Critically evaluate International Convention governing Bill of Lading.
  - Q.6)** Examine Legal Issues relating to Carriage of Goods by Land. What are the objects of the Convention on the Contract of International Carriage of Goods by Road, Geneva 1956 ?



**Q.7)** Discuss the detail the merits and demerits of Judicial Settlement of International Trade Disputes with the help of suitable examples.

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

- (a) Concept of Trans-national Corporations
- (b) Marine and Aviation Insurance
- (c) Uniform Conditions of Export Sales

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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)** Environmentalism can also be defined as a social movement that recognizes humanity as a participant in ecosystems. The World Environment Movement is about protection of ecology and human rights. In the light of above statement, write a detailed note on World Environment Movement.
- Q.2)** 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.3)** To what extent do existing global instruments of environmental protection apply to Antarctic Environment ? Do the arrangements adopted at regional, sub-regional and national levels provide adequate protection for the conservation of Marine Environment ? Give your views.
- Q.4)** Trans-boundary Pollution is an International Problem that demands attention of International Legal Mechanisms. But at the same time, they can often be addressed effectively through the domestic legal system. Elaborate with reference to various trans-boundary pollution hazards.
- 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)** Sustainable development has become a Central Objective in National and International Policy of Development. Increasingly it also finds place in International and National Laws. Comment in the light of International Obligation towards sustainable development.

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

- (a) International Obligation for Poverty Alleviation
- (b) International Law and Pollution from Ships
- (c) International Concern for Natural and Cultural Heritage

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Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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) Answer **any four** questions.*

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

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**Q.1)** “The Treaty is an agreement of a contractual character between States or between States and International Organisations, creating Legal Rights and Obligations between the Parties.” Discuss with illustrations.

**Q.2)** Explain Treaty making power of UN and explain various Classifications of Treaties.

**Q.3)** “When States fail to agree to solve their disputes by peaceful methods, they take recourse to coercive methods.” Discuss this statement in light of use of force by States in the International Law.

**Q.4)** Define the term War. What are the immediate effects of Outbreak of War on various normal relations of States ?

**Q.5)** Examine role of Regional Institutions in Collective Security.

**Q.6)** Define Concept of Neutrality and discuss Rights and Duties of a Neutral State.

**Q.7)** Comment upon ‘Treatment of Prisoners of War’ from the Human Rights perspective and point out the International Law in this regards.

**[3840]-41**

**1**

**P.T.O.**

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

- (a) Belligerent Occupation
  - (b) Treaty Law in the Indian Legal System
  - (c) Use of Force in Self-preservation
  - (d) Vienna Convention on Treaties
-

Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3840]-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)** “The Substantive Rights of Parties to an action may be governed by a Foreign Law, but all matters pertaining to procedure are to be governed exclusively by the Lexfori.” Comment.
- Q.2)** Examine with reference to decided cases the law relating to capacity of parties to marry. Analyse various theories for determining such capacity.
- Q.3)** “The English Decisions, with respect to ‘Nullity of Marriage’ as regards both jurisdiction and choice of law, are chaotic and inconsistent.” Comment.
- Q.4)** Discuss important conventions on Rights of Child of being adopted. What are various issues under Private International Law relating to Inter-country Adoptions ?
- Q.5)** Explain the term ‘Proper Law of the Contract’ under Private International Law. Discuss mode of ascertaining proper Law of Contract and remedy to be given for breach of Contract.
- Q.6)** Explain the following :
- (a) Divorce Jurisdiction of the English Courts
  - (b) Characteristics of Status

**Q.7)** Write notes on the following :

- (a) Legitimacy and Legitimation
  - (b) Law of Guardianship
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-43**

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

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

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

*(1) Attempt any four questions.*

*(2) All questions carry equal marks.*

- 
- 
- Q.1)** Mistake of Fact is an excuse; however Mistake of Law cannot be pleaded as an excuse. Discuss this cardinal principle of Criminal Law along with the recommendations of Malimath Committee suggested to Section 76 and Section 79 of Indian Penal Code. **[15]**
- Q.2)** “There is no necessity that justifies Private Homicide as distinguished from Public Necessity.” Examine this proposition in the light of the famous case Queen v. Dudley and Stephens. **[15]**
- Q.3)** Self-help is the First Rule of Criminal Law. Explain fully the Right of Private Defence of Body under the Indian Penal Code. **[15]**
- Q.4)** Critically analyse ‘Duress’ as a Partial Defence to the charge of Murder. **[15]**
- Q.5)** Critically analyse underpinnings of the maxim ‘Nulla Poena Sine Lege’. **[15]**
- Q.6)** “Infancy is a defect of the Understanding and Infants under the age of discretion ought not to be punished by any Criminal Prosecution whatsoever.” Discuss Criminal Responsibility of Children. **[15]**



**Q.7)** “He, who sins when drunk, should be punished when sober.” Discuss Intoxication and state whether Voluntary Drunkenness can be pleaded as an excuse. **[15]**

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

- (a) Automatism, Defence to Criminal Charge
  - (b) De Minimus Non Curat Lex
  - (c) Accident as an Excusable Defence
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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) Attempt *any four* questions.
- (2) All questions carry equal marks.

---

**Q.1)** “Wage Policy should be an integral part of planning for economic development.” Comment and discuss importance and essentials of a National Wage Policy and also refer recommendations of the National Commission on Labour.

**Q.2)** “The object of the Payment of Wages Act, 1936 is to regulate Payment of Wages to certain classes of persons engaged in Industry.”

Elucidate this statement with the help of landmark decided decisions.

**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 scheduled employment.”

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

**Q.4)** “The Authority Constituted under Section 20 of the Minimum Wages Act, 1948 is invested with the power to hear and decide all claims arising out of Payment of less than minimum rates of Wages.” Comment.

**Q.5)** Trace evolution of Law of Bonus in India and discuss provisions relating to application and non-application of the Payment of Bonus Act, 1965.

**[3840]-44**

**1**

**P.T.O.**

**Q.6)** Define the term 'Allocable Surplus' and discuss provisions relating to 'Set on' and 'Set off' of Allocable Surplus under the Payment of Bonus Act, 1965.

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

- (a) Procedure for Fixing of Minimum Rates of Wages under the Minimum Wages Act, 1948.
- (b) Contracting out under the Payment of Wages Act, 1936 and the Minimum Wages Act, 1948.

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

- (a) Payment of Minimum and Maximum Bonus
  - (b) Payment of Dearness Allowance
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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)** Writs of Prohibition and Certiorari are complementary writs; but certiorari is remedial whereas prohibition is preventive. In the light of this statement discuss scope of both these writs.
- Q.2)** Critically examine Power of Supreme Court under Article 136 of the Constitution to give relief.
- Q.3)** The Principle of Sovereign and Non-Sovereign functions of the State is a justice blasphemy which leads to absurd and arbitrary results. What other principles can be suggested to bring an ideal equilibrium between Governmental Accountability and Individual Justice ?
- Q.4)** Discuss efforts made in India so far to establish institution of 'Ombudsman'. Elaborate your answer with special reference to its desirability and effectiveness in a vast country like India ridden by unprincipled and competitive politics, corruption and inertia.
- Q.5)** Examine Powers of Investigation and Inquiry under the Commission of Inquiry Act. 1952.
- Q.6)** Write a critical comment on the Government Privilege of not to produce document in Court Proceedings.
- Q.7)** Examine in detail the General Conditions for the Issuance of Writs in India. Substantiate your answer with appropriate case laws.

**Q.8)** Write critical and explanatory notes on **any two** of the following :

- (a) Central Vigilance Commission
  - (b) Lokayukta
  - (c) Ouster Clause
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

[3840]-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.

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**Q.1)** “The liability of the surety is coextensive with that of the principal debtor, unless it is otherwise provided by the Contract.” Explain this statement with the help of judicial trend in India.

**Q.2)** “It is the duty of the bailee not only to take reasonable care of the goods bailed but also not to make unauthorized use of the goods bailed.” Comment.

**Q.3)** What are the conditions required to be observed in order to transfer property as between Seller and Buyer ?

**Q.4)** Define ‘Delivery’. What are various kinds of Deliveries ? What is the effect of Delivery of Goods to the carrier or wharfinger ?

**Q.5)** What is the rule of ‘Holding Out’ ? Is it a kind of liability more or less than a special application of the principle of estoppels ? Give examples to justify your view.

**Q.6)** What are the rights and liabilities of Partners after dissolution of Partnership ? What are various Modes of Settlement of Accounts between Partners ?

[3840]-47

1

P.T.O.

**Q.7)** Define 'Partnership'. Compare it with other legal establishments i.e. Trade Associations, Clubs, Companies.

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

- (a) Stoppage in Transit
  - (b) Auction Sale
  - (c) Incoming and Outgoing Partners
  - (d) Registration of a Firm
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3840]-48**

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

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

**(Old Course)**

**Time : 3 Hours]**

**[Max. Marks : 60**

***Instructions :***

- (1) Answer **any four** questions.*
  - (2) Each question carries **15** marks.*
- 
- 

**Q.1)** Explain Procedure of Appointment and Removal of Directors.

**Q.2)** Explain different types of Resolutions.

**Q.3)** What are the Rights of Shareholders related to General Meetings ?

**Q.4)** How and when the Central Government can Amalgamate Companies ?

**Q.5)** What are the steps to be complied to convene a meeting properly ?

**Q.6)** Explain Powers and Functions of an Auditor.

**Q.7)** What do you understand by Winding Up of a Company ? What are different types of Winding Up ?

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

- (a) Prevention of Oppression and Mismanagement
  - (b) Qualification of Auditors
  - (c) Resolution by Circulation
  - (d) Qualification and Disqualification of Directors
- 

**[3840]-48/1**



Total No. of Questions : 7]

[Total No. of Printed Pages : 2

**[3840]-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)** Critically evaluate Tax System in India and state with reasons whether the same satisfies criteria of a Good Tax System.
  - Q.2)** Critically examine powers of the Income Tax Authorities relating to Survey, Search and Seizure under the Income Tax Act, 1961. How long the seized assets and record may be retained by the Income Tax Authorities ? Describe how the retained assets are dealt with ?
  - Q.3)** Examine provisions relating to Claim for Exemption of Income of Charitable Trusts or Institutions under the Income Tax Act, 1961.
  - Q.4)** Critically examine concepts of Black Money, Tax Evasion and Tax Avoidance in the light of judicial pronouncements and recommendations of various Tax Committees.
  - Q.5)** “Hindu Undivided Family is treated as a separate taxable entity for the purpose of Income Tax Assessment.” Comment.
  - Q.6)** 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.7)** Write notes on **any two** of the following :

- (a) Tax Planning
  - (b) Problems of Double Taxation
  - (c) Problems of Tax Recovery
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 1

**[3840]-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.*

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**Q.1)** What is the procedure followed in valuing Business Assets for Wealth Tax purpose ?

**Q.2)** Explain provisions regarding Concealment of Wealth. Illustrate with examples.

**Q.3)** Discuss Penalty provisions under Wealth Tax Act.

**Q.4)** What are the Duties eligible for CENVAT Credit ? State general procedure to avail Credit under CENVAT.

**Q.5)** Describe provisions regarding Central Excise Duty Exemptions available to Small Scale Industries.

**Q.6)** When a sale or purchase of goods is said to take place in the course of Import or Export ?

**Q.7)** How will you determine Taxable Turnover under C.S.T. Act ?

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

(a) Concept of Manufacture and Deemed Manufacture under Central Excise Act

(b) Concealment of Wealth

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**[3840]-50/1**

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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.*
- 
- 

- Q.1)** Who is the First Owner of Copyright in various Works ? What are the rights of Copyright Owner of Literary Work (including Computer Programme) and Cinematograph Film ?
- Q.2)** What is Patent ? Who can apply for its grant ? What is the procedure for obtaining a Patent ?
- Q.3)** Describe Procedure for Registration of a Design. What is the effect of its Registration ?
- Q.4)** Discuss various grounds for Opposition to a Grant of Patent in detail.
- Q.5)** Explain Law relating to Assignment and User of Registered and Unregistered Trade Mark.
- Q.6)** What is Trade Mark ? Explain Evolution of Trade Mark Law.
- Q.7)** What is meant by Design ? Which Designs are registerable ?

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

- (a) Deceptive Similarity
  - (b) Terms of Copyright
  - (c) Surrender of Patent
  - (d) Honest and Concurrent use of Trade Mark
-

Total No. of Questions : 8]

[Total No. of Printed Pages : 2

**[3840]-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.

- 
- 
- Q.1)** Critically evaluate significance of the Tokyo Round in the Promotion of Trade between Developing and Developed Nations.
  - Q.2)** Critically evaluate Policies and Perspectives adopted by the IMF in the Post Cold War Era.
  - Q.3)** Discuss Implications of the Establishment of WTO to India.
  - Q.4)** Critically evaluate role of the Multi National Corporations as subsidiary organs of the International Financial Institutions.
  - Q.5)** To what extent are the WTO Rules relevant to Trade in Natural Resources ?
  - Q.6)** What led the UN to establish United Nations Conference on Trade and Development (UNCTAD) ?
  - Q.7)** Discuss Powers and Functions of the Board of Governors of the World Bank.

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

- (a) Balance of Payments
  - (b) Dispute Panel of WTO
  - (c) UNICTRAL
-