



[3940] – 101

**LL.M. (Semester – I) Examination, 2011**  
**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.

1. The word 'Other Authorities' under Art 12 of the Indian Constitution has greater amplitude and gave rise to various interpretations by the judiciary. Discuss with the help of judicial decisions.
2. Preamble reflects the constitution and is the part of the constitution and has also become a touchstone to determine legality or validity of constitutional provisions and hence is vital. Discuss nature role and place of the preamble under the Indian constitution with appropriate judicial decisions.
3. Art 15 of the Indian constitution has gone through a change with the change in time, circumstances and need. Give a complete account of Art 15 as it stands today with the recent judicial trends.
4. Art 13 lays down the main object to secure the paramountcy of the constitution with regard to fundamental rights. Discuss along with the doctrine.
5. Right to freedom of speech and expression guaranteed under Art 19(1)(a) is indispensable for the development of one's own individuality and for the success of parliamentary democracy. Evaluate with the help of judicial decisions.
6. The ninth schedule of the constitution was an exception to the doctrine of basic structure till the Waman Rao's decision though judicial review being held to be a part of basic feature. Discuss the amendability of the constitution in the light of the said proposition and point out its changing nature with the help of recent judicial trends.
7. Art 20 of the Indian constitution guarantees protection in respect of conviction for offences. Examine its nature and ambit.
8. Short notes (**any two**) :
  - a) Reservation for women
  - b) Writ of Habeas Corpus
  - c) Doctrine of state action
  - d) Freedom of Press.



[3940] – 201

**LL.M. (Semester – II) Examination, 2011**  
**LW-201 : CONSTITUTIONAL AND LEGAL ORDER – II**  
**(New Course)**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt any five questions.*

*2) All questions carry equal marks.*

1. Among the various Federations, what makes the Canadian Federation is distinct from the other Federations ? Discuss in the light of the Centralization and Decentralization concepts.
2. The Automobile Transport case has considerable reduced the taxing power of the States. Critically examine the taxing powers of the States in the light of the above judgement of the Supreme Court Vis-a Vis the original power of the States under the Indian Constitution.
3. Critically examine the powers and functions of the collegium of judges of the Supreme Court in appointing judges to the Supreme Court of India in the light of the selection of Justice Dinakaran.
4. The Residuary Powers are the legislative powers that fall in none of the three lists under the constitution. The lists are usually exhaustive enough to include all possible subjects, and it is generally believed that the field of application will be very narrow. These powers are neither under the legislative powers of the State nor the Union, but is under the jurisdiction of the judiciary. Critically examine the residuary powers of the judiciary in the light of the above statement.
5. Discuss the areas of stress and strain in the distribution of Federal Financial Relations in the Indian Constitution and suggest the ways and means to overcome such difficulties.

**P.T.O.**



6. Critically evaluate the powers of the President of India under Art. 356 of the Constitution, in the light of the Supreme Court's decision in S.R. Bommai V Union of India.
7. The Amendment to Article 102 and 191 seeks to put an end to the evil of political defections that undermines the basic principle of democracy. How far the Anti-Defection Law achieved the menace of corruption in the Political circles ?
8. Answer **any two** of the following :
  - a) Pardoning Powers of the Governor
  - b) Doctrine of Independence of Judiciary
  - c) Powers of the National Judicial Commission.



[3940] – 308

**LL.M. (Semester – III) Examination, 2011**  
**LW-308 : LAW RELATING TO SOCIAL SECURITY AND WAGES**  
**(New)**

Time : 3 Hours

Max. Marks : 60

*Instructions :* i) Attempt **any four** questions.  
ii) All questions carry **equal** marks.

1. 'Social security is an important objective to be achieved in our democratic process'. Examine the statement in the light of ideal of social security contained in Indian Constitution and in various statutes.
2. Explain role of state in framing and implementation of social security schemes in India, with reference to various schemes.
3. "The provisions of the Minimum Wages Act, 1948 are intended to achieve the object of doing social justice to workmen employed in the scheduled employment by prescribing minimum rates of wages for them". Critically examine the above statement in the light of scheme of the Act.
4. "The Payment of Gratuity Act, 1972 is a welfare measure introduced in the interest of general public to secure social and economic justice to workmen to assist them in old age and to ensure them a decent standard of life on their retirement". Examine the above statement in the light of judicial pronouncements.
5. Explain the principles of wage fixation in an Industry, in the light of impact of globalisation and mixed economy.
6. Examine the role of Trade Unions in achieving social security for the workers. Explain in the light of social security clauses in collective agreements.
7. "Accident alone does not entitle a workman to claim compensation, it must arise out of and in the course of employment". Comment in the light of judicial pronouncements.
8. Write short notes on **any two** :
  - a) Rule of set on and set off of allocable surplus
  - b) Right to equal pay for equal work
  - c) ILO measures on social security for labour
  - d) "Employee" under Employee's State Insurance Act.



[3940] – 314

**LL.M. (Semester – III) Examination, 2011**  
**LW 314 : ADMINISTRATIVE PROCESS AND JUDICIAL CONTROL**  
**(New)**

Time : 3 Hours

Max. Marks : 60

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

1. With the help of judicial decisions and constitutional provisions evaluate the power of the Supreme Court and High Courts in reviewing the administrative discretions in India.
2. On the basis of each principle of natural justice, discuss the nature and scope of administrative decisions making power in India.
3. 'It is said that the distinction between error of law and error of jurisdiction has become untenable after the House of Lords decision in *Anisminic*'. Evaluate in light of Indian situation.
4. Explain control on delegated legislation through publication in India. Compare it with the position in UK and USA.
5. Examine the importance and significance of the doctrine of promissory estoppel as an aspect of Administrative Law.
6. Explain the cause and reasons to control delegated legislations. Examine the role of judiciary in this context.
7. Write short note on **any two** :
  - a) Doctrine of legitimate expectation.
  - b) Parliamentary control on delegated legislations.
  - c) Privileges of the Govt. in legal proceeding.
  - d) Exercise of discretionary power.

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B/I/11/200



[3940] – 317

**LL.M. (Semester – III) Examination, 2011**  
**LW 317 : RESOURCE MANAGEMENT AND LAW (New)**

Time : 3 Hours

Max. Marks : 60

*Instructions :* 1) Attempt **any four** questions.  
2) **All** questions carry **equal** marks.

1. Examine analytically the problem related with ground water management in India.
2. In what way has the administration of Environmental Law become more integrated over the last few years ? Also explain in what way has it become more fragmented.
3. What are the problems of loss of wetland ? What are the measures to preserve it ?
4. It is argued by jurists that the appropriation of common property by the State is the root cause of poverty and also of the destruction of our natural resources. Do you agree with this argument ? Give reasons.
5. Discuss the contribution of Rio conference on the development of new environmental jurisprudence.
6. Discuss in detail various remedies and strategies evolved by the Indian Supreme Court for protection of environment in India.
7. What factors affect the level from which environmental law originates ? What justifications are there for legislating at the international and national levels ?
8. Write short note on **any two** of the following :
  - a) Sustainable development
  - b) Ancient and medieval writings on environment
  - c) Effect of mining and quarrying on environment
  - d) Utilization of conventional energy.



[3940] – 318

**LL.M. (Semester – III) Examination, 2011**  
**LW-318 : PREVENTION AND CONTROL OF POLLUTION (New)**

Time : 3 Hours

Max. Marks : 60

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

1. The Water Act provides for a permit system or ‘consent procedure’ to prevent and control water pollution. The State Boards established under the Act are entrusted with certain powers and functions in this regard. In this reference, elaborate the role of the State Boards in prevention and control of water pollution.
2. The concept of environment protection has taken a root in the Indian legal system. Despite various legal mechanisms the air pollution is escalating in the densely populated areas and industrial belts. Comment upon the provisions of the Air Act vis a vis their efficacy.
3. What are the different kinds of wastes ? What are the legal provisions for the disposal and recycling of wastes ?
4. The giant corporations are major players in generating the waste and other polluting substances. However they shy away from the corresponding responsibility in environment protection. How far the existing legal sanctions effective in enforcing the corporate liability ?
5. Discuss various provisions under the Criminal Procedure Code, the Indian Penal Code and other laws enacted by local bodies as regards environment protection.
6. Examine the powers of the Central Government, to take measures to protect and improve environment under the Environment (Protection) Act, 1986.
7. Explain in light of decided cases the concept of Absolute Liability of Hazardous Industries.
8. Write short notes (**any two**) :
  - a) Permissible Activities in Coastal Zone
  - b) Incentives for pollution control
  - c) Eco-tourism.



[3940] – 404

**LL.M. (Semester – IV) Examination, 2011**  
**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.

1. What are the constitutional goals enshrined in Constitution Protecting Capital and Labour in Fundamental Rights and Directive Principles of State Policy.
2. There is long line of cases in which the concept of 'Industry' was discussed. In the light of this statement discuss the scope of definition of industry under I.D. Act, 1947.
3. The celebrated statement of law by 'Ludwig Teller' enunciates the scope of 'Industrial adjudication' and is followed and adopted by the courts in the field of industrial adjudication in India. Discuss.
4. All 'retrenchment' is termination of service but all termination of service may not be retrenchment. Discuss judicial review by Supreme Court of India in this context.
5. Supreme Court's decision in 'Indian Iron and Steel Co. V. Their Workmen (1958) and International Labour Organizations Recommendation (No. 119) were reasons for insertion of Sec. 11A in I.D. Act, 1947. State the application and scope of Sec. 11A.
6. Employer is prevented from changing conditions of service to the prejudice of workmen u/sec. 9A. How employee is protected under other provisions (S. 33A, B, C) of I.D. Act 1947 ?
7. How 'workers participation in management' is achieved by constitution ? Give reference of 42<sup>nd</sup> amendment.

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B/I/11/315



[3940] – 46

**LL.M. (Semester – IV) Examination, 2011**  
**LW-009 : INDIAN ADMINISTRATIVE LAW – II (Old)**

Time : 3 Hours

Max. Marks : 60

*Instructions :* 1) Attempt **any four** questions.  
2) **All** questions carry **equal** marks.

1. Discuss critically with the help of appropriate case laws the characteristics and incidents of government contracts in India.
2. Examine critically the wider power of Supreme Court under Article 136 of the Constitution to give relief. Substantiate your answer with appropriate and leading judicial decisions.
3. Is there a justification for applying the doctrine of Promissory estoppels to administrative decision-making while exempting legislative decision-making on the ground of public interest ? Discuss.
4. Would it be desirable to abolish government privilege to withhold official information except in case of “State secrets” ? Elaborate your opinion with appropriate reasoning and decided cases.
5. Examine in detail the power to review public law, exercised by the Supreme Court and High Courts in India through various types of writs.
6. Discuss with the help of appropriate case laws the liability of government to compensate the injured person on the principle of vicarious liability.
7. Discuss the ways in which courts in India have controlled the discretionary powers of administrative authorities on the touchstone of Fundamental Rights. Substantiate your answer with appropriate case laws.
8. “Judicial, administrative and disciplinary control over subordinate judiciary under Article 227 ought to be exercised bearing in mind that High Court’s role is also that of friend, philosopher and guide. By exercising such control the emphasis should not be of punishment but of discouraging repetition of errors or failures.” Elaborate the above statement with the help of appropriate case laws.



[3940] – 102

**LL.M. (Semester – I) Examination, 2011**  
**LW – 102 : LEGAL THEORY AND FEMINIST JURISPRUDENCE – I**  
**(New)**

Time : 3 Hours

Max. Marks : 60

*Instructions: 1) Attempt any four questions.*

*2) All questions carry equal marks.*

1. Jerome Frank's Version of American Legal Realism distinguishes between rules sceptic and fact sceptic and rely upon fatherly figure judge. Explain. **15**
2. Prof. Patterson has considered social interest as an yardstick to balance conflicting interest. Do you agree ? Explain. **15**
3. According to Kelson an efficacy of basic norm or grund norm is based upon the efficacy of the legal order. Explain this theory. **15**
4. The notion of sem-sociological natural law has been putforth and advocated by Prof H.L.A. Hart. Explain the theory and analyse critically. **15**
5. There appears to be similarities and dis-similarities between Austin's theory of law and Hindu jurisprudence. Point out both of them in your answer. **15**
6. Prof. Finnis has rejected morality as the basis of law in his natural law theory and substituted it with practical reasonableness. Explain. **15**
7. History of Natural Law is the history of man-kind and search for an absolute justice. Explain in the light of its incorporation in international and municipal legal system. **15**
8. Write short notes on **any two** : **15**
  - 1) St. Thomas Aquinas
  - 2) Stammler
  - 3) Internal morality
  - 4) Secondary rules.



[3940] – 103

**LL.M. (Semester – I) Examination, 2011**  
**LW-103 : LAW, SOCIAL TRANSFORMATION AND JUDICIAL PROCES**  
**IN INDIA – I**  
**(New Course)**

Time : 3 Hours

Max. Marks : 100

*Instructions: 1) Attempt any four questions.*

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

1. 'The ultimate aim of the law is to change the society peacefully but tradition and culture create hindrance to it'. How far do you agree with this ? Justify your views with the help of apt examples.
2. How does community as a social institution work as a divisible factor irrespective of the fact that India is a secular state ?
3. 'If child and labour are jointly used, then it is the greatest manmade disaster on the earth and has long term adverse effect on human beings'. Comment. Also elaborate the role of Judiciary in solving the problem of child labour.
4. What is the concept of protective reservation under constitution of India ? Who are given the benefit of protective reservation ? Examine the scope and extent of Article 16 of constitution of India in this regard.
5. The Dharmashastras say, 'Dharmo rakshati raksitah'. How is this principle followed in modern period by Indian constitution ?
6. Evaluate the concept and system of Lok Adalat in India.
7. Write short notes on **any two** :
  - a) Media and education
  - b) Sexual exploitation of children
  - c) Modernization of constitution through fundamental duties.



[3940] – 104

**LL.M. (Semester – I) (New) Examination, 2011**  
**LW-104 : RESEARCH METHODS AND LEGAL EDUCATION – I**

Time : 3 Hours

Max. Marks : 60

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

1. Give a consolidated review of objectives of legal education with reference to Indian polity.
2. The contemporary demand of legal education is far from class-room teaching. Discuss.
3. Point out the significance of importance of seminars, symposia and workshops as a part of law school programme. How does the ‘outcome’ of these activities benefit the legal system ?
4. The formation of linguistic states in the constitutional history of India has become a divisive factor today’. Critically comment with the help of law and policies.
5. Discuss the concept of Gram Nayalaya and explain its role in distribution of justice. Give apt suggestions for its effectiveness.
6. Discuss the sources, advantages and limitation of doctrinal and non-doctrinal legal research.
7. What do you understand by ‘science of research’ ? Comment critically upon the contents, nature and scope of scientific legal research.
8. Write a note on **any two** :
  - a) Socio-legal research limitations and difficulties
  - b) Clinical legal education
  - c) Indian Marxist critique of law and justice
  - d) Legal research models.



[3940] – 11

**LL.M. (Semester – I) Examination, 2011**  
**LW-703 : GROWTH OF THE MODERN INDIAN LEGAL SYSTEM**  
**(Old Course)**

Time : 3 Hours

Max. Marks : 60

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

1. What are the causes behind the enactment of the Indian High Courts Act 1861 ? Comment on the salient features of the Act.
2. Discuss the peculiar features of the Privy Council as the highest court of appeal in British India ?
3. Trace the evolution and growth of the Crown's courts and company courts of Madras, Bombay and Calcutta.
4. How did the Adalat systems in India evolve during British period ? Critically evaluate the development of civil and criminal courts under the same.
5. What was the object behind introducing Act of settlement ? What were the legislative powers and jurisdictions provided under the Act ?
6. Discuss the merits and demerits of the Supreme Court along with the case laws and compare it with the present Supreme Court.
7. Trace the origin and development of quasi judicial authorities in India.

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*B/I/11/160*



[3940] – 202

**LL.M. (Semester – II) Examination, 2011**  
**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.

1. What are the different approaches to the Feminist Jurisprudence ?
2. “A right is always coupled with a duty”. Examine the statement in the light of the theory of distribute justice of John Rawls.
3. According to Art. 141, of the constitution, the law declared by the Supreme Court shall be binding on all courts within the territory of India. In the light of the above, discuss the binding nature of the decisions delivered by the Supreme Court on it.
4. Discuss the application and operation of stare decisis in common law and civil law systems.
5. Critically examine the shuttle differences in the application of moral theory in the British and Indian Legal system.
6. Briefly trace the historical background of the concept of Rights.
7. Critically examine the relationship between law and morality.
8. Answer **any two** of the following :
  - a) Discuss the significance of Precedent as a source of Law
  - b) Kinds of Legal Rights
  - c) Authority of Precedent.

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B/I/11/1150



[3940] – 203

**LL.M. (Semester – II) Examination, 2011**  
**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.*

1. Discuss the dimensions and scope of judicial accountability. Explain the importance of fair public criticism as a tool of accountability. What are the steps recently taken in India in pursuance of judicial accountability ?
2. 'Judicial Review is one of the most effective tools in the hands of the judges'. Explain the various dimensions of judicial review in the context of Indian Constitution and the judicial response to such exclusion.
3. In a democratic system, judicial process becomes an instrument of social ordering. Evaluate the importance of judge made law in this process. What are the factors that play an important role in the judicial decision making process ?
4. Discuss the importance of Dharma as the foundation of legal ordering in the Indian thought.
5. Evaluate the judicial process in India by growth of public interest litigation.
6. Explain the common law model of judicial process and creativity of law.
7. Write short notes on **any two** :
  - a) Tools and techniques of judicial creativity
  - b) Judiciary v/s Legislature and Executive
  - c) Theories of justice in the western thought.



[3940] – 204

**LL.M. (Semester – II) Examination, 2011**  
**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 **15** marks.*

1. “Interview constitutes a social institution between two persons”. Explain the characteristics, types and techniques of interview as a tool for data collection.
2. Prepare research design on **any two** of the following topics :
  - 1) Compensatory Jurisprudence in India.
  - 2) Sexual harassment against women.
  - 3) Judicial Activism.
  - 4) Right to education.
3. Define Hypothesis. Discuss the criteria necessary to formulate a workable Hypothesis with the help of illustrations. Draw out the significance and utility of Hypothesis in research.
4. Give an overview of the various types of sampling techniques used in socio-legal research. Point out its utility in research.
5. “Making a careful plan for Data Processing is an integral part of the research Design.” Analyse the stages, objectives and the utility of Data Processing.
6. “Content analysis is a method of studying communication.” Discuss the objectives, characteristics, basic assumptions, steps and utility of content analysis of a communication media.
7. Give a comparative account of the following :
  - 1) Structured and Unstructured Observation.
  - 2) Doctrinal and Non-doctrinal Research.
8. Write short notes on **any two** :
  - 1) Case-study method
  - 2) Historical Research Approach
  - 3) Scaling technique
  - 4) Significance of Ratio-Decidendi in Research.



[3940] – 21

**LL.M. (Semester – II) Examination, 2011**  
**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**.*

1. Trace the 'Action on assumpsit' originated in England and then introduced in India.
2. 'The present civil law in India has a strong base of the concepts under common law and equity in England' comment.
3. What do you understand by codification ? What is its need ? What is the contribution of 1<sup>st</sup> and 2<sup>nd</sup> Law Commission in the history of codification of Indian laws ?
4. What is the concept of 'tort' ? Is it law of tort or law of torts ? Explain English theories in this regard. Differentiate between a tort and a crime and a tort and a contract.
5. Trace the development of law of criminal procedure in England and India.
6. Right to remedy in the form of writs is the special feature of Indian Constitution. Explain the meaning, kinds and jurisdiction of writs in the present Indian legal system.
7. Explain :
  - a) He who seeks equity, must do equity
  - b) Equity follows the law.



[3940] – 301

**LL.M. (Semester – III) (New) Examination, 2011**  
**LW-301 : INTERNATIONAL LAW AND PRACTICE**

Time : 3 Hours

Max. Marks : 60

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

1. Trace the milestones in the emergence and development of International law and international organizations.
2. Comment critically on the aspect of codification and enforcement of international Law.
3. What do you understand by the term 'recognition of State' ? Enumerate and evaluate various theories of recognition.
4. Give a detailed account of the international law relating to sea.
5. How does international law regulate and control arm race in outer space ? Explain with the help of various sources of international law in this regards.
6. Explain various modes by which the State responsibility arises. What is the consequence of State responsibility ?
7. Explain the significance of Vienna Convention on law of treaties. How a treaty is created ?
8. Write note on **any two** :
  - a) Continental shelf
  - b) Termination of treaties
  - c) Retro active effect of treaty.



[3940] – 302

**LL.M. (Semester – III) (New) Examination, 2011**  
**LW-302 : INTERNATIONAL ORGANISATIONS, THEIR ROLE**  
**AND INTERNATIONAL LAW**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt **any four** questions.  
2) **All** questions carry **equal** marks.*

1. 'Security Council and Economic Social Council are the vital organs of the United Nations'. Discuss.
2. Critically Analyse concept of collective security. Discuss the role of Regional Institutions in the context of collective security.
3. Critically evaluate role of NGOs in the promotion of education about Human Rights at International level.
4. Critically analyse the concept of Extradition. What practical difficulties are faced during extradition ?
5. Explain amicable means of settlement of disputes under the International Law. Also discuss their role in resolving Issues of Human Rights.
6. Critically evaluate role played by the Amnesty International in protection and promotion of Human Rights.
7. Write short notes on **any two** :
  - a) Asylum
  - b) Nationality
  - c) Diplomatic agents.



[3940] – 303

**LL.M. (Semester – III) Examination, 2011**  
**LW 303 : PRINCIPLES OF CRIMINAL LAW AND PROCEDURE (New)**

Time : 3 Hours

Max. Marks : 60

**Instructions :** 1) Attempt **any four** questions.

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

1. It is said that criminal law is a weapon in the hands of strong and powerful sections of the society to protect their own interests and maintain status quo in the society. Do you agree with this statement ? Discuss with some of the provisions of Indian Penal Code.
2. ‘Nothing is an offence which is done in the exercise of right of private defence’. Elucidate and explain the object and purpose of the right of private defence.
3. Why is consent a defence to a charge of crime ? Discuss the provisions relating to consent under IPC that will entitle a person to get exemption from criminal liability. Refer to leading case laws.
4. “Every one concedes that the present (legal) definition of insanity has little relation to the truth of mental life”. Comment and explain the desirability of continuing the ‘right and wrong test’ in India.
5. Discuss the important principles incorporated in the provisions of section 76 and section 79 of the Indian Penal Code.
6. Discuss with the help of appropriate case laws the tests evolved by Supreme Court to distinguish between Attempt and Preparation.
7. What is the reason for providing protection to children against criminal wrongs under IPC ? State the justification for treating a child below 7 years differently from a child above 7 years and below 12 years of age ? Discuss.
8. Is *mens rea* a part of Criminal Law in India ? Explain with the help of appropriate case laws.
9. Write a critical comment on right of accused person in criminal trial.



[3940] – 304

**LL.M. (Semester – III) (New) Examination, 2011**  
**LW-304 : CRIMINOLOGY**

Time : 3 Hours

Max. Marks : 60

*Instructions:* 1) Attempt **any four** questions.  
2) **All** questions carry **equal** marks.

1. Karl Marx and William Bonger viewed economy as the root cause of crime. Do you agree that economic factors are related to crime ? **15**
2. The scope of criminology includes the process of making of laws, breaking of laws and the reaction towards breaking of laws. Do you agree with this proposition ? Substantiate your answer with reasons. **15**
3. Critically analyse the concept of victimology and the role played by United Nations' to General Assembly to tackle the problems of victims of crime. **15**
4. Lombrosso is well known for his biological positivism. Does Lombrosso's approach has any relevance with the contemporary approach of crime causation. **15**
5. Critically evaluate the concept of Violence. Explain it with special reference to the Depressed classes in India. **15**
6. Critically examine the institutional and after care services with special reference to juveniles. **15**
7. Critically examine Sutherland's Differential Association theory of crime causation. **15**
8. Define Id, Ego and Super Ego. Explain in the light of Psychological theory of crime causation. **15**



[3940] – 305

**LL.M. (Semester – III) Examination, 2011**  
**LW-305 : LAW OF CONTRACTS (New)**

Time : 3 Hours

Max. Marks : 60

*Instructions :* 1) Attempt **any four** questions.  
2) **All** questions carry **equal** marks.

1. State and explain the relations resembling those created by a contract.
2. Discuss fully the provisions of the Indian Contract Act, 1872 relating to competency of parties to a contract.
3. Consideration is the price for which the promise of the other is bought. Comment.
4. Critically explain the principle underlying relevant statutory provisions and judicial precedents to ascertain the existence of partnership.
5. “No one can transfer a better title than he himself possesses”. Explain the rule and the exceptions to it.
6. Discuss “Liability of a surety is co-extensive with that of the principal debtor, unless it is otherwise provided by the contract”.
7. The rule of “Hadley v/s Baxendale” incorporates the test of forceability-critically explain.
8. Write short notes on **any two** :
  - 1) Pledge
  - 2) Finder of goods
  - 3) Mistake.



[3940] – 306

**LL.M. (Semester – III) Examination, 2011**  
**LW-306 : COMPANY LAW (New)**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt **any four** questions.  
2) All questions carry **equal** marks.*

1. Discuss the notion of corporate personality with special reference to the decision given in Saloman v/s Saloman and Co. Ltd.
2. ‘The Doctrine of indoor management seeks to protect third parties against the company’. Comment. Are there any exceptions to the said rule ?
3. What are the powers of NCLT and Central Government with respect to prevention of oppression and mismanagement.
4. “As fiduciaries, directors must not place themselves in a position in which there is a conflict between their duties to the company and their personal interests”. Illustrate with reference to the provisions of Companies Act, 1956 regarding contracts by directors with the company.
5. How can a company make a compromise or arrangement with its members and/or creditors without going into liquidation.
6. “Winding up brings about an end to the legal existence of a company. It affects not only the status of the company, but also the rights of the share holders, contributories creditors and employees of the company and all those having dealings with the company”. Examine the correctness of this statement with regard to the rights and liabilities of the above parties in the event of a winding up order.
7. What are the different kinds of meetings of the shareholders of a company ? When and how are these meetings held ?
8. Write short notes on **any two** :
  - a) Kinds of shares.
  - b) Doctrine of ultra vires.
  - c) Allotment of shares.



[3940] – 307

**LL.M. (Semester – III) Examination, 2011**  
**LW-307 : TRADE UNIONISM AND COLLECTIVE BARGAINING**  
**(New)**

Time : 3 Hours

Max. Marks : 60

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

1. Examine critically the statutory provisions for the protection of rights of unorganized workers in India.
2. Answer the following :
  - a) Concept of collective bargaining.
  - b) International norms pertaining to freedom of organisation.
3. Discuss the theories of collective bargaining and distinguish between plant level, Industry level and national level bargaining.
4. 'Strikes and lockouts are weapons in the hands of workers and employers to exert pressure against each other to meet their demands'. Explain on the basis of legal norms and judicial response.
5. Explain the process, purpose and utility of workers participation in management with the help of law and policy in India.
6. Examine the provisions of the MRTU and PULP Act, 1971 relating to recognition of Trade Unions and rights and liabilities of the trade unions.
7. In light of the provisions of the Industrial Disputes Act, examine the mechanism for settlement of industrial disputes. How far the Act encourages the collective bargaining mechanism ?
8. Write note on **any two** :
  - a) Multi-unionism-problems and perspectives
  - b) Gherao
  - c) Salient features of National Commission on Labour – II.



[3940] – 309

**LL.M. (Semester – III) Examination, 2011**  
**LW-309 : MEDICAL LAW (New)**

Time : 3 Hours

Max. Marks : 60

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

1. How has the development in Medical Science and Technology helped in the smoother administration of Justice ? Also explain the need of law in regulation of newer issues that are the outcome of inventions of Medical Sciences and Technology.
2. 'No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular no one shall be subject without his consent to medical or scientific treatment'. Explain this on the basis of the provisions in ICMR code.
3. What is medical negligence ? What are its essentials as a tort ? Also discuss the importance of 'Bolam Test' in the development of law relating to medical negligence.
4. What are the bioethical issues involved in prenatal diagnostic techniques ?
5. Give a brief overview of 'Drugs Control Act' and 'Pharmacy Act'. What role do they play in regulating pharmaceutical industries ?
6. What is code of medical ethics ? What are the various duties laid down on doctors under Code of Ethics Regulation 2002 ?
7. What is Surrogacy ? What are the regulations in India to deal with the issues pertaining to it ? Comment on the Artificial Reproductive Technology Bill.
8. Write short notes on **(any two)** :
  - a) Role of IMA in medical education and profession
  - b) IMA V/s V.P. Shantha
  - c) Transplantation of human organs
  - d) Jacob Mathews v/s State of Punjab.



[3940] – 310

**LL.M. (Sem. – III) (New) Examination, 2011**  
**LW-310: INFORMATION TECHNOLOGY LAW**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt any four questions.*

*2) All questions carry equal marks.*

1. “Encryption and Decryption are the two major processes involved in a Digital Signature”. Comment. **15**
2. Discuss the provisions relating to Attribution, Acknowledgement and Dispatch of Electronic Records under the Information and Technology Act, 2000. **15**
3. Explain on-line contracts. What are the essential terms and conditions requisite for entering into an on-line contract ? **15**
4. Discuss the offences and penalties under the Information and Technology Act, 2000. **15**
5. Explain the principles of Data Protection and Data Quality. **15**
6. Discuss the role and importance of Intellectual Property Rights in Cyber World. **15**
7. Critically evaluate the Privacy Protection with special reference to Computer Central Data Banks. **15**
8. Discuss the nature and scope of cyber rights. Explain the inter-relationship between cyber rights, legal rights and fundamental rights. **15**



**LL.M. (Semester – III) (New) Examination, 2011**  
**LW. 311 : CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt any four questions.  
2) All questions carry equal marks.*

1. The nature of civil and political rights may be different but they are inter-related and interwoven. Discuss in the light of classification of human rights. **15**
2. Concept of human rights emerged and evolved from the theory of Natural law and Natural rights. Discuss the philosophical and legal foundations of Human rights. **15**
3. “Child labour is one of the most pressing social problems which International community has been facing”. Explain the efforts taken at National and International level to protect children from exploitation. **15**
4. Genocide is a crime under International law which is contrary to the spirits and aims of United Nations. Comment on the application of the convention and state what difficulties arise while bringing specific acts under the definition of Genocide ? **15**
5. The fundamental rights also include basic human rights available to a prisoner. Discuss the rights of prisoners available at Municipal level. **15**
6. “The existence of the national/ethnic, cultural, religious and linguistic identity of minorities are to be protected within their respective territories by laws and other measures”. Comment. **15**
7. “The convention on the elimination of all forms of Racial Discrimination has influenced several sovereign states to change their legislation and take measures to prevent racial discrimination”. Comment. **15**
8. Write notes on **any 2** : **15**
  - a) Optional Protocol on involvement of children in armed conflict.
  - b) Collective Rights.
  - c) Concept of Human Rights.



[3940] – 312

**LL.M. (Semester – III) Examination, 2011**  
**HUMAN RIGHTS AND INTERNATIONAL ORDER**  
**LW – 312 : (New Course)**

Time : 3 Hours

Max. Marks : 60

*Instructions :* 1) Attempt **any four** questions.  
2) **All** questions carry **equal** marks.

1. Discuss nature and scope of United Nation's Charter.
2. The Universal Declaration of Human Rights is one of the most sacred and significant document which provides plethora of Human Rights at International Level. Comment.
3. Covenant on Civil and Political Rights, 1966 contains the basic human rights required for every human being across the world irrespective of nationality. Discuss the scope and ambit of the covenant.
4. International Court of Justice has played a vital role in the protection and enforcement of Human Rights. Explain.
5. The European Convention on Human Rights is the most significant development which has become a potent force against arbitrariness in Europe. Explain.
6. For enforcement of Human Rights it is not only the judiciary or some commission but along with them NGO's play a vital role. Explain.
7. Covenant on Economic, Social and Cultural Rights, 1966 ingrained and provides basic human rights which are equally important like civil and political rights. Comment.
8. Write short notes on **any two** of the following :
  - 1) Contribution of African Convention on Human Rights in African Countries.
  - 2) UNICEF.
  - 3) UNESCO.



[3940] – 313

**LL.M. (Semester – III) Examination, 2011**  
**LW 313 : ADMINISTRATIVE PROCESS, NATURE AND SCOPE**  
**(New)**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt **any four** questions.  
2) **All** questions carry **equal** marks.*

1. “The definitions propounded by different jurists of administrative law are neither complete nor satisfactory, either they are too broad or too short”. In the light of the above statement discuss the nature and scope of Administrative Law.
2. Examine the doctrine of rule of law as propounded by Dicey. Discuss its importance in the study of administrative law.
3. Define delegated legislations. Examine the factors leading to the growth of delegated legislation.
4. Discuss the ways in which Courts in India have controlled the discretionary power of administrative authorities with the help of fundamental rights.
5. “Article 299 (1) has not been inserted in the Constitution for the sake of mere form but is embodied in the Constitution for the protection of the general public”. Comment.
6. “The old distinction between Sovereign and non Sovereign function should no longer be invoked to determine liability of State”. Comment on the above statement with appropriate case laws.
7. Discuss separation of power theory. Examine its application to Indian legal system.

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B/I/11/205



[3940] – 315

**LL.M. (Semester – III) Examination, 2011**  
**LW-315 : PUBLIC INTERNATIONAL TRADE LAW-ROLE OF UNO – I**  
**(New Course)**

Time : 3 Hours

Max. Marks : 60

*N.B.:* a) Attempt **any four** questions.  
b) All questions carry **equal** marks.

1. “International Trade promotes growth and enhances economic welfare by stimulating more efficient utilisation of factor endowments of different regions and by enabling people to obtain goods from efficient sources of supply”.  
Comment with reference to merits and demerits of the International Trade.
2. Critically examine role and functions of the International Bank for Reconstruction and Development (IBRD).
3. Examine role of UNO in Evolving International Trade Law and New International Economic Order (NIEO) on the following :
  - a) The UN declaration of a New International Economic Order.
  - b) Programme of action on the establishment of a New International Economic Order.
4. “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.

**P.T.O.**



5. “The Preamble declared that the fundamental purpose of the Charter is to promote the establishment of the NIEO based on equality, sovereign equality, interdependence, common interest and co-operation among all states, irrespective of their economic and social system”.

Comment with reference to the Charter of Economic Rights and Duties of States (CERDS).

6. Critically examine role and achievements of the United Nations Conference on Trade and Development (UNCTAD).
7. State and explain sources of International Trade Law.
8. Discuss the following :
  - a) World Bank
  - b) World Intellectual property organisation.



[3940] – 316

**LL.M. (Semester – III) (New) Examination, 2011**  
**LW-316 : PUBLIC INTERNATIONAL TRADE LAW – II (GATT)**

Time : 3 Hours

Max. Marks : 60

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

1. Discuss the salient features of Agreement of establishing WTO. Examine the role of WTO during economic recession.
2. Trace the stages of globalization and the Law that regulated the economic activity under each stage.
3. Examine various conventions and principles of the GATT.
4. What are GATT rules in respect of developing countries ? Comment critically on their effectiveness and viability.
5. Narrate the salient features of GATT 1994. Comment upon its utility and shortcomings.
6. Give a detailed account of the structure and function of WTO and its role in global trade regulation.
7. Write note on **any two** :
  - a) Reciprocity and free Rider's problem
  - b) International Trade and Regionalism
  - c) Intellectual Property Rights and Global Trade.

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B/I/11/170



[3940] – 32

**LL.M. (Semester – III) Examination, 2011**  
**LW 904 : PRINCIPLES OF CRIMINAL LAW (I) (Old)**

Time : 3 Hours

Max. Marks : 60

*Instructions* : 1) Attempt **any four** questions.  
2) **All** questions carry **equal** marks.

1. What are the moral limits of the Criminal Law ? How has criminal law scholars tried to grapple with this question ? Explain.
2. What is meant by principle of first degree and principle of second degree ? Discuss the scheme of Indian Penal Code with reference to the same.
3. Discuss the ‘subjective’ and ‘objective’ theory of criminal liability. Which of the above theory is reflected in the Penal Code ?
4. Examine the impact of exclusion of *mens rea* in India in the light of Supreme Courts judgments in M.H. George and *Kartar Singh*. Whether the law emerging from these case laws in correct ?
5. Examine critically the various definition of crime propounded by different jurist. Which according to you is the most appropriate one ? Why ?
6. “All Crimes are local. The jurisdiction over crime belongs to the country where the crime is committed”. Elaborate.
7. Discuss various theories of fixing criminal liability of corporation.
8. Give a brief history of development of the concept of criminal liability under Common Law.

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B/I/11/170



**LL.M. (Semester – III) Examination, 2011  
(Old)**

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

Time : 3 Hours

Max. Marks : 60

*N.B:* a) Answer **any four** questions.

b) **All** questions carry **equal** marks.

1. Trace the origin and development of the concept of social security in India and its significance.
2. “The employer is liable to pay compensation under the Workmen’s Compensation Act, 1923, if personal injury is caused to workman by accident arising out of and in the course of employment”.  
Comment in the light of leading cases.
3. “The Employees’ Provident Funds and (Miscellaneous Provisions) Act, 1952 is a beneficial legislation enacted as a measure of Social Justice”. Comment with reference to relevant provisions of the Act.
4. Discuss the constitution and powers of the Employees’ Insurance Court and in this context point out the matters which can be decided by the Employees’ Insurance Court under the Employees State Insurance Act, 1948.
5. “Gratuity is paid not for the long and continuous period of service but for the long, continuous and meritorious service rendered by the employee”.  
Examine the above statement in the light of relevant provisions of the Payment of Gratuity Act, 1972.
6. Critically examine the nature and scope of Maternity Benefits. What are the rights of employed women under the Maternity Benefits Act, 1961 ?
7. “The Fatal Accidents Act, 1855 was enacted to provide compensation to families for loss occasioned by the death of a person caused by actionable wrong”.  
Comment.
8. Write notes on the following:
  - a) Discuss the definition of workman and defence of common employment barred under the Employers’ Liability Act, 1938.
  - b) Recommendation of the Second National Commission on labour in respect of Social Security.



[3940] – 35

**LL.M. (Semester – III) Examination, 2011**  
**LW - 910 : LAW OF CONTRACT – (I)**  
**Principles of Contract (Old)**

Time : 3 Hours

Max. Marks : 60

*Instructions: 1) Attempt any four questions.*

*2) All questions carry equal marks.*

1. Define contract and explain the concept of contract through its various objective and subjective theories.
2. Precisely define the scope of principle of promissory estoppel. Whether it serves to suspend or extinguish the existing contractual obligation.
3. “Terms” in a contract is an integral part of contract. Distinguish a mere statement from the “terms” of contract.
4. Define consideration. Analyze the doctrine of consideration under English law and Indian law. Whether an informal gratuitous promise amount to contract ?
5. “The law limits the capacity of certain persons to bind themselves by a promise, or to enforce a promise made to them”. Explain with reference to factors tending to defeat contractual liability.
6. Discuss under what circumstances a contract need not be performed under Indian Contract Act.
7. A prohibitory injunction restrains the breach of a negative stipulation whereas mandatory injunction compels the positive performance of an act. Explain.
8. Write short note on **any two** of the following :
  - a) Unjust enrichment.
  - b) Implied and express contract.
  - c) Reciprocal promise.
  - d) Agreement in restraint of trade.



[3940] – 36

**LL.M. (Semester – III) Examination, 2011**  
**LW-911 : CORPORATE LAW – I (Old)**

Time : 3 Hours

Max. Marks : 60

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

1. “Company is an intricate, centralised, economic administrative structure run by professional managers who hire capital from the investor”. In the light of above statement discuss nature and characteristics of company.

OR

1. Explain company formation, documents to be filed with registrar for this purpose. Explain promoters role in company formation and pre-incorporation contracts.
2. “The doctrine of indoor management is a ‘silver lining’ to strangers dealing with the company”. Comment.

OR

2. What do you understand as share capital ? What are the different kinds of share capital ?
3. Define prospectus. Explain its legal contents, its registration, effect of misstatement in it, penalty arising out of it and statement in lieu of prospectus.

OR

3. Distinguish between ‘transfer’ and ‘transmission of shares’. Explain the procedure for transmission of shares.
4. What is Memorandum of Association ? Explain the law relating to alteration of object clause.

OR

4. Explain the law relating to debentures. What are other kinds of securities available under the Companies Act, 1956 ?



[3940] – 37

**LL.M. (Semester – III) Examination, 2011**

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

Time : 3 Hours

Max. Marks : 60

*Note: 1) Answer **any four** questions.*

*2) All questions carry **equal** marks.*

1. Can a tax structure of a country solve all problems of economic development ?  
Explain in detail.
2. What are the different types of Taxes that can be levied under the Constitution ?  
Also what are the provisions of the Constitution regarding service tax and what was the need to introduce service tax ?
3. 'No tax can be levied without the authority of law'. Explain with the help of case laws. What are the principles enunciated by the judiciary while examining the vires of a taxing statute ?
4. Critically evaluate the contribution of the judiciary to tax jurisprudence while interpreting the taxing statutes. Which rules of interpretation have been predominantly applied by the judiciary in tax cases ?
5. Critically examine the doctrine of mutual exemption from taxes. Is it applicable in India ?
6. Explain in detail the relevance of promissory estoppel in tax statutes.
7. Write a critical note on :
  - a) Doctrine of pith and substance
  - b) Colourable legislation.
8. Do you agree with the statement that indirect taxes are inferior to direct taxes in terms of equity ? Explain in detail canon of equity to evaluate this statement.



[3940] – 38

**LL.M. (Semester – III) (Old) Examination, 2011**  
**LW – 913 : TAX ON INCOME**

Time : 3 Hours

Max. Marks : 60

*Instructions: a) Answer any four questions.*

*b) All questions carry equal marks.*

1. Critically examine the powers of Income-Tax Authorities with special reference to search and seizure under the Income-Tax Act, 1961. How long the seized record and assets may be retained by the Income Tax Authorities ? Describe how the retained assets are dealt with ? Refer relevant case laws.
2. What is 'Annual value' under the Income Tax Act, 1961 ? What deductions are allowed from annual value in computing the Taxable income from the house property ?
3. "The incidence of income-tax depends upon the residential status of an assessee". Comment.
4. How is the income under the head 'Profit and Gains of business or profession' assessed to Income Tax ? What are the deductions available under the Income-Tax Act, 1961 ?
5. Explain the following :
  - a) Best Judgement Assessment
  - b) Income Escaping Assessment

**P.T.O.**



6. “An assessee is not only liable in respect of his own incomes for tax purposes but his liability may extend to some other incomes also”. Comment on the statement.
7. Critically examine the definitions of ‘Income, Person, Business, Previous Year and Assessment Year’ under the Income-Tax Act, 1961.
8. Write notes on the following :
  - a) Recovery of Tax
  - b) Aggregation of Income and Set off, Carry forward of loss.

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**LL.M. (Semester – III) (Old) Examination, 2011**  
**LW-914 : ECONOMIC LEGISLATIONS**

Time : 3 Hours

Max. Marks : 60

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

1. Critically examine the provisions relating to ‘Levy and collection of duty’ under the central Excise Act, 1944.
2. Examine the provisions relating to ‘Adjudications of confiscations and penalties’ under the Central Excise Act, 1944.
3. Define the ‘Foreign Security’ and state the provisions relating to ‘Regulation and Management of Foreign Exchange’ under the Foreign Exchange Management Act, 1999.
4. Examine the following with reference to the Foreign Exchange Management Act, 1999 :
  - a) Directorate of Enforcement
  - b) Appeal to Appellate Tribunal.
5. State, explain and analyze the rationale, the underlying principles and implication of statutory provisions relating to ‘Prohibition on Importation and Exportation of Goods’ under the Customs Act, 1962.
6. Critically evaluate the powers, duties and functions of the authorities under the Customs Act, 1962 and the Central Excise Act, 1944.
7. Write notes on **any two** of the following :
  - a) Non-reversal of CENVAT credit under the Central Excise Act.
  - b) Goods in Transit, warehousing and Drawback under the Customs Act.
  - c) Clearance of Imported Goods and export goods under the Customs Act.



[3940] – 40

**LL.M. (Semester – III) Examination, 2011**  
**LW-915 : MERCANTILE LAW**  
**(Old Course)**

Time : 3 Hours

Max. Marks : 60

*Instructions: 1) Attempt **any four** questions.  
2) All questions carry **equal** marks.*

1. Trace the evolution of Industrial Finance Corporation. Examine the role of Reserve Bank in institutional frame-work of Industrial Finance Corporation.
2. What are the restrictions on the activities relating to banking companies in certain cases, under the existing legal system in India ?
3. Discuss the provisions of Banking Regulation Act, 1949 relating to licensing of banking companies.
4. With reference of judicial pronouncements, discuss the procedure in case of dishonour of negotiable instrument under the Negotiable Instruments Act.
5. State, explain and critically analyze the law relating to ‘acceptance and payment’ of negotiable instrument.
6. What do you mean by a ‘Bill of Exchange’ and a ‘Cheque’ ? Write essentials of them and point out the differences in them.
7. Write notes on **any two** of the following :
  - a) Credit Guarantee Scheme
  - b) Amendment of 2002 to Negotiable Instruments Act, 1881
  - c) Liability of the ‘Parties’ to the Negotiable instrument
  - d) Rehabilitation of Sick Industrial Units.



[3940] – 401

**LL.M. (Semester – IV) Examination, 2011**  
**LW-401 : INTERNATIONAL HUMANITARIAN LAW (New)**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt **any four** questions.  
2) All questions carry **equal** marks.*

1. What are the different categories of use of force under International Law ? Explain, the law of use of force before 1945. **15**
2. Discuss the dangers of nuclear warfare and briefly explain the various ways and means to control it. **15**
3. Examine the role of Red Cross in promoting the welfare of the persons affected by war. **15**
4. Discuss, the provisions for ‘prisoners of war’ under International Humanitarian Law. **15**
5. Explain , the law in relation to ‘contraband’. **15**
6. Who is a ‘Refugee’ ? Explain, the role of International Refugee Organisation. Examine, nature and scope of law of Refugee. **15**
7. Write short notes on **any two** : **15**
  - a) International Criminal Court
  - b) Amelioration of wounded and sick
  - c) Neutrality.

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B/I/11/315



[3940] – 402

**LL.M. (Semester – IV) Examination, 2011**  
**LW – 402 : PENOLOGY (New)**

Time : 3 Hours

Max. Marks : 60

*Instructions: 1) Attempt any four questions.*  
*2) All questions carry equal marks.*

1. Reformative Theory is the need of the hour. Explain with reference to the merits and demerits of other theories of punishment. **15**
2. The history of early penal systems of most countries reveal that the punishments were torturous, cruel and barbaric in nature. Discuss the transition in the forms of punishment from ancient to modern times. **15**
3. “Police officials justify custodial torture as a necessary evil to keep growing crime rate under control”. Do you agree with this statement ? If yes, what about the Human rights jurisprudence demand ? **15**
4. Explain the history of prison reform in India. What modifications should be brought about in Prison administration for improving the efficiency of these functions ? **15**
5. The probation officers employed in correctional services play a vital role in bringing about rehabilitation and reformation of offenders and making them useful members of society. Comment on the role and functions of probation officers. **15**

**P.T.O.**



6. “Parole hasa twin purpose to achieve ; protection of society and rehabilitation of the offender”. Explain the object of parole and differentiate it from probation. **15**
7. Drug abuse is an ineritable result of number of social, economical and cultural factors of contemporary society. Discuss the causes of Drug Addiction and the Drug legislations in India. **15**
8. Discuss the nature, scope and importance of Penology. **15**

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[3940] – 403

**LL.M. (Semester – IV) Examination, 2011**  
**LW-403 : BUSINESS LAW (New Course)**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt any four.*

*2) All questions carry equal marks.*

1. State and explain the powers of Reserve Bank of India under the Banking Regulation Act, 1949.
2. State and explain the various kinds of endorsement under the Negotiable Instrument Act, 1881.
3. Discuss the dishonour of Negotiable Instrument in detail.
4. What are the benefits of insurance ? State and explain the various kinds of Insurance.
5. Explain the composition, jurisdiction, powers and procedure of National Consumer Disputes Redressal Commission under the Consumer Protection Act, 1986.
6. Discuss the new dimension given by the judiciary to the definition of “service” under the Consumer Protection Act, 1986.
7. What are the different types of Marine Insurance policies ? Explain with the help of case laws.
8. Write short notes on **any two** :
  - a) Content of protest and notice of protest
  - b) Licensing of banking companies
  - c) Rights of consumer
  - d) Liability Insurance.

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B/I/11/550



[3940] – 405

**LL.M. (Semester – IV) Examination, 2011**  
**LW-405 : BIOTECHNOLOGY LAW (New)**

Time: 3 Hours

Max. Marks : 60

*Instructions : 1) All questions carry equal marks i.e. 15 each.*  
*2) Do attempt any four.*

1. Discuss the applicability of biotechnology in various fields and the required legal intervention therein.
2. Discuss the impact of biotechnology on biological diversity. Evaluate the Legal Regulation of Biological Diversity in India.
3. Explain the concept of bio-piracy. What role can the law play to control the menace ?
4. Give a detailed account of intellectual property relating to biotechnological inventions in the nature of product and process.
5. Examine the Human Right perspective relating to the rights of the farmers and the role of the Indian laws to protect the same.
6. What do you understand by genetic mutation of seeds and plants ? Examine with illustrations the bio-ethical and legal issues relating to commercial exploitation for production of genetically engineered products.
7. Give an overview of the Plant Variety Protection and Farmers' Rights Act 2001 and comment on the National Seed Policy as a device to protect farmers' rights.
8. Note on **any two** :
  - a) Uses and abuses of amniocentesis.
  - b) Bio-hazards in recombinant DNA research.
  - c) Experimentation on human beings and law.



[3940] – 406

**LL.M. (Semester – IV) Examination, 2011**  
**LW 406 : PROTECTION AND ENFORCEMENT OF HUMAN RIGHTS**  
**IN INDIA (New)**

Time : 3 Hours

Max. Marks : 60

*Instructions: 1) Attempt **any four** questions.  
2) All questions carry **equal** marks.*

1. Examine critically the reflection of Universal Declaration of Human Rights in Part III of the Indian Constitution.
2. Discuss the composition and functions of National Minorities Commission. Do you think it is effective in protecting the Human Rights of the Minorities in India ?
3. Discuss the rights of women guaranteed under the Indian Constitution. Also discuss the role of higher judiciary in expanding the rights of women in India.
4. Whether an unborn child is a 'person' entitled to Human Rights under Indian legal system ? Substantiate your answer with help of relevant constitutional and statutory provisions and case laws.
5. Discuss the role of Indian Supreme Court in developing human rights jurisprudence in India.
6. Write a critical comment on the working of National Human Rights Commission in India.
7. Discuss the various types of economic, social and cultural rights guaranteed under the Indian Constitution.

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*B/I/11/410*



[3940] – 407

**LL.M. (Semester – IV) (New) Examination, 2011**  
**LW – 407 : COMPARATIVE ADMINISTRATIVE LAW**

Time : 3 Hours

Max. Marks : 60

*Instructions: 1) Attempt any four questions.*  
*2) All questions carry equal marks*

1. Examine in detail the origin and development of Administrative Law in USA.
2. “The British Constitution is founded on the ‘Rule of Law’, and administrative law is the area where this principle is to be seen in its most active operation”. Elaborate.
3. Discuss the grounds and remedies of judicial review of administrative action in England.
4. Discuss the necessity, utility and suitability of the institution of Ombudsman in India.
5. Discuss the doctrine of Parliamentary Sovereignty in England.
6. Write a critical comment on the civil liberties available to a person in England.
7. Compare analytically the evolution of Administrative Law in England and France.

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B/I/11/420



[3940] – 408

**LL.M. (Semester – IV) Examination, 2011**  
**LW-408 : BASIC ASPECT OF PRIVATE INTERNATIONAL**  
**TRADE LAW (New)**

Time : 3 Hours

Max. Marks : 60

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

1. Enumerate the law relating to offer, acceptance and price consideration in the International sales contract with the help of relevant conventions and protocol.
2. What do you understand by frustration of contract ? How does the law of International contract deal with legal issues arising out of frustration of contract.
3. Examine the concept of non-judicial dispute settlement with reference to international arbitration, protocol and conventions relating to the same.
4. In an international sale of goods what are the rights and duties of the buyers and sellers. Examine with specific reference to international norms.
5. Give a detailed account of the law on carriage of goods by sea under the International Trade Law.
6. Discuss the following :
  - a) Liability of ship owner for loss or damage of goods
  - b) Contract of carriage by sea
7. Discuss the law relating to financing and payment in International Trade Law. What are the provisions to regulate and control foreign investments ?
8. Write short notes on :
  - a) United Nations Code of Conduct for Transnational Corporations.
  - b) Convention for the Unification of Certain Rules for International Carriage by Air 1999, Montreal
  - c) Role of WTO under Private International Trade Law.
  - d) Protocols and Conventions for Bills of Lading.



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**LL.M. (Semester – IV) Examination, 2011**  
**LW-409 : ENVIRONMENT AND INTERNATIONAL LEGAL ORDER**  
**(New)**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt any four questions.*

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

1. The early efforts of the international community prior to the Stockholm Declaration albeit sporadic, primarily bilateral as opposed to multilateral, and decidedly unsystematic, nevertheless materially contributed to the development of international environmental law. In the light of the above statement examine the role of international and regional organizations in the protection of environment.
2. Environmental law bridges policies and actions to achieve goals for the protection of the environment and sustainable development, providing a structure to support systems of environmental governance. Comment with suitable examples.
3. The concerted efforts of the United Nations and the World Bank to encourage a more sustainable global economic development have resulted in the establishment of the Global Environment Facility (GEF). Elucidate the role and functioning of the GEF.
4. Oceans are home to an enormous range of species- many still undiscovered. They influence climate, the carbon cycle and support an impressive diversity life forms. Environmental degradation in the marine environment is likely to have a major impact on the planet as a whole and humanity in particular. What are the causes of marine pollution and what legal measures are adopted to protect marine environment ?
5. Environmentally hazardous activities of Multinational Corporations effect the local population in a variety of ways. What legal mechanism is available to tackle these multidimensional issues ?

**P.T.O.**



6. Sustainable Development can be achieved through the co-operation between the rich and the poor nations. Give your views on the basis of some relevant examples.
7. What are the various types of trans boundary pollution hazards ? What are the provisions under International Environment Law to control such pollution. ?
8. Write short notes (**any two**) :
  - a) Acid rain.
  - b) Disaster management at international level.
  - c) Space pollution.

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**LL.M. (Semester – IV) Examination, 2011**  
**LW-001 : PUBLIC INTERNATIONAL LAW – II**  
**(Old Course)**

Time : 3 Hours

Max. Marks : 60

*Instructions:* A) Answer **any four** questions.  
B) All questions carry **equal** marks.

1. “International Treaties are agreements of a contractual character, between States or organisations of States, creating legal rights and obligations between the parties”. Oppenheim. Comment with illustrations.
2. Discuss the following :
  - a) Constitutional provisions regarding conclusion of treaties.
  - b) Interpretation of Treaties by Indian Courts.
3. Define the term ‘Neutrality and examine the rights and duties of the Neutral states.
4. “Oppenheim defines war as contention between two or more States through their armed forces for the purpose of overpowering each other and imposing conditions of peace as the victor pleases.”  
Comment and discuss the immediate effects of outbreak of war on various normal relations of States.
5. State and explain Peaceful means of Settlement of International disputes.
6. Critically examine the role of regional institutions in collective security.
7. Explain the following :
  - a) Belligerent occupation
  - b) Punishment of war crimes.
8. Write short notes on the following :
  - a) Use of Force in self-preservation
  - b) Economic warfare.



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**LL.M. (Semester – IV) (Old) Examination, 2011**  
**LW-002 : PRIVATE INTERNATIONAL LAW (II)**

Time : 3 Hours

Max. Marks : 60

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

1. Examine the provisions of private International Law for determining the law applicable for formalities of marriage and capacity to marry.
2. “The role of private International Law is to specify the legal system according to which the rights and liabilities of the parties must be determined”. Discuss in relation to the choice of law applicable to Torts committed abroad.
3. Comment on the choice-of-law rules applicable to foreign adoptions in India. Refer to the leading cases decided by the Supreme Court of India.
4. “It is now well settled that by English Law the proper Law of the contract is the law which the parties intended to apply” Comment. How the intention of the parties is ascertained where there is no choice of the proper law ?
5. a) Explain the nature of conflict in International Law regarding the appointment and authority of a guardian.  
b) Distinguish between Legitimacy and Legitimation. What law governs legitimacy of a child ?
6. Critically examine concept of divorce under private International Law. Discuss test of Jurisdiction in divorce. Illustrate your answer with relevant Indian judicial precedents.
7. Write notes on the following :
  - a) Concept of status and characteristics of status.
  - b) Mode of discharge of contract.



**LL.M. (Semester – IV) Examination, 2011**  
**LW-007 : PRINCIPLES OF WAGES FIXATION AND**  
**THE LAW OF WAGES**  
**(Old Course)**

Time : 3 Hours

Max. Marks : 60

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

1. “The Employees are entitled to the minimum wage at all times and under all circumstances. An Employer who can not pay the minimum wage has no right to engage labour and no justification to run industry”.

Critically examine the above statement in the light of Supreme Court decisions and discuss the procedure for fixing and revising minimum rates of wages in respect of any scheduled employment under the Minimum Wages Act, 1948.

2. “The Payment of Wages Act, 1936 provides that the wages are to be paid in a particular form and at regular intervals and without any unauthorised deductions”.

Comment with reference to authorised deductions from the wages of an employed persons under the payment of wages Act, 1936.

3. Explain the concept of ‘Bonus’. How is it calculated under the Payment of Bonus Act, 1965 ? Examine the current controversy with regard to the nature of Bonus in India.
4. Critically examine the powers and Jurisdiction of the Authority under the Payment of Wages Act, 1936.
5. Explain the following with reference to the Payment of Bonus Act, 1965 :
  - a) Set on and set off of Allocable surplus.
  - b) Eligibility and disqualification for Bonus.
6. Critically examine the various Theories of Wages.
7. Write short notes on the following :
  - a) Application and non application of Payment of Bonus Act, 1965.
  - b) Concepts of Fair and Living Wages.



**LL.M. (Semester – IV) (Old) Examination, 2011**  
**LW 008 : BRITISH ADMINISTRATIVE LAW**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt **any four**.*

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

1. Trace the evolution of Administrative Law in England and discuss its scope, content and objects.
2. Discuss the legal status of the administrative authorities in England and explain the legal nexus of the authorities with the Parliament, Judiciary and the Crown.
3. Trace the objects and reasons that have contributed in passing of the Statutory Instruments Act, 1948. How has it created safeguards against the system delegated legislations in England ?
4. Critically examine the Crown Proceeding Act in restructuring the Crown's liabilities and principles under the English law.
5. Establish the nexus between the doctrine of Ministerial responsibility and the institution of Parliamentary Commissions for administration. Point out the achievements and failures of the law relating to Parliamentary Commissioners in controlling mal-administration in England.
6. Discuss the origin and development of public corporations in the United Kingdom and evaluate its relevance and significance at present.
7. What do you understand by the law relating to statutory enquiries ? How do they help in good governance and delivery of administrative justice ? Answer in light of statutory judicial law.
8. Write notes on **any two** :
  - a) Doctrine of Natural justice under administrative law
  - b) The law relating to administrative tribunals
  - c) Grounds of Judicial review
  - d) Remedies and relief to individuals against abuse of power by the administrators.



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**LL.M. (Semester – IV) Examination, 2011**  
**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.*

1. Define 'Unpaid Seller'. What are rights of unpaid seller ?
2. 'A partner has a right to do business which can not be fettered by any court unless there is a contract to the contrary'. Do you agree with this ? Justify your answer in the light of relations of the partners inter-se.
3. What are the remedies available under Sale of Goods Act for breach of contract ?
4. What are the various ways to dissolve the partnership ? Discuss the judicial trend.
5. The agency can be terminated or revoked in various ways and in different circumstances. What are the rules required to be observed in this process ?
6. What are the duties of a bailee under a contract for goods ?
7. The rights of the sureties are coextensive with that of the principal debtor. What are the rights recognised to him as against principal debtor, creditor and sureties ?
8. Write short notes on **any two** :
  - i) Rights of agents and duties of principal
  - ii) Partnership and company
  - iii) Caveat emptor
  - iv) Settlement of accounts between partners.



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**LL.M. (Semester – IV) (Old) Examination, 2011**  
**LW – 011 : CORPORATE LAWS – II**

Time : 3 Hours

Max. Marks : 60

*Instructions: 1) Answer any four questions.*

*2) All questions carry equal marks, in 15 each.*

1. What are the circumstances in which investigation into the affairs of a company can be ordered ? Explain with rights, duties and powers of inspectors in such an investigation.
2. “Winding up brings an end to the legal existence of a company. It affects not only the status of the company but also the rights of the shareholders, contributors, creditors and employees of the company and all those having dealings with the company”. Examine.
3. “An Auditor is a watch dog and not a bloodhound”. Discuss this statement with special reference to an auditor’s duties, powers and liabilities.
4. Why the Sick Industrial Companies (Special Provisions) Act 1985 has been replaced ? What are the relief provided to Sick Industrial Companies ?
5. ‘The court can wind up the company on just and equitable grounds. Explain.
6. What are the methods by which amalgamation/reconstruction of a company can be carried out ? Explain with the rights and liabilities of shareholders.

**P.T.O.**



7. What are the different kinds of meetings of a company ? Explain with the liability of directors.
8. Write short notes on **any two** :
  - a) Difference between Inspection and Investigation under the Companies Act.
  - b) What are the different type of winding up ?
  - c) Position, powers and duties of liquidators.
  - d) Prevention of oppression and mismanagement.

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**LL.M. (Sem. – IV) Examination, 2011**  
**LW-012: CURRENT TAX PROBLEMS AND TAX REFORMS**  
**(Old Course)**

Time : 3 Hours

Max. Marks : 60

*N.B:* a) Attempt **any four** questions.

b) **All** questions carry **equal** marks.

1. Critically examine the concepts of 'Black Money' 'Tax Evasion' and 'Tax Avoidance' in the light of Judicial Pronouncements and Recommendations of various Tax Committees.
2. "Generally an assessee is taxed in respect of his own income. In some cases, however, the Income - Tax Act deviates from this principle and the assessee may be taxed in respect of income which legally belongs to some other person". Comment with reference to relevant provisions of the Income Tax Act, 1961
3. "Searches, surveys, penalties and prosecutions are the measures to curb tax evasion and unearthing black money".  
Examine the above statement with reference to the relevant provisions of the direct Taxes Laws. Refer relevant Judicial precedents.
4. "Hindu undivided Family is treated as a separate Taxable entity for the purpose of Income - tax assessment".  
Comment and explain the basic conditions for the assessment of Hindu Undivided Family and basis of computation of taxable income of Hindu Undivided Family under the Income - Tax Act, 1961.
5. "The uniform and progressive Taxation of Agricultural Income is needed to ensure that Agricultural income ceases to offer any scope for tax evasion and also on grounds of equity and distributive justice. Comment.
6. "Income - tax in India is no longer a tax merely on income as that term is normally understood". Comment with reference to the proposal of Direct Tax Code.
7. Write short notes on **any two** of the following:
  - a) Tax Planning.
  - b) Problems of Tax Recovery.
  - c) Exemption of income of charitable trust or institutions under the Income Tax Act, 1961.



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**LL.M. (Semester – IV) Examination, 2011**  
**LW-013 : TAX ON CAPITAL AND TRANSACTIONS**  
**(Old Course)**

Time : 3 Hours

Max. Marks : 60

*N.B. : 1) Answer **any four** questions.  
2) All questions carry **equal** marks.*

1. The scope of liability to wealth tax depends upon the citizenship and residential status of an assessee. Discuss.
2. Explain the provisions regarding Deemed Assets u/s 4 of the Wealth Tax Act, 1957.
3. Discuss the provisions regarding penalties under the Wealth Tax Act, 1957.
4. What is Small Scale Industry (SSI) units for excise duty purpose ? What are the concessions available to an SSI in relation to excise duty ?
5. What are the duties eligible for Cenvat Credit ? State the general procedure to avail credit under Cenvat.
6. When a sale or purchase of goods is said to take place in the course of Inter-State Trade or commerce ?
7. Explain the provision of the C.S.T. Act regarding registration of dealers.
8. Write short notes on the following (**any three**) :
  - a) Declared goods (C.S.T.)
  - b) Authorities under Central Excise Act.
  - c) Place of Business (Maharashtra Sales Tax)
  - d) Valuation Data (W. Tax).



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**LL.M. (Semester – IV) (Old) Examination, 2011**  
**LW-014 : INTELLECTUAL PROPERTY LAWS**

Time : 3 Hours

Max. Marks : 60

*Instructions : 1) Attempt **any four** questions.*

*2) Figures to the **right** indicate **full** marks.*

1. Define Patent. Explain in detail patentable and non-patentable inventions. **15**
2. What is meant by infringement of patent ? Explain the remedies available in case of infringement of Patent. **15**
3. Explain the procedure for registration of copy rights. What are the legal effects of such registration ? **15**
4. Who is an author ? Explain the work in which copy right subsists. **15**
5. Discuss the concept of "Deceptive similarity" under the Trade Mark Law. **15**
6. Critically differentiate between the Infringement of Trade mark and passing off. **15**
7. Define the term "Design" and discuss provisions, relating to the 'Registration of Designs' under the Designs Act. **15**
8. Write short notes on **any two** : **15**
  - a) Performers rights.
  - b) Assignment of Trade marks.
  - c) Patents of addition.



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**LL.M. (Semester – IV) Examination, 2011**  
**LW-015 : INTERNATIONAL TRADE LAWS (Old)**

Time : 3 Hours

Max. Marks : 60

*Instructions :* 1) Attempt **any four** questions.  
2) *All questions carry equal marks.*

1. Describe the evolution of 'International Trade Law'. Also set out the objectives/ goals of International Trade Law.
2. Discuss the structure, powers and functions of WTO.
3. Discuss major issues of promotion of Foreign Investment and Transfer of Technology involved in the promotion of International Trade with special reference to India.
4. Critically examine the MFN (Most Favoured Nation) treatment.
5. Critically examine the effects of the issue of Multi-national Corporations and Development Aid on India. How these problems are solved legally ?
6. Critically evaluate the provisions relating to settlement of International Trade Disputes under WTO machinery and World Bank.
7. What is the impact of Bilateral Investment Trade Agreements on the developing economies of the world ?
8. Write short notes on **any two** :
  - 1) UNCITRAL model on conciliation.
  - 2) Restrictive Business Practices.
  - 3) Development Aid.



**LL.M. (Semester – IV) Examination, 2011**  
**LW – 004 : PRINCIPLES OF CRIMINAL LAW – II (Old)**

Time : 3 Hours

Max.Marks : 60

*Instructions : 1) Attempt any four questions.*  
*2) All questions carry equal marks.*

1. 'The right of private defence extends not only to the protection and defence of one's own body, but also the body of any other person against any offence affecting the human body'. Elaborate.
2. "Ignorance of fact excuses ignorance of law does not excuse". Elaborate this maxim as is enunciated in the Indian Penal Code.
3. "Sec. 77 and 78 confers protection to the judges and their executive officers to ensure the independence of the judiciary and to enable them to discharge their duties fear lessly". How can we justify this exemption from criminal liability ? Substantiate with relevant case laws.
4. Discuss fully the law relating to immunity from criminal liability to child offenders which is provided under Sec 82 and 83 of IPC.
5. Critically examine the rule regarding burden of proof when the accused invokes plea of General Defences under IPC. Answer in the light of relevant case laws.
6. One of the principles of law is 'de minimus non curat lex'. The law does not concern itself with the trifles. Explain this principle in the light of Sec 95 of IPC.
7. Write a detailed note on rights of an accused person.
8. Write short notes on **any two** :
  - a) Accident as a defence
  - b) Consent as defence
  - c) Legal aid-as a matter of right.