

**67751**

**LL.M. 2nd Semester Examination-  
May, 2016**

**INTERPRETATION OF STATUTES AND  
PRINCIPLES OF LEGISLATION**

**Paper : M-04**

**Time : 3 hours**

**Max. Marks : 80**

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Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

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**Note :** Part-A is **compulsory**, having 8 questions (3 marks each). Part-B is having eight questions. Attempt any **four** questions.

**SECTION - A**

1. Define in brief :

- (a) Difference between Interpretation and Construction
- (b) Explain "Casus Omissus."
- (c) Golden Rule

- (d) Rule of Ejusdem Generis
- (e) Proviso
- (f) Theory of Utility
- (g) Social Engineering
- (h) Marginal notes

### **SECTION - B**

2. "The court cannot add words to a statute or read words into it which are not there. The courts shall decide what the law is and not what it should be. The court will of course, adopt a construction which will carry out the obvious intention of legislature." Discuss with reference to decided Indian cases.
  
3. "In the part, the judges and lawyers spoke of the 'Golden Rule' by which statutes were to be interpreted according to the grammatical or literal meaning, unmindful of the consequences." Analyse the statement in the light of Supreme Court Judgement in *Kehar Singh v. The State (Delhi•Admin)* AIR 1988 sc 1883.

4. Explain the principle of utility as advocated by Sir Jermy Bentham.
5. Write notes on the following :
  - (a) Ascetic principle
  - (b) Political good and evil
6. "The rule laid down in Heydon's case in England as far back as 1584 is a sound rule of construction of statutes and is equally applicable to the construction of statutes in India." Discuss the rule with reference to some decided cases.
7. "The degree of strictness to be applied in the construction of a penal statute depends on the severity of the statute." Do you agree, give reasons.
8. What do you understand by 'internal and external' aids to the construction ?

9. Write notes on the following :

(a) Explain the consequences of repeal of a statute.

(b) Reddendo Singula Singulis.

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**67752**

**LL.M. 2nd Semester Examination-  
May, 2016**

**RESEARCH METHODOLOGY**

**Paper : M-05**

***Time : 3 hours***

***Max. Marks : 80***

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Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

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**Note :** Attempt **all** questions from Part-A (3 marks) and **four** questions from Section-B.

**SECTION - A**

1. Write short notes on the following :

(a) Non-Doctrinal Research.

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- (b) Legal Research Method and Methodology
- (c) Purpose of Legal Research.
- (d) Quantitative Research
- (e) Techniques of Data Collection
- (f) Postulates and Hypothesis
- (g) Research Design
- (h) Sample Design

**SECTION - B**

2. Explain the meaning of Legal Research.  
What makes people undertake research ?  
What are its various types ?

3. What is scope and relevance of Legal Research ? Also explain the various sources of information helpful in Legal Research.
4. Explain the major stages in Legal Research.
5. What is the role and purpose of Research Design and where does the Research Design fit into the whole research process ?
6. What do you mean by Sample Design ? What are the various data collection techniques adopted by a researcher, while doing research.
7. What is the legal meaning of Hypothesis ?  
Also explain its various sources.

8. How is the law found ? Explain the legal writing skills and its styles.

9. Differentiate between Doctrinal and Non-Doctrinal Legal Research Method. What are the sources of information in this regard ?

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**67753**

**LL.M. 2nd Semester Examination-  
May, 2016**

**ENVIRONMENTAL LAW**

**Paper M-06**

**Time : 3 hours**

**Max. Marks : 80**

Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

**Note :** Section-A is **compulsory**. Attempt any **four** questions from Section-B.

**SECTION - A**

1. Discuss the following : (8 × 3 = 24)

(a) What do you mean by 'Polluter pays principle' ?

(b) What is precautionary principle ?

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- (c) Quote three safeguards provided under the Factories Act, 1948 for protecting Environment.
- (d) Discuss three safeguards provided under Cr.PC. 1973 for protecting environment.
- (e) What do you mean by "Trade effluent" ?
- (f) What do you understand by the term 'Stream' under the Water (Pollution) Act, 1974.
- (g) What do you mean by 'Sustainable Development' ?
- (h) What do you mean by the term 'Authority' under the National Environment Appellate Authority Act, 1987.

**SECTION - B**

2. Do you agree with the view that "Problem of Environmental Pollution is both local as well as global." Elucidate this statement and quote suitable illustrations. (14)
  
3. Explain the compositions, powers and functions of State Board under the Air (Prevention and Control of Pollution) Act, 1981. (14)
  
4. Has PIL (Public Interest Litigation) played an important role in protecting environment in India ? Comment and refer decided cases. (14)
  
5. Write a detailed note on 'National Environmental Tribunal' under N.E.T. Act, 1995. (14)

6. Write brief notes on any **two** of the following : (7 + 7 = 14)
- (a) Air Pollution
  - (b) Noise Pollution
  - (c) Rio Declaration
7. Discuss the main features of the Forest (Conservation) Act, 1980. (14)
8. Discuss the aims and main characteristics of the Environment (Protection) Act, 1986. (14)
9. Write a detailed essay on 'Declaration of the United Nation Conference on the Human Environment, 1972'. Quote suitable illustrations in support of your answer. (14)

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**67801**

**LL. M. 3rd Semester (Re-appear)**

**Examination – June, 2016**

**LAW OF CONTRACTS IN INDIA & ENGLAND**

**Paper : (G-II) M-09**

*Time : Three Hours ]*

*[ Maximum Marks : 80*

*Before answering the question, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard, will be entertained after examination.*

**Note :** Section A is compulsory. Attempt any *four* questions from Section B.

**SECTION – A**

1. (i) What do you mean by "Impossibility" ?
- (ii) What do you mean by 'Novation' ?
- (iii) What do you mean by performance of reciprocal promises ?
- (iv) Define "Appropriation of payment".

(v) Define 'Undue influence'.

(vi) Define 'Fraud'.

(vii) Define 'Misrepresentation'.

(viii) Define 'Incertain Agreements'.

#### **SECTION - B**

2. Discuss the Law regarding communication of offer and acceptance in India and England. Also cite case Law in this regard.
3. Whether 'Time is the essential conditions for performance of a contract. Discuss. What is the effects of breach of this condition ?
4. An agreement without consideration is void. But inadequacy of consideration is immaterial. Comment. Also cite suitable illustrations.
5. Agreements in restraint of trade are void. Whether these are exceptions to this rule. Cite latest case law.
6. Do you agree with the view that cases of frustration of contracts are simply cases of impossibility of performance of the contracts. Comment. Also quote suitable illustration and case law in support of your answer.
7. Discuss the "Theory of assessment of damages" in cases of breach of contract.

8. Write notes on the following :

- (a) Executed and Executory contracts
- (b) Doctrine of "Quantum meruit ."

9. Write brief notes on the following :

- (a) Liabilities for Necessaries under section 68 of the Indian Contract Act.
  - (b) How the damages are measures under law of contract ?
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**67802**

**LL. M. 3rd Semester (Re-appear)**

**Examination – June, 2016**

**LAW OF CORPORATE MANAGEMENT AND  
PARTNERSHIP**

**Paper : (G-II) M -10**

**Time : Three Hours ]**

**[ Maximum Marks : 80**

*Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard, will be entertained after examination.*

- Note :** (i) Attempt any four questions from Section - A.  
Each question in this Section carry 14 marks.
- (ii) Section - B is *compulsory*. Each part of the question in this Section carry 3 marks.

**SECTION – A**

1. "A company is an artificial person created by law with perpetual succession and common seal." Comment.
2. Who can become a member of a company ?  
Distinguish between a share holder and member of a

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company. How is membership terminated ? Explain in detail.

3. Examine critically the rule laid down in *Foss V Herbottle*. What are the exceptions to this rule ?
4. What do you mean by 'Prospectus' ? What are its contents ? Examine in brief, the remedies available to a person who has been induced to take shares by mis-statement in a prospectus.
5. "Directors of the company occupy a special position in the management of the company." Comment. Refer to case law.
6. What do you mean by pre-incorporation contracts ? Explain the extent of liability of a promoter and the company with regard to pre-incorporation contracts.
7. "The relationship of partnership arises from contract not from status." Comment.
8. Can a minor become a partner in a partnership firm ? If so, what are his rights and disabilities. Refer to case law.

**SECTION - B**

9. Explain the following :

- (a) Indoor management.
  - (b) Proxy voting.
  - (c) Producer company.
  - (d) Constructive notice
  - (e) AGM
  - (f) Share and stock
  - (g) Partnership at will
  - (h) Limited liability partnership
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**67803**

**LL. M. 3rd Semester (Re-appear)**

**Examination – June, 2016**

**HISTORY AND PRINCIPLES OF CRIMINAL LAW**

**Paper : G-II (M-13)**

*Time : Three Hours ]*

*[ Maximum Marks : 80*

*Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard, will be entertained after examination.*

- Note :** (i) Attempt *four* questions from Section - A.  
Each question in this Section carry **14** marks.  
(ii) Section - **B** is *compulsory*. Each part of the question in this Section carry **3** marks.

**SECTION – A**

1. What is Crime ? What are its elements ? Discuss in detail.
2. "Mens-Rea is an important element for the determination of criminal liability under the Indian Laws." Comment. Explain the exception also.

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3. Discuss in detail the group liability and criminal liability of corporations.
4. What are the various theories of punishment? Discuss the relevance of reformist theory in the modern times.
5. What do you understand by mistake of fact as a defence from criminal liability? Why mistake of law has not been made a defence? Critically comment.
6. Discuss Insanity as a general defence under Indian Penal Code. Differentiate between medical insanity and legal insanity.
7. What is principle of strict liability? Explain application of this principle under Indian criminal law.
8. Define 'Attempt.' How far attempts to commit offences made punishable under the Indian Penal Code in cases where no express provisions is made for the punishment of such attempt? Refer with case law.

#### **SECTION - B**

9. (a) Explain Section 34 and Section 149 of the I. P. C.  
(b) Sedition

- (c) Public Nuisance
  - (d) Mutiny
  - (e) Section 125 Cr. P. C.
  - (f) Section 438 Cr. P.C.
  - (g) Maxim 'ACTUS NON FACIT REUM NISI MENS  
SIT REA'
  - (h) Plea-Bargaining.
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**67804**

**LL. M. 3rd Semester (Re-appear)**

**Examination – June, 2016**

**COMPARATIVE CRIMINAL PROCEDURE**

(India & England)

Paper : (G-II) M-14

*Time : Three Hours ]*

*[ Maximum Marks : 80*

*Before answering the question, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard, will be entertained after examination.*

**Note :** Attempt any *four* questions from Section - A. All questions in this Section shall carry **14** marks each. Section - **B** is *compulsory* and each question in this Section carry **3** marks.

**SECTION – A**

1. Discuss the status and the role of the public prosecutor, pointing out the difference, if any, between Indian and English Law.
2. Discuss the comparative account of the Legal Position with respect to the principle of Double jeopardy in Criminal Trial in India and England.

3. Discuss the law relating to confessions made to police officer under Indian and English Law. Whether the Indian provisions require amendment ?
4. Discuss the discretion of a Court in granting bail in Non-bailable offence.
5. Explain the concept of Plea Bargaining and legislative scheme of Plea Bargaining in India and other jurisdictions.
6. "Speedy Trial in an essential ingredient of Reasonable, Just and Fair procedure guaranteed by Article-21 and to ensure speedy trial to the accused." Explain.
7. Discuss the concept of vicarious liability under Indian Law and the law of England.
8. Discuss the Medical insanity and legal insanity ? How far legal insanity is a defence against criminal liability under I. P. C ?

#### **SECTION – B**

9. (a) Mens-Rea.  
(b) Public Interest Litigation in Criminal Cases.  
(c) Due process model of criminal justice system.

- (d) Distinction between 'Voluntarily and Intentionally.
  - (e) Retributive theory of punishment.
  - (f) Section 319 of Cr. P. C.
  - (g) Right of Maintenance under Cr. P. C.
  - (h) Withdrawal from complaint.
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Roll No. ....

**67851**

**LL.M. 4th Semester Examination-  
May, 2016**

**LAW OF CORPORATE FINANCE IN THE  
S.E.B.I. ACT, 1992**

**Paper : M-18 (G-II)**

**Time : 3 hours**

**Max. Marks : 80**

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Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

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**Note :** Attempt **all** the eight questions from Section-A of 3 marks each and any **four** from Section-B of 14 marks each.

**SECTION - A**

1. Answer the following :

(a) What do you mean by Prospectus ?

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- (b) Define the word "Deposit".
- (c) Meaning of share certificate.
- (d) What is the qualification to become member of a company ?
- (e) What is insider trading ?
- (f) What do you mean by contributory ?
- (g) Define three main duties of SEBI.
- (h) What do you mean by share ?

### **SECTION - B**

**2.** Write notes on the following :

- (a) Equity shares and par value shares
- (b) Global Depository Receipts

3. Define the role of business ethics and social liability in corporate finance in present scenario.
4. Discuss the circumstances when a company can buy back its own shares.
5. Write notes on the following :  
Explain SEBI regulations about buy back of securities
6. When can a company purchase shares of another company under the provisions of Company Act, 2013 ?
7. Discuss the penalties prescribed under SEBI Act for violation of its provisions.

8. Highlight the functions and powers of SEBI.
9. Write brief notes on any **two** of the following  
:
- (a) Floating charge
  - (b) Fixed charge
  - (c) Appellate powers of the Supreme Court  
under SEBI Act.
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**67852**

**LL.M. 4th Semester Examination-  
May, 2016**

**LAW OF NEGOTIABLE INSTRUMENTS,  
BANKING AND INSURANCE**

**Paper : M-19 (G-II)**

**Time : 3 hours**

**Max. Marks : 80**

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Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

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**Note :** Question No. 1 of Part-A is **compulsory**.

Attempt any **four** questions from Part-B.

All questions carry equal marks.

**PART - A**

1. Discuss the following :

(a) Bills of Exchange

(b) Days of Grace

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- (c) Banking
- (d) Exchange Bank
- (e) Policy holder
- (f) What is 'endorsement in full' ?
- (g) What is 'endorsement in blank' ?
- (h) What do you understand by the word 'Protest' ?

**PART - B**

- 2.** Discuss the difference between holder and holder in due course. Can an original payee be holder in due course ?
- 3.** What is the liability of payee of a cheque when the cheque is obtained for unlawful consideration ? Quote suitable illustrations.

4. Discuss various types of Negotiable Instruments which have been recognized under Negotiable Instruments Act, 1881.
5. Discuss the rights and liabilities of Banker and Customer to each other.
6. Discuss the powers of R.B.I. regarding supervision and control over banking companies and banks.
7. Write a critical detailed note on "Marine Insurance".
8. Write notes on any **two** of the following :
  - (a) Law relating to fire insurance.
  - (b) Marine Insurance
  - (c) Development of Insurance in India

9. What do you understand by material alteration ? Discuss those alterations which do not vitiate the instrument. Quote suitable examples in this regard.

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**67853**

**LLM 4th Semester**

**Examination–May, 2016**

**Industrial and Intellectual Property Law**

**Paper-M-20 (G-II)**

**Time : 3 hours**

**Max. Marks : 80**

Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

**Note :** Attempt **all** questions in section-A and **four** questions from Section-B.

**Section-A**

1. Explain in brief : [8×3=24]
- (a) Patent Law Treaty (PLT)
  - (b) “Well-known trademarks”.

- (c) Effect of registration on geographical indication.
- (d) Comment on the copyright issues in the music world.
- (e) Impact of intellectual property in small scale sector
- (f) Sui generic protection for plant varieties
- (g) Impact of product patents on public health in third world countries
- (h) What is industrial design ?

**Section-B**

- 2.** Technological advances has made sharing extremely speedy and inexpensive on one side and commission of infringement of copyright much easier on the other side.

Critically examine copyright protection in digital age in regard to this statement.

[14]

3. Explain in brief the United Nations approach and compare the position of U.S. and India in regard to unfair trade practices and Intellectual industrial property. [14]
4. TRIPS require WTO member states to provide protection to plant varieties. Critically discuss the plant variety protection system adopted by India. [14]
5. Discuss correlation between intellectual property law and competition policy in protecting the interests of consumers. [14]
6. Trace out the evolution of trade mark law in India. What marks are regarded as trade markable ? [14]

7. 'Protection of intellectual property result in monopolization of market, anti competition and abuse of market'. Discuss this statement with specific reference to patents.

[14]

8. Discuss burden of proof in cases of Infringement. What remedy is available in case of passing off of trademark in India and evidentiary problems faced in action of passing off.

[14]

9. What is the need for protection of traditional handicrafts ? Discuss the provisions of protection for handicrafts under Indian Intellectual Property Laws (IPLs) and inadequacies of IPLs in protecting traditional handicrafts.

[14]

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**67854**

**LL.M. 4th Semester Examination-  
May, 2016**

**PENOLOGY AND VICTIMOLOGY**

**Paper : M-24 (G-IV)**

**Time : 3 hours**

**Max. Marks : 80**

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Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

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**Note :** Attempt **all** questions of Section-A of 3 marks each and **four** questions of Section-B of 14 marks each.

**SECTION - A**

**1.** Explain the following :

(a) Parole.

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- (b) Meaning of Psycho-analysis
- (c) Meaning of Plea-bargaining
- (d) Honour killing
- (e) What is Recidivism ?
- (f) What do you mean by Open Prison ?
- (g) What is female criminality ?
- (h) What is the meaning of Victimology ?

**SECTION - B**

2. Examine the importance and relevance of "Victimology" as a subject in present days in the country. Also quote suitable illustrations in support of your answer.
3. Do you agree with the statement that "White collar crimes are economic offences dealt

with under anti-corruption laws". Comment.

Refer decided cases in this regard.

4. Discuss the causes of Juvenile Delinquency in India. Also highlight the measures for prevention and control of Juvenile Delinquency.

5. What do you understand by 'Capital Punishment' ? What is the relevance of capital punishment in modern times ? Quotes suitable illustration to support your answer.

6. "Prison System in India has failed to achieve the desired objectives." Comment. Refer decided cases in this regard.

7. Discuss the theories of punishment with special reference to deterrent and retributive theories in modern days.
  8. Is Criminal System in our country not upto the mark ? Elucidate in the light of suitable examples.
  9. Examine the place of parole in the administration of criminal justice system in the country.
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**67855**

**LL.M. 4th Semester Examination-  
May, 2016**

**SOCIO-ECONOMIC OFFENCES AND  
FELONIONS TORTS**

**Paper : M-25 (GIV)**

**Time : 3 hours**

**Max. Marks : 80**

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Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

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**Note :** Section-A is **compulsory**. Each part of the Question in Section-A carries 3 marks. Attempt any **four** questions from Section-B. Each question in this section carries 14 marks.

**SECTION - A**

1. Explain the following :

(a) Nuisance

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- (b) Trespass
- (c) Slander
- (d) Untouchability
- (e) Dowry Prohibition
- (f) Foreign security
- (g) Prostitution
- (h) FEMA

**SECTION - B**

2. What do you mean by socio-economic offences ? What are their various kinds ? Explain in brief, the nature and scope of socio-economic offences.
  
3. Define "Dowry". Do you think that the Dowry (Prohibition) Act, 1961 needs improvement ?

Does it serve the purpose for which it was enacted ? Explain.

4. What do you mean by Civil Rights ? What are the powers of the State Government to impose collective fines under the Protection of Civil Rights Act, 1955 ? Can a multi-national company be punished for any offence under the Act ?
5. Examine, in brief, the object, application and important features of Narcotic Drugs and Psychotropic Substances Act, 1985.
6. Examine, in brief, the powers of the Central Government to control production, supply and distribution of essential commodities under the Essential Commodities Act, 1955.

7. Define Misconduct. Critically examine the liability of a public servant for criminal misconduct under the Prevention of Corruption Act, 1988.

8. Explain the object and important features of the Prevention of Food Adulteration Act. Also examine the efficacy of the Act.

9. Write short notes on the following :

(a) Defences in Defamation

(b) *Sati*

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**67856**

**LL.M. 4th Semester Examination-  
May, 2016**

**COLLECTIVE VIOLENCE AND CRIMINAL  
JUSTICE SYSTEM**

**Paper M-26(G-iv)**

**Time : 3 hours**

**Max. Marks : 75**

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Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard will be entertained after the examination.

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**Note :** Attempt any **four** questions from Section- A.

All questions in this Section carry 14 marks

each. Section-B is **compulsory** and each

question carries 3 marks.

**SECTION - A**

1. Discuss the report of Indian Human Rights Commission on Arwal Massacre.

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2. What do you understand by communal violence ? Discuss the role of police in dealing with communal violence.
3. What do you understand by terrorism ? Give some incidents of terrorism.
4. What is meant by Ahimsa ? What importance has been given to Ahimsa in Hindu, Jain, Buddhist, Christian and Islamic Traditions in India ?
5. Explain the concept of atrocity under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 and discuss its penal provisions.

6. Agrarian violence is the result of inegalitarian distribution of land and policy of exploitation. Explain.
7. How far collective violence is violative of various human rights ? Discuss
8. Discuss the various laws to control violence against women. How far these laws have achieved their objective ?

**SECTION - B**

9. Write short notes on :
- (a) Coercion
  - (b) Ahimsa
  - (c) Institutionalised violence

- (d) Aftermath of Atrocities
  - (e) Force as monopoly of modern law
  - (f) Telangana Struggle
  - (g) Legal order as a coercive normative order
  - (h) Notion of legal and extralegal repression.
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