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**First Year of the LL.M. Course (Semester – I) Examination, 2014
INDIAN CONSTITUTIONAL LAW – I (Paper – I)**

Day and Date : Saturday, 15-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Max. Marks : 60

Instructions : 1) Question No. 1, 2, 6 are **compulsory**.
2) Solve **any one** from Question No. 3 to 5.
3) Figures to the **right** indicate **full** marks.

1. A) Multiple choice questions :

6

- i) State which of the following statement is correct ?
 - a) Preamble is not part of the constitution
 - b) Preamble is a part of the constitution and relates to the Basic structure
 - c) Preamble is not part of the constitution but introduction to the constitution
 - d) Preamble is like a prologue to the constitution
- ii) "Preamble of our constitution is of extreme importance and the constitution should be read and interpreted in the light of the grand and noble vision expressed in preamble". – Justice Sikri expressed this opinion in
 - a) In re Beri Bari's Case
 - b) Kesavanand Bharati Vs State of Kerala
 - c) A. K. Gopalan Vs State of Madras
 - d) Maneka Gandhi's case
- iii) During the proclamation of emergency at National level
 - a) All Fundamental Rights may be suspended
 - b) Articles 20 and 21 cannot be suspended
 - c) Article 32 cannot be suspended
 - d) Article 19 cannot be suspended
- iv) "What cannot be done directly can be done indirectly" – This statement epitomizes the doctrine of
 - a) Pith and substance
 - b) Implied powers
 - c) Ancillary powers
 - d) Colourable legislation



- v) What is the popular case of “AIR 1978 Supreme Court at Page 597” ?
- a) Indira Nehru Gandhi Case b) Judges Transfer Case
c) Golak Nath Case d) Maneka Gandhi Case
- vi) Freedom of speech and expression could not be restricted on ground of
- a) Sovereignty and Integrity b) Security of the State
c) Public Interest d) Public order

B) Fill in the blanks/Answer in **one** sentence :

6

- i) Two additions, viz. “Socialist secular and unity and integrity” of India were made to our constitution in _____ amendment.
- ii) Right to education has been made as a Fundamental Right by _____ constitutional amendment.
- iii) Right to equality is explained in articles from _____ to _____
- iv) Article 21-A is _____
- v) Cultural and Educational Rights are defined in Articles _____ and _____
- vi) Formation a new states and alteration of boundaries etc., of the existing states are narrated in article _____

2. Explain the rule incorporated in T.M.A. Pai Foundation Vs State of Karnataka. **12**

3. Narrate the rights of an arrested person with the help of case law. **12**

4. Explain the scope and extent of Article 21 of the Indian constitution with decided cases. **12**

5. “Right of an Advocate to practice not fundamental but a statutory”. Explain with reference to Bar Council of India Vs. High Court of Kerala AIR 2004 S.C., 2227. **12**

6. Write short notes on **any four** : **(4×6=24)**

- a) Freedom of Press
b) Preventive Detention
c) Explain clause (1) of Article 20
d) Double Jeopardy
e) Equality of opportunity in public employment
f) Doctrine of severability.
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Seat No.	
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**Second Year of the LL.M. Course (Semester – III) Examination, 2014
HUMAN RIGHTS OF DISADVANTAGED GROUPS (Paper – X)**

Day and Date : Friday, 21-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Max. Marks : 60

- Instructions :** 1) Q. 1, 2 and 6 are **compulsory**.
2) Solve **any one** from Q. 3 to Q. 5.
3) Figures to the **right** indicate **full** marks.

1. A) Multiple choice questions :

6

- 1) The 86th Indian Constitutional (Amendment) Act which added Article 21-A in the Indian Constitution was passed in the year
 - a) 2001
 - b) 2002
 - c) 2003
 - d) None of above
- 2) The following Article of the Indian Constitution provides equal justice and free legal aid for any citizen to secure justice.
 - a) Article : 39-A
 - b) Article : 38
 - c) Article : 42
 - d) None of above
- 3) The declaration on the Rights of Disabled Persons was adopted in the year
 - a) 1975
 - b) 1995
 - c) 2005
 - d) None of above
- 4) The Muslim Women (Protection of Rights on Divorce) Act was passed in India in the year.
 - a) 1986
 - b) 1976
 - c) 1988
 - d) None of above
- 5) The Child Labour (Prohibition and Regulation) Act was passed in India in the year
 - a) 1986
 - b) 1996
 - c) 2003
 - d) None of above
- 6) Optional protocol to the convention on the rights of child on the sale of children, child prostitution and pornography was adopted in the year
 - a) 2000
 - b) 2003
 - c) 2005
 - d) None of above



B) Fill in the blanks/Answer in **one** sentence :

6

- 1) The English Bill of Rights was introduced in the Parliament of England in the year _____
- 2) The Atlantic Charter a joint declaration issued by Mr. Churchill and Mr. Roosevelt relating to Human Rights was issued in the year _____
- 3) The children care and education to children below the age of six years was dealt with by Article _____ of Indian Constitution.
- 4) The right to maintenance wife and children was provided in Criminal Procedure Code under Section _____ in India.
- 5) The right of children to free and Compulsory Education Act was passed in India in the year _____
- 6) The convention on the political rights of women was adopted in the year _____

2. Discuss in detail rights relating to status of women and in the matters of abortion, trafficking, indecent representation and sexual harassment at working places in various statutes in India. State whether effectively implemented in India. **12**

3. Critically examine the concept, meaning and history of human rights and discuss in brief the human rights enshrined in Indian Constitution. **12**

4. Discuss in detail the rights of physically and mentally disabled persons relating to their education, employment and rehabilitation in India. **12**

5. Critically examine the human rights available to the children against child labour education and Child Prostitution in various statutes in India. **12**

6. Write short notes on **any four** : **(4×6=24)**

- 1) Human Rights of AIDS victims
 - 2) Right to privacy
 - 3) Right to protection against self-incrimination
 - 4) The Right of Children to Free and Compulsory Education Act
 - 5) The right to free legal aid
 - 6) The right to speedy trial.
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**Second Year of the LL.M. Course (Semester – IV) Examination, 2014
PENOLOGY (Paper – XI)**

Day and Date : Monday, 24-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Max. Marks : 60

Instructions: 1) Question No. 1, 2 and 6 are **compulsory**.
2) Solve **any one** from Q. No. 3 to 5.
3) Figures to the **right** indicate **full** marks.

1. A) Multiple choice questions :

6

- 1) Claim was put in America that the word 'Penology' is a coinage of _____ in the year 1834.
 - a) P. K. Sen
 - b) Webster
 - c) Francis Liebero
 - d) Stuts Man
- 2) The idea that the satisfaction by the state of the wronged individuals desire to be avenged is the basis of _____ theory of punishment.
 - a) Retributive
 - b) Deterrent
 - c) Preventive
 - d) Reformative
- 3) Which of the following offence under IPC is not punishable with capital punishment ?
 - a) Waging War – Sec. 121
 - b) Murder – S. 302
 - c) Kidnapping for ransom – Sec. 364A
 - d) Dacoity Sec. 395
- 4) _____ living in small groups in a minimum custodial centre is one of the characteristics of good open prison.
 - a) Restrictions on
 - b) Isolated
 - c) Formal
 - d) Informal and intimate
- 5) In corrective labour the working conditions of prisoners should be at par with _____.
 - a) Human beings
 - b) Free workers
 - c) Child labourers
 - d) Female workers



- 6) Section 357 Cr. P. C. deals with _____
- Compensation to the accused person
 - Probation
 - Compensation to the victim of crime
 - Prison administration

B) Fill in the blanks/answer in **one** sentence :

6

- Cesare Beccaria's "Crimes and punishments" published in _____
- The doctrine of 'Rarest of rare cases' propounded by Supreme Court of India in _____ vs _____ case.
- Enrico Ferri, the noted criminologist belongs to _____ country.
- Section _____ of IPC defines abetment of suicide committed by a child or insane.
- A recidivist is a criminal who commits a crime _____ and _____
- The probation of Offenders Act came in _____

2. Explain the constitutional rights of prisoners in detail with case law. **12**

3. Discuss the theories of punishment elaborately and what is classical Hindu approach to punishment ? **12**

4. Define Juvenile. Distinguish between neglected and delinquent juveniles in constitutional perspective. **12**

5. "Capital punishment is violative of Article 21 of the Constitution" – critically explain with decided cases. **12**

6. Write short notes on **any four** : **(4×6=24)**

- Prison Reforms
- Pre-sentence hearing
- Judicial surveillance
- Minimum sentence
- Classification of prisoners
- Corrective labour.



Seat No.	
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**Second Year of the LL.M. Course (Semester – IV) Examination, 2014
COMPANY LAW – II (Paper – XII)**

Day and Date : Wednesday, 26-11-2014

Max. Marks : 60

Time : 3.00 p.m. to 6.00 p.m.

N.B. : 1) Q. No. 1, 2 and 6 are compulsory.

2) Solve any one from Q. 3 to Q. 5.

1. A) Multiple choice questions :

6

1) Section 2(14) of the Companies Act, defines the term _____

- a) Auditor
- b) Dividend
- c) Director
- d) Managing Director

2) The Privy Council in _____ case observed that the directors are not precluded from being an employee of the company for the purpose of Workmen's Compensation Legislation.

- a) M.S. Bharat Fund Ltd. V. Registrar, Companies
- b) Lee V. Lee's Air Farming Ltd.
- c) S. Ganeshan V. A.K. Joscelyne
- d) All the above

3) In case of _____ reconstruction, the existing company dissolves and a new company is formed to take over the business of the existing company which is in lead financial position.

- a) External
- b) Internal
- c) Newly
- d) Existing

4) A new Section 446A has been inserted in the Principal Act by the _____ Act.

- a) Companies (Amendment) Act, 2002
- b) Companies (Second Amendment) Act, 2002
- c) Companies (Amendment) Act, 2001
- d) Companies (Amendment) Act, 2000



- 5) The decision in _____ case, illustrate the case of fraud on the minority share holders.
- Narcombe V. Narcombe
 - Menier V. Hooper's Telegraph works
 - Bharat Insurance Co. Ltd. V. Kanhaiya Lal
 - None of the above
- 6) Section 287 of the Act, lays down provisions relating of _____ Board's Meeting.
- Quorum
 - Notice
 - Meetings
 - Adjournment

B) Fill in the blanks :

6

- Section 176 of the Act contains provisions relating to _____
- _____ resolution is necessary to make variations in the rights of special classes of shares.
- Section 10 F B provides for _____ of National Company Law Tribunal.
- The appointment of auditors is made by a company in its _____ meeting.
- Section 424 G provides for winding-up of _____ Industrial Company.
- Section 396 of the Act provides for _____ of Companies in public interest.

- Explain the meaning of winding-up and state who can apply for winding-up with the help of relevant case laws. 12
 - Write the constitution and powers of National Company Law Tribunal. 12
 - Discuss the rights of minority share-holders against oppression and mismanagement. 12
 - Explain the different kinds of meetings under the Companies Act of 1956. 12
 - Write short note (**any 4**) : 24
 - Meaning and nature of Dividend.
 - Statutory Scheme of Reconstruction.
 - Statutory and Special Audit.
 - Resolutions
 - Position of Directors
 - Rule in Foss V Harbottle.
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Second Year of the LL.M. Course (Semester – IV) Examination, 2014
LABOUR LAWS
Social Security and Collective Bargaining (Paper – XIII)

Day and Date : Friday, 28-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Total. Marks : 60

- Instructions :** i) Attempt Q. 1 , Q. 2, Q. 6 are **compulsory**.
ii) Solve **any one** question out of Q. No. 3 to Q. No. 5.
iii) Begin **each** question on a **fresh page**.
iv) Question No. should be written **correctly**.
v) Figures to the **right** indicates **full** marks.

1. A) Multiple choice questions :

6

- 1) Closure of industry is _____
 - a) Temporary
 - b) Permanent
 - c) Partial
 - d) None
- 2) Retrenchment is _____
 - a) Permanent
 - b) Partial
 - c) Temporary
 - d) None
- 3) The strike in public utility service is _____
 - a) Legal
 - b) Illegal
 - c) Allowed
 - d) None
- 4) The guideline principles of industrial adjudication are _____
 - a) Public interest
 - b) Industrial harmony
 - c) Socio-economic effect
 - d) All the above
- 5) Equal pay for equal work is given in _____ of Constitution of India.
 - a) Art 23
 - b) Art 18
 - c) Art 29
 - d) None
- 6) Definition of continuous service is given under section _____
 - a) 25 – C
 - b) 24 – B
 - c) 25 – B
 - d) None



B) Fill in the blanks :

6

- 1) A person is said to be in continuous service for a year if _____
- 2) Collective bargaining is between employer and _____
- 3) Before the strike notice given is _____
- 4) Strike is _____ weapon.
- 5) Principle of labour legislation are _____
- 6) Award means final and _____ award.

2. Write an essay on Industrial Revolution in India. 12

3. What are the Modalities of Social Security ? 12

4. Explain the Directive Principles of State Policy and how it beneficial on labour ? 12

5. What are the advantages and dis-advantages of Collective Bargaining ? 12

6. Write short notes on **any four** : 24

- a) Fundamental Rights
 - b) Legal Control on Collective Bargaining
 - c) Types of Bargaining
 - d) Right to Association
 - e) Arising out of and in the course of employment
 - f) Concept of Social Justice.
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Seat No.	
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**Second Year of the LL.M. Course (Semester – IV) Examination, 2014
PREVENTION AND CONTROL OF POLLUTION (Paper – XIV)**

Day and Date : Monday, 1-12-2014
Time : 3.00 p.m. to 6.00 p.m.

Max. Marks : 60

- Instructions:** 1) Questions 1, 2 and 6 are **compulsory**.
2) Solve **any one** from Questions 3 to 5.
3) Figures to the **right** indicate **full marks**.

1. A) Multiple choice questions :

6

- 1) The constitution of Joint Board under the Water (Prevention and control of pollution) Act was provided under the section
a) Section 13 b) Section 16 c) Section 14 d) None of above
- 2) The functions of Central Board under the Air (Prevention and control of pollution) Act was provided in the section
a) Section 16 b) Section 14
c) Section 13 d) None of the above
- 3) The case of Church of God (Full Gospel) in India V K.K.R. Majestic Colony Welfare Association dealing with noise pollution was decided by the Supreme Court in the year _____
a) AIR 2000 SC 2773 b) AIR 2004 SC 823
c) AIR 2000 SC 1696 d) None of the above
- 4) The Supreme Court of India have banned smoking in public places in the case of
a) Murli S. Deora V Union of India
b) Indian Council for enviro-legal action V Union of India
c) Bangalore Medical Trust V B.S. Muddappa
d) None of the above
- 5) Article 48-A and Article 51-A (g) are inserted in the Indian constitution by the Constitutional (Forty-Second Amendment) Act in the year
a) 1976 b) 1978 c) 1987 d) None of the above



- 6) Section 31-A under the Air (Prevention and control of pollution) Act empowered the boards to issue any directions was introduced by the Amendment Act in the year
- a) 1987 b) 1989 c) 1998 d) None of above

B) Fill in the blanks :

6

- 1) The word “Emission” was defined in the Air (Prevention and Control of Pollution) Act under the section _____
- 2) Under section _____ of code of Criminal Procedure the Magistrate can pass an order against the statutory bodies for their negligence causing public nuisance and environmental pollution.
- 3) Section _____ of the Air (Prevention and Control of Pollution) Act prescribes the disqualifications of members of State Board.
- 4) Section _____ of the Air (Prevention and Control of Pollution) Act deals with delegation of powers of State Board to the Chairman or any other officer.
- 5) Under section _____ the State Government by notification in the official gazette can establish one or more State Air Laboratories in the Air (Prevention and Control of Pollution) Act.
- 6) The word ‘Noise’ in the definition of Air Pollutant in Air (Prevention and Control of Pollution) Act was added by the Amendment Act in the year _____

2. Define the term ‘pollution’ and critically examine the functions of Central Board, State Board and Joint Boards under the water (Prevention and Control of Pollution) Act in India. 12
3. Define the term ‘air pollutant’ and discuss in detail the functions of Central and State Boards in the Air (Prevention and Control of Pollution) Act in India. 12
4. Discuss in detail the sources and effects of noise pollution and explain the different legal control of noise pollution with the help of decided cases. 12
5. Explain the various sources and effects of radiation pollution and legal control over radiation pollution in India. 12
6. Write a short notes on **any four** : (4×6=24)
 - 1) Kinds of pollution
 - 2) Incentives to pollution control
 - 3) Criminal and civil remedies against pollution
 - 4) Kinds of wastes
 - 5) Disposal and recycling of wastes
 - 6) Statutory control of land pollution.



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**First Year of the LL.M. Course (Semester – I) Examination, 2014
JURISPRUDENCE – I (Paper – II)**

Day and Date : Tuesday, 18-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Total Marks : 60

Instructions: 1) Q. No. 1, Q. No. 2 and Q. No. 6 are **compulsory**.
2) Answer **any one** question out of Q. No. 3 to Q. No. 5.
3) Figures to the **right** indicate **full** marks.

1. A) Multiple choice questions :

6

- 1) Who was an exponent of “natural law with a variable content” ?
 - a) Austin
 - b) Roscoe Pound
 - c) Stammler
 - d) Salmond
- 2) Who defined the “Jurisprudence is the shining but unfulfilled dream of a world governed by reason” ?
 - a) H. L. A. Hart
 - b) Thurman W. Arnold
 - c) Cardozo
 - d) Montesquieu
- 3) Which book is written by Bentham ?
 - a) Jurisprudence
 - b) Law as a fact
 - c) Limits of Jurisprudence defined
 - d) Taking rights seriously
- 4) Who is the profounder of Social Engineering ?
 - a) Ihering
 - b) Cardozo
 - c) Roscoe Pound
 - d) Kelsen
- 5) According to Carl Llenellyn – Law is
 - a) Institution
 - b) Grund norm
 - c) Command
 - d) Functional aspect
- 6) Art. 141 of Indian Constitution recognizes the principles of
 - a) Res Judicata
 - b) Judicial Activism
 - c) Stare Decisis
 - d) Res-subjudice



B) Fill in the blanks :

6

- 1) The Latin equivalent of Jurisprudence is jurisprudentia, it means either _____
- 2) _____ developed the concept of “minimum content of natural law”.
- 3) As per Kelsen _____ is the justification for the rest of the legal system.
- 4) The theory of Social Engineering involves _____
- 5) J. Frank insisted that there are two groups of Realist _____
- 6) Judicial Activism means _____

2. Explain the nature and scope of jurisprudence. 12
 3. Justify how Kelsen’s Pure theory of law is superior than other theory. 12
 4. What is the view of Roscoe Pound about functional School ? 12
 5. Whether the previous decision of Supreme Court is binding in all future cases, if no, suggest the reason. 12
 6. Write short notes on **any four** : 24
 - a) Homes theory
 - b) Carl Llewellyn concept
 - c) Independence of Judiciary
 - d) Accountability.
 - e) Reversal and overruling
 - f) Ratio decidendi.
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SLR-GX – 3

Seat No.	
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First Year of the LL.M. Course (Semester – I) Examination, 2014
INDIAN ADMINISTRATIVE LAW – I (Paper – III)

Day and Date : Thursday, 20-11-2014

Max. Marks : 60

Time : 3.00 p.m. to 6.00 p.m.

- Instructions:** 1) Que. No. 1, 2 and 6 are **compulsory**.
2) Solve **any one** from Questions No. 3 to 5.
3) Figures to the **right** indicate **full** marks.

1. A) Multiple choice questions.

6

- 1) According to _____ “Administrative Law is the law concerning the powers and procedures of administrative agencies, including especially the law governing judicial review of administrative action.”
- a) Wade
b) Ivor Jennings
c) K. C. Davis
d) Garner
- 2) According to Dicey _____ means that in many countries rights such as right to personal liberty, freedom from arrest etc. are guaranteed by a written constitution.
- a) Supremacy of law
b) Equality before law
c) Judge-made constitution
d) All of the above
- 3) The origin of doctrine of separation of power is traceable to Plato and _____
- a) Montesquieu
b) Aristotle
c) Dicey
d) None of the above

P.T.O.



- 4) Failure to exercise discretion may be inferred from the following circumstances.
- a) Sub-delegation
 - b) Acting under dictation
 - c) Imposing fetters on discretion
 - d) All of the above
- 5) _____ may arise when the judge has a general interest in the subject-matter.
- a) Pecuniary bias
 - b) Personal bias
 - c) Official bias
 - d) Judicial obstinacy
- 6) The object of the writ of _____ is to keep inferior courts and quasi-judicial authorities within the limits of their jurisdiction.
- a) Certiorari
 - b) Quo-warranto
 - c) Mandamus
 - d) Prohibition.

B) Fill in the blanks :

6

- 1) When a statute confers some legislative powers on an executive authority and the latter further delegates those powers to another subordinate authority, it is called _____
- 2) An administrative tribunal is entrusted with the judicial powers of the state and thus, performs judicial and _____ functions.
- 3) _____ may be defined as a “Court’s power to review the actions of other branches of government, especially the court’s power to invalidate legislative and executive actions as being unconstitutional.”
- 4) The remedy under Art’s 32 or 226 of the Constitution is an _____ remedy and is intended to be used for ensuring observance of the law of the land.
- 5) Natural justice is a branch of _____ law.
- 6) Under the French legal system, known as _____, there are two types of laws and two sets of courts independent of each other.



2. Critically explain the nature and scope of administrative law. What are the factors responsible for the rapid growth and development of administrative law ? **12**
 3. Discuss in detail the circumstances in which delegated legislation may be held invalid on the ground of substantive ultra-vires and procedural ultra-vires. **12**
 4. “Administrative Tribunals have inherent powers to regulate their own procedure subject to the statutory requirements.” Elucidate the statement with reference to the procedure in administrative adjudication with the help of decided case laws. **12**
 5. “Natural justice’ has meant many things to many writers, lawyers, jurists and systems of law.” Critically explain nature and scope of principles of natural justice with the help of case laws. **12**
 6. Write a short notes on **any four** : **24**
 - 1) Sub-delegation
 - 2) Railways rates tribunal
 - 3) Abuse of discretion
 - 4) Writ of prohibition
 - 5) Reasoned decision
 - 6) Doctrine of Ministerial Responsibility.
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Seat No.	
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**First Year of the LL.M. Course (Semester – II) Examination, 2014
RESEARCH METHODOLOGY AND LEGAL EDUCATION (Paper – IV)**

Day and Date : Saturday, 22-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Total Marks : 60

- Instructions :** 1) Q. No. 1, Q. No. 2 and Q. No. 6 are **compulsory**.
2) Answer **any one** question out of Q. No. 3 to Q. No. 5.
3) Figures to the **right** indicate **full** marks.

1. A) Multiple choice questions :

6

- 1) Basically research is voyage of
 - a) Decision
 - b) Information
 - c) Discovery
 - d) None of these
- 2) Synopsis of research is called
 - a) Base of the problem
 - b) Blue print
 - c) Map of the problem
 - d) All the above
- 3) Field study is related to
 - a) Real life situation
 - b) Experimental situation
 - c) Laboratory situation
 - d) None of the above
- 4) A method of research report should be
 - a) Attractive
 - b) Scientific
 - c) Globalize
 - d) Informal
- 5) Following is not a quality in research problem is that
 - a) Have a clarity
 - b) Hypothesis orientated
 - c) Be worth having solution
 - d) Ambiguity
- 6) Which of the following is a good method of teaching ?
 - a) Seminar and Project
 - b) Seminar and Dictation
 - c) Lecture and Dictation
 - d) Dictation and Assignment



B) Fill in the blanks :

6

- 1) Research is based upon _____
- 2) Formulation of hypothesis may not be required in _____
- 3) A Bibliography should be arranged _____
- 4) _____ is systematic and deliberate study through the eyes.
- 5) _____ is the last step of research.
- 6) _____ offers a unique opportunity to Law students in Professional and Intellectual development.

2. Explain what major steps involved in doing Legal Research. 12
 3. What steps to be taken while selecting a Research Problem ? 12
 4. How the testing is made on hypothesis ? 12
 5. What are the objectives of Legal Education ? 12
 6. Write short notes on **any four** : 24
 - a) Kinds of legal research
 - b) Precaution in selecting research problem
 - c) Primary and secondary data
 - d) Observation method
 - e) Objectives of clinical education
 - f) Case study method.
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SLR-GX – 5

Seat No.	
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First Year of the LL.M. Course (Semester – II) Examination, 2014
INDIAN CONSTITUTIONAL LAW – II (Paper – V)

Day and Date : Tuesday, 25-11-2014

Total Marks : 60

Time : 3.00 p.m. to 6.00 p.m.

Instructions: *All questions are compulsory.*

Write case laws wherever necessary.

Write each question on a separate page.

Marks are indicated against each question.

1.A) Multi choice answer:

(1×6=6)

- 1) Which Constitutional Amendment introduced the anti-defection provisions in the Constitution for the first time ?
 - a) 51st Amendment
 - b) 52nd Amendment
 - c) 53rd Amendment
 - d) 54th Amendment
- 2) Which one of the following is an extra-constitutional body ?
 - a) Language Commission
 - b) Planning Commission
 - c) Election Commission
 - d) Finance Commission
- 3) The maximum number of unstarred questions for a day in the Lok Sabha has been fixed at 230. What is the number in the Rajya Sabha ?
 - a) 230
 - b) 250
 - c) 260
 - d) No limit has been fixed
- 4) Freedom of Inter-State Trade and Commerce is regulated by the Indian Constitution under Article
 - a) 19(1)(d-e)
 - b) Art. 301
 - c) Art. 301 – 307
 - d) Combination of all the above

P.T.O.



- 5) The ordinances issued by the Governor are subjects to approval by
- | | |
|---------------|----------------------|
| a) Parliament | b) State Legislature |
| c) President | d) No one |
- 6) Zonal Councils have been created by
- | | |
|----------------------------|-------------------------------------|
| a) Constitution | b) An Act of Parliament |
| c) A Government Resolution | d) The National Development Council |

B) Fill in the blanks : **(1×6=6)**

- 1) _____ days notice is necessary for the resolution for impeachment of the President of India.
- 2) _____ was elected to the office of President as an independent candidate.
- 3) _____ schedule deals with anti-defection law in India.
- 4) Andaman and Nicobar Islands are coming under the jurisdiction of _____ High Court.
- 5) Judicial Review in India is based on _____
- 6) The Speaker of Lok Sabha addresses his letter of resignation to _____

2. The power of President of India is limited as he enjoyed in the past. Explain the constitutional position as he is enjoying today. **12**

3. The role of Governor is limited in the State affairs unlike the President of India. Discuss. **12**

OR

4. Is there any future scope to amend the provisions of fundamental rights to bring equality among the peoples. **12**

5. Write short notes on **any four** : **(4×6=24)**

- a) Privilege of member of Parliament.
 - b) Privilege of President
 - c) Distribution of legislative powers
 - d) Centre's Directives to the State
 - e) Principles of Federalism
 - f) Procedure for amending the Constitution.
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Seat No.	
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**First Year of the LL.M. Course (Semester – II) Examination, 2014
JURISPRUDENCE – II (Paper – VI)**

Day and Date : Thursday, 27-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Total Marks : 60

- Instructions :***
- i) Attempt Q. 1, Q. 2, Q. 6 are **compulsory**.*
 - ii) Solve **any one** question out of Q. No. 3 to Q. No. 5.*
 - iii) Begin **each** question on a **fresh** page.*
 - iv) Question No. should be written **correctly**.*
 - v) Figures to the **right** indicates **full** marks.*

1. A) Multiple choice questions :

6

- 1) Hohfield's intention was to emphasize the _____ effects of a clear analytical opinion on legal issues.
 - a) Educational
 - b) Professional
 - c) Technical
 - d) None of the above
- 2) Which of the following is not a legal person ?
 - a) Corporation
 - b) Institution
 - c) State
 - d) Humanbeing
- 3) The following case the Supreme Court observed the mens rea is an essential ingredient of crime
 - a) Nathulal case
 - b) Kharak Singh case
 - c) P. Rathinam case
 - d) Maneka Gandhi case
- 4) If the relation between the possessor and the thing is the direct one, it is the case of
 - a) mediate possession
 - b) constructive possession
 - c) immediate possession
 - d) corporeal possession
- 5) _____ is the right in re-aliena.
 - a) Encumbrance
 - b) Mortgage
 - c) Sale
 - d) Exchange
- 6) According to _____ custom is the source of law and not law itself.
 - a) Salmond
 - b) H. L. A. Hart
 - c) Austin
 - d) Hegel

P.T.O.



B) Fill in the blanks :

6

- 1) The criminal law generally prohibits _____ Acts.
- 2) A person is any being whom the law regards as capable of _____
- 3) _____ liability is concerned with the punishment of wrong.
- 4) According to _____ possession is the objective realization of ownership.
- 5) _____ is the oldest form of law making.
- 6) According to _____ sovereign has no rights and duties.

2. Define Rights. Explain the various types of rights. 12

3. Explain how liability are measured. Do you think any co-relation with right. 12

4. How the morality and custom will play a role in social control ? 12

5. How Dharma played a vital role in ancient time ? 12

6. Write short notes on **any four** : 24

- a) Natural law
 - b) Possession in English law
 - c) Lifting of corporate veil
 - d) Creation of liability
 - e) Law and administration
 - f) Indian legal system in ancient system.
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**First Year of the LL.M. Course (Semester – II) Examination, 2014
INDIAN ADMINISTRATIVE LAW – II (Paper – VII)**

Day and Date : Saturday, 29-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Max. Marks : 60

Instructions : 1) Q. No. **1, 2 and 6** are **compulsory**.
2) Solve **any one** from Q. No. **3 to 5**.
3) Figures to the **right** indicate **full** marks.

1. A) Multiple choice questions :

6

- 1) _____ prescribes the mode or manner of execution of government contracts.
a) AA. 298 b) AA. 289
c) AA. 299 (1) d) AA. 299 (2)
- 2) Doctrine of _____ is a rule which precludes a person from saying one thing at one stage and another thing, totally inconsistent with the earlier one, at another stage.
a) Doctrine of promissory estoppel b) Doctrine of public accountability
c) Doctrine of legitimate expectation d) None of the above
- 3) The grant of temporary injunction is governed by order _____
a) 39 b) 38
c) 37 d) None of the above
- 4) _____ is an order issued by a court to a public authority asking it to perform a public duty imposed upon it by the constitution or by any other law.
a) Habeas Corpus b) Mandamus
c) Prohibition d) Quo-warranto
- 5) The institution of Ombudsman originated in Sweden in _____
a) 1908 b) 1889
c) 1809 d) 1890



6) To strengthen the existing mechanism for checking corruption amongst Government servants, the Central Vigilance Commission was created in

- | | |
|-------------------|-------------------|
| a) February, 1965 | b) February, 1966 |
| c) February, 1964 | d) February, 1967 |

B) Fill in the blanks :

6

- 1) Doctrine of _____ occurs when a person retains money or benefits which in justice, equity and good conscience, belong to someone else.
- 2) _____ of the constitution, the liability of the Union Government or a State Government may arise out of any contract or otherwise.
- 3) Parliament of India enacted the Freedom of Information Act in the year _____
- 4) Sec. 34 of the Specific Relief Act, 1963 provides for a _____ in respect of any legal character or any right as to any property where it is questioned.
- 5) A Government can appoint an inquiry commission under Sec. 3 of the Commissions of Inquiry Act, 1952 to inquire into a matter of _____ importance.
- 6) The Maharashtra Lokayukta and Uplokayukta Act was passed in the year _____

2. "The provisions of AA.299(1) are mandatory and not directory and they must be complied with. Critically explain the requirements under AA.299(1) of constitution with reference to the above statement. Explain what are the effects of non-compliance of AA.299(1) with the help of case laws. 12
3. Critically explain the significance of Injunctions and Declarations in redressing grievances against administration with the help of decided case laws. 12
4. Explain the historical growth of institution of Ombudsman. Explain critically the need and importance of Ombudsman. 12
5. Critically explain the provisions of the Commissions of Inquiry Act. Discuss whether its decisions are binding on State Government. 12
6. Write a short notes on **any four** : 24
 - 1) Compensation Jurisprudence under AA.21.
 - 2) Emergence of Right to Information.
 - 3) Grounds of Judicial Review.
 - 4) Doctrine of Responsible Government.
 - 5) Sec. 70 of Indian Contract Act, 1872.
 - 6) Salient features of Maharashtra Lokayukta and Uplokayukta Act.



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Second Year of the LL.M. Course (Semester – III) Examination, 2014
CRIMINOLOGY (Paper – VIII)

Day and Date : Monday, 17-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Total Marks : 60

- Instructions:** i) Attempt Q. 1, Q. 2, Q. 6 are **compulsory**.
ii) Solve **any one** question out of Q. No. 3 to Q. No. 5.
iii) Begin **each** question on a **fresh page**.
iv) Question No. should be written **correctly**.
v) Figures to the **right** indicates **full marks**.

1. A) Multiple choice questions :

6

- 1) White Collar criminality has become a _____ phenomenon with the advance of commerce and technology.
a) Regional
b) National
c) Global
d) None of the above
- 2) Many crimes which are common in urban areas are unknown in _____ area.
a) Mega city
b) Semi urban
c) Rural
d) None of the above
- 3) Sheldon asserted that the physical structures were _____ related to Temperament of the person who committed crime.
a) Directly
b) Indirectly
c) Vertically
d) None of the above
- 4) Dr. Allen defined law as some thing _____ than a mere command.
a) Less
b) More
c) Equal
d) None of the above
- 5) The main exponent of Criminal Psycho-neuro-pathology is
a) Fedrico
b) Ghueck
c) Sutherland
d) None of the above
- 6) The main profounder of Criminal Psychology is
a) Alfred Binet
b) Dr. Allen
c) Cesare Lombroso
d) None of the above



B) Fill in the blanks :

6

- 1) Criminal behaviour as opposed to _____ human behaviour.
- 2) The Scholars believe the key differences among criminal and _____
- 3) The Positive School of Criminology was inaugurated by the work of Cesare Lombroso in _____
- 4) _____ observed that it has failed as a measure of social protection, so also as an instrument of retributive justice.
- 5) A person may be released after he has completed his _____ term of sentence.
- 6) Parole is closely linked with the system of _____ sentence.

2. Cyber Crime is considered as “International Crime” more serious than any other Form of Crime. Explain the ways and means to overcome this situation. **12**
 3. Explain the classical and Neo-classical school of thought on Criminology. **12**
 4. Is there any kind of relation in between Geography and Crime Causation ? Explain. **12**
 5. What are the various multi factors approach to Crime ? **12**
 6. Write short notes on **any four** : **24**
 - a) Ecology and Crime.
 - b) Psycho Analytic theory of Crime Causation.
 - c) Italian School of Criminology.
 - d) Types of Cyber Crime.
 - e) Juvenile delinquency and Rehabilitation.
 - f) Professional Crime.
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**Second Year of the LL.M. Course (Semester – III) Examination, 2014
COMPANY LAW – I (Paper – IX)**

Day and Date : Wednesday, 19-11-2014
Time : 3.00 p.m. to 6.00 p.m.

Max. Marks : 60

Instructions: 1) Q. No. 1, 2 and 6 are **compulsory**.
2) Solve **any one** out of Q. No. 3 to Q. No. 5.

1. A) Multiple choice questions.

6

- 1) Debenture is defined under _____ of the Act.
a) 2(12) b) 2(11) c) 2(10) d) 2(14)
- 2) _____ capital is the nominal value of the shares, which are offered to the public for subscription.
a) Subscribed b) Issued
c) Reserved d) Authorised
- 3) Deferred shares are sometimes called as _____ shares.
a) Founder's b) Former c) Forfeited d) Forged
- 4) After the Companies (Amendment) Act of _____, object clause was divided into three sub-clauses namely main, other object and state to which object extends
a) 1966 b) 2000 c) 1965 d) 1967
- 5) Section 31 of the Company Act, 1956, provides for alteration of _____
a) Articles b) Memorandum
c) Share capital d) Both a) and b)
- 6) Section 62(2) of the Act provides for Defences to _____
a) Expert b) Civil liability
c) Criminal liability d) All the above



- B) Fill in the blanks : **6**
- 1) Section 2(36) of the Act defines _____
 - 2) _____ companies is one which is created under the Royal Charter issued by the crown.
 - 3) _____ of shares takes place by operation of law.
 - 4) Section 41 of the Company's Act defines a _____
 - 5) When a business is carried on by a single person it is called as _____
 - 6) Where the relationship between two companies is such that, one company controls the other, then the controlled company is called as _____ company.
2. Define prospectus and discuss in detail the contents of prospectus **12**
3. Define debentures and explain the kinds and remedies of debenture holders. **12**
4. Discuss Memorandum of Association with special reference to object clause along with relevant case laws. **12**
5. Write a note on : **12**
- 1) Call on shares, forfeiture of share.
 - 2) Surrender and lien on shares.
6. Write short notes (**any 4**) : **24**
- 1) Preliminary contracts
 - 2) Promoter
 - 3) Doctrine of Indoor Management
 - 4) Rights and Liabilities of Members
 - 5) Kinds of capital
 - 6) Lifting of corporate veil.
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