

Total No. of Questions—8]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-101

LL.M. (I Semester) EXAMINATION, 2018

L.W. 101 : CONSTITUTIONAL AND LEGAL ORDER-I

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

1. Preamble makes the people supreme and not the elected representative. Examine the significance of the preamble of the constitution of India.
2. Democratic form of Government, federal structure, unity and integrity of the nation, secularism, socialism, social justice and judicial review are basic features of the constitution. Discuss the doctrine of 'basic features'.
3. Article 12 of the constitution contains the definition of 'State' which is an inclusive definition and includes Government and Parliament of India, Government and the Legislature of each of the state as also all local or other authorities. Critically discuss.

P.T.O.

4. Doctrine of reasonable classification recognises that the legislature may classify for the purpose of legislation but requires that the classification must be reasonable. It should ensure that persons or things similarly situated are all similarly treated. Explain.
5. Freedom of speech and expression includes right to impart and receive information which includes freedom to hold opinions. Examine.
6. Article 21 coupled with Article 32 of the Constitution provides the finest guarantee and most effective protection for the most precious of all rights, namely, the right to life and personal liberty of every person. Discuss.
7. Right to freedom of religion assured by Arts 25 and 26 is expressly made subject to public order, morality and health. Explain.
8. Write short notes on (any *two*) :
 - (a) Doctrine of eclipse
 - (b) Protection against double jeopardy
 - (c) Right of minorities to establish and administer educational institutions.
 - (d) Public Interest Litigation.

Total No. of Questions—8]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-102

LL.M.-I (I-Sem.) EXAMINATION, 2018

LW-102 : LEGAL THEORY AND FEMINIST JURISPRUDENCE-I

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carries 15 marks.

1. Jerome Frank's Version of American Legal Realism distinguishes between Rules Skeptic and Fact Skeptic. Critically discuss with appropriate cases.
2. "According to Savigny, Law grows with the growth of the society and gains its strengthen from the society itself and finally it withers away as the nation loses its nationality. Elaborate your answer with the help of basic tenets led by him.
3. The Theory of Natural Law can be incorporated positively into Positive Legal Order or came to be interpreted as a part of Positive Legal Order by the Judiciary. Explain.
4. According to John Finnis, 'natural law' is the set of principles of practical reasonableness in ordering human life and human community. Critically examine.

P.T.O.

5. “Laws are the product of a state and all laws are thus, the commands of a sovereign” Elaborate this statement with the help of Austin’s Theory.
6. Function of law is to reconcile the conflicting interests of individuals in the community and harmonise their inter-relations. Critically evaluate the statement in the light of Roscoe Pound’s Theory.
7. Prof. Fullers doctrine of internal morality doesn’t appear to be complete or foolproof and needs certain changes. Do you agree? Explain.
8. Write short notes: (Any Two)
 - (a) Grund Norm
 - (b) Primary Rule
 - (c) Principle of Participation
 - (d) Lex-divina

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-103

LL.M. (Semester I) EXAMINATION, 2018
LW-103 : LAW, SOCIAL TRANSFORMATION AND JUDICIAL
PROCESS IN INDIA—I
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

Q.1) The Constitution of India was framed with an aim of bringing about a peaceful social change. Critically discuss.

Q.2) Fundamental rights, and the principles that underlie them, are foundational not only to the Indian democracy, but democracies around the world. Discuss.

Q.3) Justice and reason constitute the bulwark and palladium of the general legislative intent in every piece of legislation. Examine.

Q.4) Secularism and equality being two of the basic features of the Constitution, Article 30(1) ensures protection to the linguistic and religious minorities; thereby preserving the secularism of the country. Explain.

Q.5) The reservation for rural areas cannot be sustained on the ground that the rural areas represent socially and educationally backward classes of citizens. Critically examine.

Q.6) Right to development cannot be treated as a mere right to economic betterment or cannot be limited to as a misnomer to simple construction activities. Critically evaluate.

Q.7) Write short notes on ANY TWO

a) Law reforms

b) Media and Law

c) Cooperative federalism

d) Democratic decentralisation

[5338]-103

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-104

LL.M. (Semester I) EXAMINATION, 2018

LW-104 : RESEARCH METHODS AND LEGAL EDUCATION-I
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry **15** marks each.

Q.1) With the help of jurist writings & various committee reports enumerate the aims & objectives of Legal educational. How far the Indian Legal Educational system is in tune with the same? Suggest appropriate mechanism for betterment.

Q.2) Give comparative account of different types of Teaching Methods and point out their significance in Law Teaching.

Q.3) Explain in detail the constitutional guarantees to linguistic minorities.

Q.4) What do you mean by 'Sarvodaya'? Explain Gandhian philosophy of sarvodaya and contribution of Vinobha Bhave and Jayprakash Narayan.

Q.5) Describe various Legal Research Models with appropriate illustrations and point out their contribution in legal research.

Q.6) Explain the difference between doctrinal and non-doctrinal Research. Analyze merits and limitations of each.

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

(a) Interrelationship between fact, concept and theory

(b) Formulation of Research Problem

(c) Language policy in India

(d) Characteristics of scientific methodology

Total No. of Questions—8]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-201

LL.M. (II SEM.) EXAMINATION, 2018

LW-201 : CONSTITUTIONAL AND LEGAL ORDER-II

(2006 COURSE)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) All questions carry equal marks i.e. 15 marks.

(ii) Attempt any *four* questions.

Q. No.1. Trade, Commerce and Intercourse throughout the Territory of India shall be free.” Critically comment upon the statement with the help of appropriate case laws.

Q. No.2 What is Federal Government? Discuss the features of Indian Federalism and impact of coalition Government in center on federalism.

Q. No.3. “Only an impartial and independent judiciary can protect the rights of the individual and provide equal justice without fear or favour.” Comment with the help of relevant provisions under Indian Constitution to ensure independence of Judiciary.

Q. No.4 ‘Satisfaction of the President’ under Article 352 of the Indian Constitution is subjected to judicial review’. Comment

Q. No.5. Discuss the parliamentary privileges under Indian Constitution and critically comment upon the need of codification of Parliamentary Privileges.

Q. No.6. ‘The Governor of the State plays a multifaceted role’. Explain the provisions under Indian Constitution in respect of position, powers and functions and role played by Governor during presidential rule.

P.T.O.

Q. No.7 The residuary powers are legislative powers that fall in none of the three lists under the Constitution of India. Critically analyze the residuary powers under Indian Constitution in light of above statement.

Q. No.8. Write notes on any two.

- a. Anti Defection Laws.
- b. Specific Purpose Grants
- c. Planning Commission
- d. Right to know credentials of contestant in election.

Total No. of Questions—8]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-201-A

LL.M. (II SEM.) EXAMINATION, 2018

LW-201 : CONSTITUTIONAL AND LEGAL ORDER-II

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) *All* questions carry equal marks i.e. **15** marks.

(ii) Attempt any *four* questions.

1. Discuss with the help of appropriate case laws the procedure of appointment of Judges of the Supreme Court and High Courts in India. What are the new changes suggested in NJAC judgement ?
2. Write a detailed note on :
“Whether the satisfaction of the President under Article 356 is completely immune from the judicial review in all the circumstances and the material relied by the Union Cabinet to give the advice to the President for proclamation of emergency under Article 356 also receives the same immunity ?” Substantiate your answer with the guidelines given by the Supreme Court in the decision in *S.R. Bommai Vs. Union of India*.
3. “The concept of Co-operative federalism’ helps the federal system, with its divided jurisdiction, to act in the Union. It minimizes friction and promotes co-operation among the constituent Governments of the Federal Union so that they can pool their resources to achieve certain desired national goal.” Evaluate this statement in the Indian context.

P.T.O.

4. What do you mean by Public Interest Litigation ? Who is qualified to file Public Interest Litigation ? Give detailed analysis of the guidelines laid down by the Supreme Court in entertaining Public Interest Litigation.
5. Write a detailed note on 'Colourable exercise of Power' and 'Fraud on the Constitution'. Substantiate your answer in the light of Supreme Court Judgement in D.C. Wadhawa Vs. State of Bihar.
6. Explain 'Sarkaria Commission Report' on Centre-State relationship special reference to Freedom of Trade, Commerce and Intercourse under Indian Constitution.
7. Critically examine Political and Administrative implications of Anti-Defection Law. Explain judicial review of Speaker's decision in the cases of Anti-Defection.
8. Answer any *two* of the following :
 - (a) Pardoning Powers of the Governor
 - (b) Declaration of Criminal Antecedents
 - (c) Restrictions on taxing powers
 - (d) Finance Commission.

Total No. of Questions—8]

[Total No. of Printed Page—1

Seat No.	
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[5338]-202

LL.M. (Semester II) EXAMINATION, 2018

LW-202 : LEGAL THEORY AND FEMINIST JURISPRUDENCE—II
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry equal marks.

- Q. 1 The law declared by the highest court of the land comes into effect from the date of cause of action occurred in the past. However the doctrine of prospective overruling appears to be an exception to this rule. Discuss with the help of relevant case laws.
- Q. 2 "The bindingness or authoritativeness of a decision emanates from ratio decidendi and not from the judgement as a whole." Discuss the doctrine of precedent in India.
- Q. 3 Explain the concept of legal right. Discuss the kinds of legal rights.
- Q. 4 Explain in detail the different approaches to the feminist Jurisprudence.
- Q. 5 Discuss in detail the applicability of Rawls theory of distributive justice to Indian legal system.
- Q. 6 Critically examine the relationship between law and morality with special reference to Indian legal system.
- Q. 7 Write an essay on feminist jurisprudence under the Constitution of India.
- Q. 8 Write short notes on the following:
- (a) Basis and nature of morality.
- (b) Advisory jurisdiction and Precedent.

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-203

LL.M. (Semester II) EXAMINATION, 2018
LW-203 : LAW, SOCIAL TRANSFORMATION AND
JUDICIAL PROCESS IN INDIA—II
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

Q1) What are various techniques of Judicial creativity?

Q2) Judicial dynamism is inherent in the value based Indian Constitution – Explain this statement with reference to the Indian Constitution.

Q3) State whether the Judicial Law making process is unlimited?

Q4) Public interest litigation has thrown access to the popular participation in the administration of Justice- Examine this statement.

Q5) The Judicial review in India has explored new meaning and content to the Constitutional goals- Critically examine this statement.

Q6) Discuss the significance of Dharma as basic concept of Indian legal system.

Q7) Write short notes on any two of the following:-

- 1) Distributive Justice
- 2) Judicial accountability
- 3) Ratio decedendi

Seat No.	
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[5338]-204

LL.M. (Semester II) EXAMINATION, 2018
LW-204 : RESEARCH METHODOLOGY AND
LEGAL EDUCATION—II
(2006 PATTERN)

Time : Three Hours**Maximum Marks : 60**

N.B. :— (i) Attempt any *four* questions.
(ii) *All* questions carry **15** marks each.

Q.1) Explain the concept of hypothesis. Explain the role played by hypothesis in legal research. Explain process of formulate hypothesis and the problems which might be encountered while formulating hypothesis.

Q.2) What do you mean by workable research design? Discuss major steps involved in preparation of research design.

Q.3) Discuss in detail various types of interviews used as a tool for data collection in the light of their advantages and disadvantages.

Q.4) What do you mean by 'case study'? Explain difference between 'case study' and 'survey' as a method of legal research in light of their advantages and disadvantages.

Q.5) Discuss the importance of Sampling and merits and demerits of different non-purposive (probability) sampling techniques.

Q.6) Discuss in detail various scaling techniques used for legal research.

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

- (a) Questionnaire
- (b) Research report writing
- (c) Citation Rules
- (d) Jurimetrics and socio-metrics.

Total No. of Questions—6]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-301

LL.M. (III-Sem.) EXAMINATION, 2018

LW-301 : INTERNATIONAL LAW AND PRACTICE

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry equal marks.

1. Write notes: (Any *Two*) :

(a) State Succession

(b) Theories and types of State recognition.

(c) Exclusive Economic Zone

(d) Calvo Clause Doctrine

2. The term 'subjects of international law', would include an incumbent of rights and duties under international law. Explain the status of individual as a subject of international law.

3. The material source of international law must be distinguished from an intangible source, which also plays an important role in international Law. Critically examine various sources of International Law.

P.T.O.

4. According to Sir Cicil Hurst, “no state can escape from the influence of International law. International law is binding on states because they are states”. With reference to the above statement explain the theories as to the basis of international law.
5. Expalin in detail the significance of the Vienna Convention on the law of treaties. How has it contributed to the development of international Law?
6. The classical law of the sea divides the hydrospace into the territorial and the high seas, endowing the former to the costal states, and keeping the latter free and open to states under the doctrine of the "freedom of the seas". Explain.
7. Define State Responsibility. Elaborate how the State can be made liable and accountable for its actions under the International Law ?

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-302

LL.M. (Semester III) EXAMINATION, 2018
LW-302 : INTERNATIONAL ORGANISATIONS—
THEIR ROLE AND INTERNATIONAL LAW
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry equal marks.

Q1) Explain - what is 'Veto' along with the Security Council's role in passing various resolutions for Protecting Peace and Security.

Q2) Discuss in detail the Membership Criteria for the States or their entities to become part of International Organisations.

Q3) Define Extradition. Explain with the help of case laws the role of Extradition Treaty in the International Criminal Justice System.

Q4) What are the different means of settlement of International disputes? Explain in detail the peaceful means of settlement of disputes under International Law.

Q5) "International Commission of Jurists is an Organisation functioning under the Control of Western Countries which involves in exposing only the affairs of the Third World Countries." Comment.

Q6) Critically evaluate role of NGOs in the promotion of education about Human Rights at International level.

Q7) Write Short Notes (any two)

- a) Collective Security
- b) Rule of Double Criminality
- c) Nationality

[5338]-302

Total No. of Questions—8]

[Total No. of Printed Page—1

Seat No.	
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[5338]-303

LL.M. (Semester III) EXAMINATION, 2018

**LW-303 : PRINCIPLES OF CRIMINAL LAW AND PROCEDURE
(2006 PATTERN)**

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry equal marks.

1. Explain the maxim, *actus non facit reum nisi mens sit rea*. Is mens rea a part of criminal law in India? Explain with help of cases.
2. What do you mean by crime? Give an account of various definitions of crime.
3. What is the difference between the scope of sections 76 and 79 of the Penal Code? Explain.
4. What is an act excusable on the ground of its being done by accident? Discuss with illustrations.
5. 'Nothing is an offence which is done in the exercise of right of private defence'. Elucidate and explain the object and purpose of right of private defence.
6. Is conspiracy to corrupt public morals an offence under common law? Is Indian Law similar to English Law on the subject?
7. Discuss with help of leading judgments of Supreme Court of India the tests evolved by the court to distinguish between 'Attempt' and 'Preparation'.
8. Write a note on Burden of Proof with relation to General defenses.

Total No. of Questions—8]

[Total No. of Printed Page—1

Seat No.	
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[5338]-304

LL.M. (Semester III) EXAMINATION, 2018
LW-304 : CRIMINOLOGY
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.
(ii) *All* questions carry equal marks.

1. Explain Freudian ideology of criminal behaviour. [15]
2. Explain in detail the attributes of Indian Criminal Justice System in dealing with the Rights of Victim. [15]
3. Explain the concept of Juvenile Delinquency, and critically analyse recent Legislative approach to Juvenile Delinquency. [15]
4. Critically examine sociological theory of crime causation. [15]
5. Critically evaluate the role of Class and Caste in escalating the communal violence in India. [15]
6. Criminology is a process that involves making of laws, breaking of laws, and reactions towards breaking of laws. Explain in the light of scope of criminology. [15]
7. Karl Marx propounded capitalism as root cause of crime. Explain the incidences in your opinion where economic gain is not considered as the only cause of crime. [15]
8. Critically examine the institutional and after care services with special reference to juveniles. [15]

Total No. of Questions—6]

[Total No. of Printed Pages—1

Seat No.	
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[5338]-305

LL.M. (III SEM.) EXAMINATION, 2018

LW-305 : LAW OF CONTRACTS

(2006 COURSE)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry equal marks.

Q.1) Discuss the provisions of dissolution of firms under Partnership Act

Q.2) Explain the rules of performance of Contract under sale of goods Act.

Q.3) Write a detailed note on standard form of contract.

Q.4) what is the rule of Privity of Contract? Explain it with the statutory exception.

Q.5) Is the Specific Performance an exceptional remedy within the discretionary power of the Court to grant? Should it be available as a matter of right?

Q.6) Write short notes on **any two**:

a) Fraud

b) Coercion

c) Incoming and outgoing partners

d) Breach of Contract

[5338]-305

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-306

LL.M. (Semester III) EXAMINATION, 2018

LW-306 : COMPANY LAW

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

- 1) What is winding up by the Tribunal of Company? Discuss procedure for the same under the Companies Act.
- 2) Define Shares. Make a comparative account of 'Preference Shares' and 'Equity Shares'.
- 3) Discuss the Powers, duties and liabilities of a Director of a Company.
- 4) "The fundamental attribute of Corporate Personality is that Company is a legal entity distinct from the members." Elucidate this statement.
- 5) What are the different kinds of Meetings? When and how these Meetings are held?
- 6) What are the powers of Central Government with respect to Prevention of Oppression and Mismanagement?
- 7) Write short notes on any Two:
 - a) Doctrine of Ultra vires
 - b) Debentures
 - c) Lifting of Corporate veil

Total No. of Questions—7]

[Total No. of Printed Pages—1

Seat No.	
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[5338]-309

LL.M.-II (III SEM.) EXAMINATION, 2018

LW-309 : MEDICAL LAW-III

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) *All* questions carry 15 marks.

(ii) Attempt any *four* questions.

Q.1) 'Explain the concept of Informed Consent'. State the significance of Informed Consent in Doctor-Patient relationship. Critically analyze the opinions of Supreme Court in this case.

Q.2) Define Medical Negligence. What are its essentials as a tort? Trace Judicial Approach towards the development of Medical Negligence in detail.

Q.3) State in brief the relevant provisions to regulate and organize the medical education and profession in India. And also comment upon the implications of Privatization of medical education in India in detail.

Q.4) Give a brief overview of 'Drugs (Control) Act, 1950 and Pharmacy Act, 1948. How these two Acts are effective to regulate Pharmaceutical Industries in India.

Q.5) What are the objectives and guidelines of National Blood Policy? Analyze the same in the present context.

Q.6) Critically analyze the legal and ethical considerations and Instruments to regulate Clinical Trial at International Level. What is the position In India in regards to Clinical Trial.

Q.7) Write short notes on :

1. Medical Termination of Pregnancy
2. Transplantation of Human Organs
3. Interrelationship between Law, Technology and Science

[5338]-309

Total No. of Questions—7]

[Total No. of Printed Pages—1

Seat No.	
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[5338]-310

LL.M. (III SEM.) EXAMINATION, 2018
LW-310 : INFORMATION TECHNOLOGY LAW
(2006 COURSE)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

1. Trace the Growth of Computer Science & Technology and discuss the Law in relation to implications of Information Technology in India.
2. What is 'Cyberspace'? Discuss the Legislative and Regulatory Norms in Cyberspace.
3. Examine the appropriateness of Legal Provisions regulating the Communication Convergence in India.
4. What do you understand by 'Computer Technology'? Explain the Regulation of Transfer of Computer Technology.
5. Discuss the Protection of Right to Privacy and Computer System with the help of relevant Provisions under the various Statutory Laws & the Constitution of India.
6. What is 'Hate Speech'? Critically analyze the Laws against Hate Speech in India.
7. Write Short Notes on:
 - (i) Cyber Pornography
 - (ii) Artificial Intelligence
 - (iii) Historical Genesis of Information Technology Act, 2000

[5338]-310

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-312

LL.M. (Semester III) EXAMINATION, 2018
LW-312 : HUMAN RIGHTS AND INTERNATIONAL ORDER
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

Q. 1) Universal Declaration of Human Rights is significant document which confers basic human rights to an individual at International Level. Explain.

Q. 2) Explain and evaluate the principles laid down in Covenant on Economic, Social and Cultural Rights, 1966 and its relevance with Indian Constitution.

Q. 3) For protecting the human rights of workers the international Labour Organization has played a vital role. Explain & discuss the structure & provisions made under ILO for protecting the rights of workers.

Q.4) "All Human Rights Instruments originates from United Nations Charter" Explain and discuss the significant role played by UN charter from the said perspective.

Q.5) critically evaluate the role of African Convention on Human Rights and its contribution in African Countries.

Q. 6) European Court of Human Rights has strengthened mechanism of enforcement of human rights in Europe. Explain.

Q. 7) Write Short note (Any two)

a) International Court of Justice

b) UNESCO

c) International Commission of Human Rights.

Seat No.	
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[5338]-313

LL.M. (Semester III) EXAMINATION, 2018

LW-313 : ADMINISTRATIVE PROCESS-NATURE AND SCOPE
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry equal marks.

Q. 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 various definitions of Administrative Law and also discuss the nature and scope of Administrative Law.

Q. 2 Examine doctrine of Rule of Law and its development in India and England.

Q. 3 What do understand by the term 'Delegated Legislation'? What are the Constitutional limits on the power of the Legislature in India to Delegate its Legislative Functions?

Q. 4 The Courts in India have developed Law on State Liability for the tortious act of its servant without expressly overruling some of the earlier decisions which defines State Liability in very narrow terms. Comment on the given statement citing appropriate case laws.

Q. 5 Discuss the ways in which Courts in India have controlled the discretionary power of administrative authorities with the help of fundamental rights.

Q. 6 Critically examine the Contractual Liability of State. Substantiate your answer with the help of appropriate case laws.

Q. 7 Discuss the theory of 'Separation of Powers'. How it is incorporated under Indian Constitution.

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-314

LL.M. (Semester III) EXAMINATION, 2018

LW-314 : ADMINISTRATIVE PROCESS AND JUDICIAL CONTROL
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

Q1) Examine the importance and significance of the Doctrine of Promissory Estoppel as an aspect of Administrative Law.

Q2) Critically comment on the constitutional validity of Delegated Legislation in India with the help of appropriate case laws.

Q3) Evaluate Judicial Control of Administrative Discretion and its grounds.

Q4) On the basis of each principle of natural justice, discuss the nature and scope of administrative decisions making power in India.

Q5) The Writ process has overshadowed all other techniques of judicial review of Administrative action. Discuss.

Q6) The Indian Supreme Court's stand in Ujjambai case is no longer tenable in today's circumstances. Explain.

Q7) Write short notes (Any two) :-

- a) Exclusion of Natural Justice
- b) Conditional Legislation
- c) Doctrine of Legitimate Expectation.
- d) Institutional Decision.

Total No. of Questions—7]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-401

LL.M. (IV SEM.) EXAMINATION, 2018

LW-401 : INTERNATIONAL HUMANITARIAN LAW

(2006 COURSE)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry equal marks.

Q.1) Discuss at length the UN General Assembly Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, 1987.

Q.2) Discuss the provisions for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea under the Geneva Convention 1949.

Q.3) Neutrality rules are viewed in different perspectives depending upon the type of conflict from which nations may stay neutral. Discuss the rights and duties of Neutral Powers in Naval War as enumerated under the Hague Convention 1907.

Q.4) Elaborate on the role of the United Nations High Commissioner for Refugees (UNHCR) in the protection of the refugees.

Q.5) Discuss the policies for Disarmament under the International Humanitarian Law. Substantiate your answer in light of working of the First Committee of the UN General Assembly on Disarmament.

P.T.O.

Q.6) The United Nations General Assembly adopted the Global Counter-Terrorism Strategy on 8 September 2006. The success of Strategy depends on balanced implementation of all four pillars under the Plan of Action. Discuss

Q.7) Write Short Notes (Any Two)

- (a) Conventional Warfare
- (b) Enemy Character
- (c) Blockade
- (d) Role of Red-Cross

Total No. of Questions—8]

[Total No. of Printed Page—1

Seat No.	
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[5338]-402

LL.M. (Semester IV) EXAMINATION, 2018
LW-402 : PENOLOGY
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.
(ii) *All* questions carry **15** marks.

Q.No.1 Penology concerns itself with various aspect of Punishment and penal policies. Discuss the nature and scope of Penology.

Q. No. 2 Critically discuss Theories of Punishment. Which theory in your opinion is most suitable in the contemporary era ?

Q. No. 3 The Cruelty of Capital Punishment lies not only in the execution itself and the pain incident thereto, but also in dehumanizing effects of the lengthy imprisonment prior to execution during which the judicial and administrative procedures essential to due process of law are carried out. Discuss critically.

Q. No. 4 The success of probation programme, largely depends on the quality of probation staff deployed to handle offenders. Discuss the role and functions of probation officers.

Q. No. 5 Define an Open Prison. Trace out origin, characteristics and advantages of an Open Prison.

Q. No. 6 “ Parole has a twin purpose to achieve; Protection of society and rehabilitation of the offender” Explain

Q.No.7 The problem of Drug Abuse is highly complicated and multi dimensional. Explain causes and suggest measures to combat Drug Addiction.

Q. No.8 Police play a vital role in maintaining Law and Order in the Society. Discuss in the light of functions of Police Officers. Do you agree that Police cannot effectively function because of political interference?

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-403

LL.M. (Semester IV) EXAMINATION, 2018

LW-403 : BUSINESS LAW—III

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) Each question carries 15 marks.

Q.1) Discuss provisions relating to ‘Suspension of Business and Winding up of Banking Companies’ under the Banking Regulation Act, 1949.

Q.2) State and explain the various kinds of endorsement under the Negotiable Instrument Act, 1881.

Q.3) Discuss essentials of a Life Insurance Contract. How does it differ from Fire Insurance Contracts ?

Q.4) Explain the Consumer Disputes Redressal Agencies established under the Consumer Protection Act, 1986.

Q.5) Discuss the new dimension given by the judiciary to the definition of “service” under the Consumer Protection Act, 1986.

Q.6) What are the different types of Marine Insurance policies? Explain with the help of case laws.

Q.7) Write short notes on :

- a) Content of protest and notice of protest
- b) Banker's Right of General Lien
- c) Negotiation of an Instrument

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-404

LL.M. (Semester IV) EXAMINATION, 2018

LW-404 : INDUSTRIAL RELATIONS AND ADJUDICATION—III
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

Q.1) The Social and Economic upliftment of Labour is important for securing industrial peace which is essential to increase National Productivity. Comment with reference to constitutional objectives and Directive Principles of State Policy for Welfare of Labour.

Q.2) Discuss various authorities constituted with an object to settle the industrial dispute peacefully. Critically analyze the object of the Industrial Dispute Act, 1974 in this context.

Q.3) Reference of Industrial Disputes by appropriate Government under Section 10 of Industrial Disputes Act, 1947 is the Governmental Discretion and administrative function but subject to judicial review. Comment with the help of decided case laws.

Q.4) What is the concept of Jurisprudence of industrial adjudication? How it has been formulated and adopted in the India?

Q.5) Define 'Award' and state provisions regarding 'Operation, Duration of Award on whom it is binding' under Industrial Disputes Act, 1947.

Q.6) What are various the provisions of Compensations under Chapter VA of the Industrial Dispute Act, 1947.

Q.7) Define Standing Order. State the role of Standing Order in industrial relations.

Total No. of Questions—8]

[Total No. of Printed Page—1

Seat No.	
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[5338]-405

LL.M. (Semester IV) EXAMINATION, 2018

LW-405 : BIOTECHNOLOGY LAW

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

1. What is Biotechnology? Discuss various areas of Biotechnology requiring Legal Intervention.
2. Elucidate the Problems of Bio-hazards in recombinant Deoxyribo Nucleic Acid (r-DNA) Research.
3. Explain the relationship between Biotechnology and Intellectual Property Rights (IPRs).
4. Discuss salient features of Cartagena Protocol on Bio-safety and Indian Law in this context.
5. Explain the Provisions relating to Compulsory Licence under the Protection of Plant Varieties and Farmers' Rights Act, 2001.
6. Establish nexus between Medical Biotechnology, Human Health and Human Rights with the help of appropriate illustrations.
7. Give a comparative account of Law with reference to regulation of deliberate release of Genetically Mutated Micro-organisms in United Kingdom (U.K.), United States of America (U.S.A.) and India.
8. Write Short Notes: (**Any Two**)
 - (i) Genetic Screening
 - (ii) Regulation of Governmental Sponsored Research
 - (iii) Genetic Engineering

Total No. of Questions—8]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-406

LL.M. (IV SEM.) EXAMINATION, 2018

LW-406 : PROTECTION AND ENFORCEMENT OF HUMAN

RIGHTS IN INDIA

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

1. Discuss the constitutional provisions protecting rights of linguistic and religious minorities in India.
2. Highlight the role of judiciary in protecting the rights of women in India with the help of case laws.
3. Critically examine the responsibility of State in promotion and protection of rights of Scheduled Caste and Scheduled Tribes in the light of Constitutional provisions.
4. Discuss in detail the composition, status and jurisdictional limits of National Human Rights Commission in India under the Protection of Human Rights Act, 1993.
5. Explain the concept of bonded labour. Discuss how effectively India has implemented its obligations under various international instruments for abolition of bonded labour system in India.

P.T.O.

6. Human rights strengthen good governance. Discuss the Social, Economic and Cultural rights under Part IV of the Constitution of India
7. Discuss the composition, power and functions of National Commission for Minorities and its role in protecting Human Rights of the Minorities in India.
8. Analyze the development of Human Rights Jurisprudence in the contemporary era.

Total No. of Questions—7]

[Total No. of Printed Page—1

Seat No.	
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[5338]-407

LL.M. (Semester IV) EXAMINATION, 2018
LW-407 : COMPARATIVE ADMINISTRATIVE LAW
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

(ii) *All* questions carry equal marks.

Q.1. Rule of Law is not a principle of Law but a political precept that is no more exclusively English but is shared by all civilized nations today. Answer in light of Indian and English Legal System.

Q.2. Examine in detail the origin and development of Administrative Law in USA.

Q.3. Discuss the grounds and remedies of judicial review of administrative action in England.

Q.4 Discuss functions and powers of Parliamentary Commissioner in United Kingdom under the Parliamentary Commissioner Act, 1967.

Q.5. Write a critical comment on the civil liberties available to a person in England.

Q.6 What is Parliamentary Sovereignty ? Discuss effects of the doctrine of Parliamentary Sovereignty on Development of Administrative Law in England.

Q.7 Discuss evolution and development of Administrative Law in Australia.

Total No. of Questions—8]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-409

LL.M. (Semester IV) EXAMINATION, 2018

**LW-409 : ENVIRONMENT AND INTERNATIONAL LEGAL ORDER-III
(2006 PATTERN)**

Time : Three Hours

Maximum Marks : 60

N.B. :— (i) Attempt any *four* questions.

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

Q. 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.

Q. 2. The Global Environment Facility (GEF) unites member governments in partnership with international institutions, non-governmental organisations and private sector to address global environmental issues. Write a critical appraisal of the structure and functioning of GEF.

Q. 3. The Global Environment is facing unprecedented threats, and the International Funds have to be translated rapidly into projects, programmes and policies which would improve the environmental conditions in the developing countries. How far in your Opinion the World Environment Fund has achieved this objective ?

Q. 4. Sustainable Management of Marine Environment focuses on improving our understanding of the impacts of human activities on the oceans, seas and on marine resources. What are the international measures for the conservation and sustainable exploitation of marine resources ?

Q. 5. Protection of the environment which, by definition, entails a reduction in cross-border environmental degradation is consequently a joint responsibility of all States. What are the International Legal Measures to control trans-boundary pollution ?

Q. 6. "States shall ensure that environmental conservation is treated as an integral part of Planning and Implementation of Development Activities." Comment upon the International Legal Efforts to introduce sustainability in the development process.

P.T.O.

Q. 7. The trans-boundary dumping of hazardous waste is becoming a problem of major concern for the Community of States. How does International Environmental Law address this problem ?

Q. 8. Short Notes (Attempt any two)

a. Oil Pollution

b. Acid rain.

c. Disaster management at international level.