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[5445]-1001

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

INTRODUCTION TO LEGAL THEORY

Paper I

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Attempt any *four* questions, of which question No. **6** is compulsory.

(ii) Question No. **6** carries **14** marks and remaining questions carry **12** marks each.

1. “Social Engineering Theory is not outdated and it is still relevant to balance conflicting interest.” Discuss.
2. Discuss important propositions of “Kelson’s Pure Theory of Law”. Point out its demerits.
3. “Law remains in the child world till it is so declared as valid by Judiciary.”
Explain the above statement in the light of American Legal Realism.
4. Critically examine the Rawls’ Theory of Justice and its applicability to Indian Legal System.

P.T.O.

5. "The Theory of Natural Law advocated by Lon Fuller is based upon the doctrine of Internal Morality." Comment.
6. Write short notes on (any *two*) :
- (a) Principle of Participation
 - (b) St. Thomas Aquinas
 - (c) Gunman Theory
 - (d) Basic Common Goods.

Total No. of Questions—6]

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[5445]-1002

F.Y. LL.M. (I Semester) EXAMINATION, 2018

CONSTITUTIONAL LAW OF INDIA

Paper-II

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Attempt any *four* questions and Question No. **6** is compulsory.
(ii) *All* questions carry **12** marks each and Question No. **6** carries **14** marks.

1. Explain how the Supreme Court has given importance to the Preamble of the Constitution of India.
2. Doctrine of protective discrimination has undergone a vital change under the Constitution and is shaped by judiciary from time to time.
3. With the help of decided cases examine critically the procedure of appointment of judges of higher judiciary in India. Does it guarantee judicial independence ? Discuss.
4. Examine the concept of 'social justice' as reflected in the Constitution of India. Support your answer with appropriate case laws.
5. Write a critical note on framing of Indian Constitution.
6. Discuss the nature and scope of Article 20 of the Indian Constitution.

Total No. of Questions—6]

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[5445]-1003

F.Y. LL.M. (I Semester) EXAMINATION, 2018

LEGAL RESEARCH METHODOLOGY

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

- N.B. :—** (i) *First* question is compulsory. Attempt any *three* questions out of remaining questions.
- (ii) First question carry **14** marks and all remaining questions carry **12** marks each.

1. Write detailed notes on (any *two*) : [14]
 - (a) Meaning and concept of research
 - (b) Scaling techniques
 - (c) Workable research design
 - (d) Random sampling

2. Give a comparative account of doctrinal and non-doctrinal research methods and point out their significance in legal research. [12]

3. Explain the concept of hypothesis. What is significance of hypothesis in legal research ? Explain with the help of illustrations. [12]

P.T.O.

4. “Social Science research begins and ends with observation.” Discuss in light of merits and demerits of different types of observation. [12]

5. What do you mean by data processing ? Explain in detail the tools of data processing and analysis. [12]

6. What is research report ? Explain the steps involved in the research report writing. [12]

Total No. of Questions—6]

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[5445]-1004

LL.M. (I Year) (I Semester) EXAMINATION, 2018

INTRODUCTION TO INTERNATIONAL LAW

Cluster-I (International Law)

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Question No. 1 is compulsory, it will carry 14 marks.
(ii) Answer any *three* questions out of remaining, each will carry 12 marks.

1. Write short notes on any *two* of the following :
 - (A) Sources of International Law
 - (B) Privileges and immunities to Diplomatic agents
 - (C) Intervention
 - (D) Peaceful settlement of dispute.

2. Discuss the development of International Law from ancient age to Modern period.

3. “International Law and Municipal Laws are two distinct, separate and self-contained legal system.” Comment.

4. “There is a big difference between ‘Recognition of State’ and ‘Recognition of Government.’” Explain your views with the help of different examples.

P.T.O.

- 5.** “Jurisdiction of state over its territory is called territorial jurisdiction. It implies that a state enjoys civil as well as criminal jurisdiction over all persons and things.” Explain provisions of International law related to ‘Civil’ and ‘Criminal’ jurisdiction of state.

- 6.** “Article 1 of the Draft articles prepared by the International Law Commission stated that every Internationally wrongful act of a state entails the International responsibility of the state and this applies to all states.” Comment on that statement, also explain direct and indirect responsibility of the state.

Total No. of Questions—6]

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[5445]-1005

F.Y. LL.M. (I Semester) EXAMINATION, 2018

PRINCIPLES OF CORPORATE LAW

Paper-IV

Cluster-II (Business Law)

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Question No. 6 is compulsory carrying 14 marks.

(ii) Out of the remaining attempt any *three*. Each carries 12 marks.

1. Write a detailed note on concept of share and share capital.
2. Write notes on :
 - (a) Role of Central Government in Corporate Management
 - (b) Role of Company Law Board in Corporate Management
3. What are the statutory provisions of reconstruction by sale of undertaking ? Whether it is adequately dealt under the legal framework ?
4. State and explain the impact of globalization on development of corporate governance.
5. Explain the concept of Corporate Social responsibility and the Legal recognition to it.

P.T.O.

- 6.** Write short notes on (any *two*) :
- (a) Powers of Court in Mergers
 - (b) Significance of Corporate Law
 - (c) Concept of Corporate Management.

Total No. of Questions—8]

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[5445]-102

F.Y. LL.M. (I Semester) 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) Each question carries **15** marks.

1. Critically examine the Kelson's Pure Law Theory with its propositions and point out its drawbacks, if any.
2. According to St. Thomas Aquinas, Law as "an ordinance of reason for the common good made by him who has care of community and promulgated through reason." Elucidate with the help of case laws.
3. "Prof. John Finnis has restated Basic Common Goods and Methodological Requirements" in his natural law theory. Discuss with the help of appropriate examples.
4. Discuss Austin's Theory of Law and its impact under Indian legal system with the help of appropriate judicial decisions.

P.T.O.

5. Historical school is reaction against Natural Law Theory. Do you agree ? Explain your answer with basic tenets or approach led by Savigny.
6. “Social engineering theory is not outdated and it is still relevant to balance conflicting interests.” Elaborate your answer with Indian position.
7. According to Llewellyn, there is no realist school as such, it is only a movement in *thought* and *work* about law. Explain Realism in the Indian context.
8. Write short notes on (any *two*) :
 - (a) John Locke
 - (b) Internal Morality
 - (c) Primary rule
 - (d) Principle of Respect.

Total No. of Questions—7]

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[5445]-103

F.Y. LL.M. (I Semester) 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.

1. Law is an instrument of social change as well as the defender for social change. Critically discuss.
2. Equality is one of the magnificent corner stones of Indian democracy. Discuss.
3. Every legislation is purposed to advance public advantage and welfare. Examine.
4. Pluralism is the keynote of Indian culture and religious tolerance is the bedrock of Indian secularism. Explain.
5. Article 16(4) enables the State to make any provision for reservation of appointment or posts in favour of any backward classes of citizens. Critically examine.

P.T.O.

- 6.** Right to development includes the whole spectrum of civil, cultural, economic, political and social process for the improvement of people's well being and realization of their full potential. Critically evaluate.
- 7.** Write short notes on any *two* :
- (a) Freedom of Press
 - (b) Local self government
 - (c) Regionalism and Law
 - (d) Rights of Children.

Total No. of Questions—6]

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[5445]-2001

LL.M. (I Year) (II Semester) EXAMINATION, 2018

Paper 8 : INTRODUCTION TO INTERNATIONAL INSTITUTIONS

Cluster-I (International Law)

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Question No. 1 is compulsory, it will carry 14 marks.
(ii) Answer any *three* out of the remaining, each will carry 12 marks.

1. Write short notes on any *two* of the following :
 - (a) UNESCO
 - (b) OPEC
 - (c) ICJ
 - (d) Legal Personality of International Organizations

2. Comment on statement that “The General Assembly (GA) of UNO is the main deliberative, policymaking and representative organ of the UN”.

3. “International Labour Organization (ILO) is the only agency that bring together the Government, employees and employer.” Discuss the origin, history, mission and objectives of ILO.

P.T.O.

4. “The North Atlantic Treaty Organization (NATO) is an intergovernmental military alliance. The organization constitutes a system of collective defence whereby its member states agree to mutual defence in response to an attack by an external party.” Discuss in detail changes in International peace and security specially cold war situation between big and powerful countries of the world, after establishment of NATO.

5. The purpose to established International Tribunal on law of sea was to solve disputes arising out of the interpretation and application on the United Nations Convention on the law of sea. Explain.

6. “Along with privileges and immunities state members of an International organization also have Liability.” Explain.

Total No. of Questions—6]

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[5445]-2002

LL.M. (First Year) (II Semester) EXAMINATION, 2018

COMPARATIVE CONSTITUTIONAL LAW

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Attempt any *four* questions and Question No. 6 is compulsory.
(ii) *All* questions carry **12** marks and Question No. 6 carries **14** marks.

1. Discuss Parliamentary Privileges under various Constitutions. Explain the need for Codification of Privileges under the Indian Constitution.
2. Judicial Review is an essential characteristic of the Constitution. Explain how the Judicial Review has contributed in the growth of various Constitutional Laws.
3. Discuss the different forms of Government. Critically examine the Parliamentary form of Government as prevailing in India.
4. 'Comparative Constitution is an essential tool for understanding the governance systems of other countries.' Write a detail note on the significance and importance of study of Comparative Constitution.

P.T.O.

- 5.** Comparatively examine the provisions of Amendment to the Constitution.
- 6.** Write short notes on (any *two*) :
- (a) Co-operative Federalism
 - (b) Emergency provisions vis-a-vis Fundamental Rights
 - (c) Anti-defection Laws
 - (d) Written Constitution as limitation on Legislative Lawmaking.

Total No. of Questions—6]

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[5445]-2003

F.Y. LL.M. (II Semester) EXAMINATION, 2018

203 : LAW MAKING IN INDIAN POLITY AND STATUTORY

INTERPRETATION

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

- N.B. :—** (i) Question No. 6 is compulsory. Q. No. 6 carries 14 marks.
(ii) Out of remaining attempt any *three* questions which carry
12 marks each.

1. Discuss the law making process in India and state its importance in Parliamentary Democracy.
2. 'Rules of interpretation require a statute to be interpreted not only as per text but also in the context in which it is given.' Explain with the help of Golden Rule of Interpretation.
3. Strict interpretation is required to be made while interpreting Penal Statutes. Comment.
4. 'Morality provides basis for making laws.' Critically analyze the statement with relevant examples.

P.T.O.

5. Internal aids to construction have its own importance in interpreting provisions of the statute. Discuss Long title, Definition, proviso, illustration and punctuation.
6. Write short notes (any *two*) :
- (1) Law Commission Reports as an External aid to Interpretation of a Statute.
 - (2) Presumption as to retrospectivity of a Statute.
 - (3) Sententia-legis.
 - (4) Mischief Rule of Interpretation.

Total No. of Questions—6]

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[5445]-2004

F.Y. LL.M. (II Semester) EXAMINATION, 2018

LW - Paper-8

LAW OF CONTRACTS—GENERAL PRINCIPLES

Business Law Cluster II

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Question No. 6 is compulsory. It carries 14 marks.

(ii) Out of remaining attempt any 3 carrying 12 marks each.

1. Analyze the Communication rules of the offer and acceptance in the context of E-Contracts.
2. Describe the nature of Partnership under the law of partnership. What are the determinants of existence of partnership ?
3. Define term 'consideration' appropriately. Also write the exception to consideration recognized under Law with the appropriate case laws.
4. What is Sale ? Distinguish substantially between sale and agreement to sell.

P.T.O.

- 5.** Explain in detail the elements which vitiate the free consent.
- 6.** Write notes on (any *two*) :
- (a) Discharge by Performance
 - (b) Specific Performance
 - (c) Government Contracts
 - (d) Auction Sales.

Total No. of Questions—8]

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[5445]-201

F.Y. LL.M. (II Semester) EXAMINATION, 2018

LW-201 : CONSTITUTIONAL AND LEGAL ORDER—II

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

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

(ii) *All* questions carry equal marks.

1. Critically examine the powers and functions of the 'Election Commission' under the Constitution of India. [15]
2. Write a detailed note on the original power of the State to impose tax in the light of the important judgements of the Apex Court. [15]
3. Examine the position and powers of the Governor of the State as a representative of the President under the Indian Constitution. [15]
4. The 52nd Constitutional Amendment Act has added Xth Schedule in the Constitution to prevent the politics of defections in India. Discuss the effectiveness of the amendment and subsequent the Anti-defection Law in India. [15]

P.T.O.

5. Discuss the areas of stress and strain in the distribution of Federal Financial Relations in the Indian Constitution and suggest the ways and means to overcome such difficulties. [15]
6. The essence of federalism lies in the distribution of powers between Centre and State. Explain legislative relationship between Centre and State with reference to different principles of interpretation of the lists. [15]
7. Critically evaluate the procedure for Appointment and Removal of Judges of Supreme Court with the help of important judicial decisions in India. [15]
8. Answer any *two* of the following : [15]
- (a) Doctrine of Independent Judiciary
 - (b) Declaration of Assets
 - (c) Comptroller and Auditor General of India (CAG)
 - (d) Planning Commission.

Total No. of Questions—7]

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[5445]-202

F.Y. LL.M. (II Semester) 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.

1. “Precedent possesses a distinct and legally recognised law-creating power. This power, however, can only create law but cannot abrogate it.” Appraise and examine the applicability of the doctrine of precedent in India.
2. Define ‘Right’ and explain its nature. What are the different kinds of Legal Rights ?
3. “Justice is the first virtue of social institutions, as truth is of systems of thought” - **John Rawls**. Critically examine the theory of justice as propounded by John Rawls.
4. “The notion of morality differs from time to time and society to society.” Discuss the relationship between law and morality.

P.T.O.

5. “Women and men are divided by gender, made into the sexes as we know them, by the social requirements of heterosexuality, which institutionalises male sexual dominance and female sexual submission.”
Write a critical note on Feminist Jurisprudence with special reference to Indian legal system.
6. Explain the doctrine of prospective overruling with the help of decided cases along with its merits and demerits.
7. Write short notes on :
- (a) H.L.A. Hart’s views on law and morality.
 - (b) Advisory jurisdiction of the Supreme Court of India.

Total No. of Questions—7]

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[5445]-204

F.Y. LL.M. (II Semester) 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.

1. Explain the concept of Hypothesis. Is hypothesis necessary in Legal Research ? What are the steps in formulation of Hypothesis ? [15]
2. Discuss major steps involved in preparation of Research Design. [15]
3. Discuss 'Observation' as tool of Data Collection. Also explain types of Observations and its advantages and disadvantages. [15]
4. Examine in detail the advantages and disadvantages of case study method and survey method in socio-legal research. [15]
5. Define Sampling. Discuss in detail various types of Sampling classified under the two broad categories of Probability Sampling and Non-probability Sampling. [15]

P.T.O.

6. Discuss types, utility and *modus operandi* of Scaling Techniques. [15]

7. Write short notes on (any *two*) : [15]

(a) Merits and demerits of using Interview Technique

(b) Research report writing

(c) Analysis and interpretation of data

(d) Induction and deduction.

Total No. of Questions—6]

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[5445]-3001

S.Y. LL.M. (III Semester) EXAMINATION, 2018
LAW AND SOCIAL TRANSFORMATION IN INDIA
(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

- N.B. :—** (i) Question No. 6 is compulsory and out of the remaining attempt any *three* questions.
- (ii) Question No. 6 carries 14 marks and all other questions carry 12 marks each.

1. The Law Commission of India is a body set by the government, with a major function to work for legal reforms. Discuss some of the recommendations of the law commission of India which resulted into legislative action in the area of women's issues for social change.
2. Elaborate the 'Sons of the soil theory' with reference to equality in matters of employment.
3. Discuss how Lok Adalats have made justice accessible to poor in India.
4. Explain the factors responsible for Naxalite movement in India and remedy in law.

P.T.O.

5. Children on account of tender age and insufficient understanding deserve special protection. Examine the laws related to child welfare.
6. Write short notes on any *two* :
- (1) The concept of Sarvodya
 - (2) Uniform Civil Code envisages social transformation in status of a women by eliminating discrimination
 - (3) Gram Nyayalayas as an alternative approach to law
 - (4) Compensation to Victims.

Total No. of Questions—6]

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[5445]-3002

S.Y. LL.M. (III Semester) EXAMINATION, 2018

LAW, SCIENCE AND TECHNOLOGY

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

- N.B. :—** (i) Question No. 6 is compulsory. Out of the remaining question, answer any *three* questions.
- (ii) Question No. 6 carries 14 marks and all other questions carry **12** marks each.

1. Trace the developments in Science and Technology and discuss the impact of Human Rights on Science and Technology.
2. State the need for legal control of Science and Technology and explain the problems and perspectives between Law and Science.
3. Discuss the origin and development of Law of Privacy in the context of Science and Technology.
4. Elucidate the significance of Science and Technology in Legal Proceedings and the role of Indian Judiciary on the use of Science and Technology.

P.T.O.

- 5.** What is 'Genetic Engineering' ? Discuss the ethical and moral implications on the use of Genetic Engineering.
- 6.** Write short notes on (any *two*) :
- (i) Legal Control of Nuclear Technology
 - (ii) Uses and Misuses of Nuclear Technology
 - (iii) Human Rights and Preservation of Human Health
 - (iv) Clinical Trials.

Total No. of Questions—6]

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[5445]-3003

LL.M. (II Year) (III Semester) EXAMINATION, 2018

Paper 11 : PRIVATE INTERNATIONAL LAW

Specialisation Subject Cluster-I (International Law)

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

- N.B. :—** (i) Question No. 1 is compulsory, it will carry 14 marks.
(ii) Answer any *three* questions out of remaining, each will carry 12 marks.

1. Write short notes on any *two* of the following :
 - (A) Theory of Renvoi
 - (B) Nationality
 - (C) Restitution
 - (D) Rome Convention on Law of Contract
2. “Most of the rules of Indian Private International Law are based on English Law.” Explain this statement with reference to Evolution and Development of Private International Law in England and India.
3. ‘Characterization is one of the most complicated stage of Private International Law.’ Highlight the statement with the help of various process of characterization in practice.

P.T.O.

4. Define 'Tort'. Discuss about the position of choice of Law of Torts in England with reference to Private International Law (Miscellaneous Provisions) Act 1995.
5. 'Except some conditions, Foreign judgements are enforceable in India.' Explain.
6. Discuss the important provisions of Arbitration and Conciliation Act 1996, with the reference to enforcement of award.

Total No. of Questions—6]

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[5445]-3004

S.Y. LL.M. (III Semester) EXAMINATION, 2018

CONSUMER LAW

Specialisation Subject Cluster—II

(Business Law)

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Question No. 1 is compulsory. It carries 14 marks.

(ii) Out of remaining attempt any *three* questions.

1. Write detailed notes on (any *two*) :

(a) Consumer

(b) United Nation and Consumer Protection

(c) Caveat emptor

2. Explain the various provisions for consumer dispute and unfair trade practice with reference to Consumer Protection Act, 1986.

3. Discuss the historical development of Consumer Protection Law in India with reference to judicial interpretation and explain the various laws dealing with consumer complaints ?

P.T.O.

4. Explain the meaning and instances of deficiency of Negligence in services and kinds of Negligence under Consumer Protection Act.
5. Explain the consumer dispute redressal agencies with special reference to National Commission Establishment Composition and Jurisdiction.
6. Critically analyse of role of National and State Consumer Councils for the protection of right of the consumer.

Total No. of Questions—8]

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[5445]-303

S.Y. LL.M. (III Semester) 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. Examine the tests evolved by the Supreme Court to distinguish between 'Attempt' and 'Preparation'.
2. Explain the maxim, "*actus non facit reum, nisi mens sit rea.*" How far is this maxim reflected in the Indian Penal Code ?
3. Examine the impact of exclusion of *mens rea* in India in the light of Supreme Court judgements in *M.H. George* and *Kartar Singh*. Whether the law emerging from these case laws is correct ?
4. "The right to private defence is basically preventive in nature and not punitive. It is neither a right of aggression nor a reprisal." Elaborate this statement with the help of appropriate legal provisions and case laws.

P.T.O.

5. What is Inchoate Crime ? What are various kinds of inchoate crimes ? Why are Inchoate Crimes punishable ?
6. Examine critically how far does Section 84 of Indian Penal Code embody principles laid down in M'Naughten Case.
7. Distinguish between 'Mistake of Law' and 'Mistake of Fact' in the light of the maxim "*Ignorantia facit doth excusat*" and "*Ignorantia jurist non excusat*".
8. Write a critical comment on right of accused person in criminal trial.

Total No. of Questions—6]

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[5445]-305

S.Y. LL.M. (III Semester) EXAMINATION, 2018

LW-305 : LAW OF CONTRACTS

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

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

(ii) *All* questions carry equal marks.

1. Analyze the Communication rules of the offer and acceptance in context of E-Contracts.
2. Describe the nature of Partnership under the law of partnership. What are the determinants of existence of partnership ?
3. Define term 'consideration' appropriately. Also write the exception to consideration recognized under law.
4. What is Contract of Sale ? What are the effects of Contract of Sale ?
5. Explain in detail the elements which vitiate the free consent.

P.T.O.

- 6.** Write notes on (any *two*) :
- (a) Discharge by Performance
 - (b) Specific Performance
 - (c) Tender
 - (d) Auction Sales.

Total No. of Questions—8]

[Total No. of Printed Pages—2

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[5445]-306

S.Y. LL.M. (III Semester) 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** marks each.

1. Describe the powers, duties and liabilities of the Director of a Company.
2. Discuss rule as laid down in Ashbury Railway Carriage & Co. Ltd. Vs. Richie and its legal implications. Support your answer with landmark judicial decisions.
3. Explain Foss Vs. Harbottle's principle and exceptions to it.
4. Explain the role of SEBI in achieving Corporate Governance in a Company.
5. "Majority is the rule in Management of the Company." Explain this statement along with exceptions.

P.T.O.

6. How can a company make a compromise or arrangement with its members and/or creditors without going into liquidation.

7. What do you understand by the Winding-up of the Company ? What are the different modes of Winding-up ?

8. Write short notes on (any *two*) :
 - (a) Fixed Charge and Floating Charge
 - (b) Annual General Meeting
 - (c) Prospectus
 - (d) Equity Shares.

Total No. of Questions—6]

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[5445]-4001

LL.M. (II Year) (IV Semester) EXAMINATION, 2018

PRINCIPLES OF INTERNATIONAL ECONOMIC LAW

[Specialization Subject Cluster-I (International Law)]

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Question No. 6 is compulsory.

(ii) Out of remaining attempt any *three*. A figure to the right indicates full marks.

1. Discuss the inter-relationship between Law and Economics with appropriate examples. [12]

2. Explain the origin and development of New International Economic Order. Discuss the impact of New International Economic Order on the Economic Relations. [12]

3. Discuss the dispute settlement system under WTO and analyze the goals and contribution of this dispute settlement system in the development of International Trading System. [12]

4. Critically analyze the World Bank Guideline for the protection and treatment of foreign investor. [12]

P.T.O.

- 5.** Explain the relation of International Economic Law and protection and promotion of Labour Standards. [12]
- 6.** Write notes on (any *two*) : [14]
- (a) The Significance of GATS
 - (b) Asian Development Bank
 - (c) The Bretton Woods System
 - (d) Nature, scope and sources of International Economic Law.

Total No. of Questions—6]

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[5445]-4002

LL.M. (II Year) (IV Semester) EXAMINATION, 2018

Specialization Subject Cluster-II (Business Laws)

BANKING AND NEGOTIABLE INSTRUMENT

(2014 PATTERN)

Time : Three Hours

Maximum Marks : 50

N.B. :— (i) Sixth question is compulsory. Attempt any *three* questions out of the remaining questions.

(ii) Sixth question carries **14** marks and all remaining questions carry **12** marks each.

1. Explain in detail the evolution of banking system in India. [12]
2. Discuss impacts of science and technology on banking as a business. [12]
3. Discuss in detail the relationship between banker and customer. [12]
4. What is meant by 'a holder in due course' ? Discuss the privileges of holder in due course under the Negotiable Instruments Act ? [12]
5. What are the various benefits provided to the special classes of customer like lunatics and minor, partnership, corporations and local authorities ? [12]

P.T.O.

6. Write notes on (any *two*) :

[14]

- (a) Nationalization of Banks
- (b) Dishonor of cheque
- (c) Presentment and payment of an Instrument
- (d) Bank Rate Policy.

Total No. of Questions—7]

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[5445]-401

S.Y. LL.M. (IV Semester) EXAMINATION, 2018

LW-401 : INTERNATIONAL HUMANITARIAN LAW

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

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

(ii) *All* questions carry equal marks.

1. The prohibition of the use of force is at the core of international legal efforts to prevent war. Discuss the law before 1945 pertaining to use of force.

2. 'Aggression' is recognized as a crime in Customary International Law. Article 6 of the Nuremberg Charter defined its jurisdiction as including a crime against peace. Comment.

3. The International Criminal Court's jurisdiction is derived from the founding treaty called as the Rome Statute which extends to four main crimes namely genocide, crimes against humanity, war crimes and aggression. In the light of this statement discuss the jurisdiction of the ICC in relation to war crimes.

P.T.O.

4. Discuss the status of Prisoners of War under the Geneva Convention (III) 1949, relative to the Treatment of Prisoners of War.
5. Discuss the effects of outbreak of war. Distinguish between 'Conventional Warfare' and 'Biological Warfare'.
6. Trace the historical development of International Refugee Law. Elaborate the role of United Nations Relief and Rehabilitation Administration in the upliftment of refugees.
7. Write short notes on (any *two*) :
 - (a) International Terrorism
 - (b) Belligerent Occupation
 - (c) Disarmament
 - (d) Red Cross.

Total No. of Questions—7]

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[5445]-403

S.Y. LL.M. (IV Semester) 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.

1. Elaborate the history of banking system in India. What are the various types of Banking Services provided in the Indian Banking System ?
2. “Every ‘Holder in Due Course’ is a ‘Holder’, but every ‘Holder’ may not be a ‘Holder in Due Course’.” Comment.
3. Explain various kinds of Negotiable Instruments and their essential requirements as given under Negotiable Instrument Act, 1881.
4. Critically analyze the role of Reserve Bank of India over the Managerial Persons of Banks with the help of recent case laws.
5. Discuss the object, composition and procedure of the establishment of Consumer Protection Councils in detail.

P.T.O.

6. Define the contract of Insurance. What are the benefits of Insurance and various kinds of Insurance ?
7. Write short notes on :
- (a) District Forum and its Jurisdiction under Consumer Protection Act, 1986.
 - (b) Unfair Trade Practices under Consumer Protection Act, 1986.
 - (c) Application of the Doctrine of Uberrimae fidei in Insurance Laws.

Total No. of Questions—7]

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[5445]-407

S.Y. LL.M. (IV Semester) 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 **15** marks each.

1. “In England the existence of the Administrative Law as a separate branch of Law was not recognized until the advent of the twentieth century.” Elaborate in detail the above statement.

2. Trace the importance and relevance of the doctrine of legislative supremacy of the parliament in light of recent constitutional changes in the United Kingdom, with the help of relevant laws.

3. Examine critically the Dicey’s concept of ‘Rule of Law’ and its development thereafter by different jurists.

4. Examine critically the Doctrine of Judicial Review in US. How does the Judiciary control the Administrative Power in America ?

P.T.O.

5. Why is it observed that “the office of Parliamentary Commissioner for Administration stands curiously poised between the legislative and the executive wing, while discharging almost judicial function.” Answer with the help of appropriate illustrations with reference to the English Legal System.

6. Describe nature of ‘Civil Liberties’ and point out the scope and extent of freedom of person under the English Constitutional Law. Refer to relevant statutes and case laws.

7. Discuss in detail the Judicial Control of Administrative Powers in England.

Total No. of Questions—8]

[Total No. of Printed Pages—2

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[5445]-408

LL.M. (II Year) (IV Semester) EXAMINATION, 2018

LW-408 : BASIC ASPECT OF PRIVATE INTERNATIONAL

TRADE LAW

(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

N.B. :— Attempt any *four* questions, each will carry **15** marks.

1. What do you understand by 'Conflict of Law'. Discuss various provisions related to Performance of Contract under Private International Law.
2. Discuss various provisions of Vienna Convention on International Sales of Good 1980 and compare it with Hague Convention on International Sales of Good 1986.
3. "The International Chamber of Commerce was founded in 1919 to serve world business by promoting trade and investment, open markets for goods and services, and the free flow of capital." Comment.
4. Discuss important provisions related to United Nations Convention on the Carriage of Goods by Sea, 1978.

P.T.O.

5. “International trade presents a spectrum of risk, which causes uncertainty over the timing of payments between the exporter (seller) and importer (foreign buyer). For exporters, any sale is a gift until payment is received ... For importers, any payment is a donation until the goods are received”. In the light of statement discuss various methods of Finance and Payment in International trade.

6. “Marine Insurance covers the loss or damage of ships, cargo, terminals and any transport or cargo by which property is transferred, acquired or held between the points of origin and final destination.” Explain.

7. Discuss different methods of Judicial settlement in International Trade dispute.

8. Write short notes on any *two* of the following :
 - (a) Frustration of Contract
 - (b) Countertrade
 - (c) UN Convention on the carriage of Goods by Road-1956
 - (d) Aviation Insurance.