

(Please write your Exam Roll No.)

Exam Roll No. ....

# END TERM EXAMINATION

EIGHTH SEMESTER [LLB(H)] APRIL-MAY 2019

Paper Code: LLB-412(a)

Time: 3 Hours

Subject: Women and Law

Maximum Marks: 75

Note: Attempt all questions as directed. Internal choice is indicated.

## PART-A

- Q1 Write short notes on the following: (5x5=25)
- Muta Marriage
  - De Facto Guardian
  - Stalking
  - Sexual Harassment
  - Maintenance pendent lite

## PART-B

### UNIT-I

- Q2 "Women have been subjected to discrimination at every stage in life but CEDAW convention has brought about an instrumental change in eliminating any and every kind of discrimination against women". Explain this statement in the light of important provisions of the CEDAW Convention. (12.5)

OR

"The Constitution of India accords equal status to both men and women". Explain the statement with the help of constitutional provisions and relevant case laws.

### UNIT-II

- Q3 "Under Hindu personal law marriage is considered a sacred relationship while under Muslim personal law it is considered a contract". Discuss this statement referring to important provisions under both the law. (12.5)

OR

Discuss the Muslim personal law on divorce and its impact on the status of women with special reference to triple talaq. Substantiate with case laws.

### UNIT-III

- Q4 Discuss the law relating to adultery in India with special reference to the recent judgment of the apex court decriminalizing adultery in India. (12.5)

OR

The Criminal Law (Amendment) Act, 2013 has substantially amended the provisions relating to the offence of rape under the Indian Penal Code, 1860. Discuss these provisions with reference to relevant case laws.

### UNIT-IV

- Q5 Discuss the role of officers, counsellors and other social welfare agencies under the Family Courts Act, 1984 in resolving disputes concerning family matters. (12.5)

OR

"Indecent representation of women is punishable under law". Explain with the help of corresponding legal provisions.

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] APRIL - MAY 2019

Paper Code: LLB-404

Subject: Labour Law-II

(Batch 2014 Onwards)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write short notes on the following:- (5x5=25)
- (a) Difference between Minimum Wages and Living Wages.
  - (b) Provisions of employment of young persons and children under the Factories Act, 1948.
  - (c) Explain 'Dependents' under the Employees' Compensation Act, 1923.
  - (d) Concept of Employees Provident Fund under (EPF and MP Act, 1952).
  - (e) Discuss various Social Securities given to Unorganized Sector given by Government of India.

## PART-B

### UNIT-I

- Q2 Elaborate the procedure for hearing and deciding the claim of minimum wages claimed by the workmen under the Minimum wages Act with the recent case laws? (12.5)
- OR
- Q3 Describe the procedure for fixation and revision of minimum Wages under the Minimum Wages Act, 1948? (12.5)

### UNIT-II

- Q4 Who are responsible for making the payment of wages and if not given on time then what are the remedies available to the workmen under the Payment of Wages Act? (12.5)
- OR
- Q5 What is deduction? Explain the deduction for recovery of losses, deduction absence from court and deduction by order of Court? (12.5)

### UNIT-III

- Q6 Enumerate the duties of Occupier and provisions regulating to employment of women in factory under the Factories Act, 1948. (12.5)
- OR
- Q7 Discuss the measures to be taken in factories with regard to 'Health and Welfare of Workers' under the Factories Act. (12.5)

### UNIT-IV

- Q8 Elaborate the concept of 'Partial and Total disablement' with the help of amount of compensation given under the Workmen's Compensation Act with important cases laws? (12.5)
- OR
- Q9 Explain the history and importance of Employees' Compensation Act and also explain when employer is not liable to pay the compensation to the employees. (12.5)

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] APRIL- MAY 2019

Paper Code: LLB 404

Subject: International Trade Law

Time : 3 Hours

Maximum Marks :75

Note: Attempt five questions in all including Q. NO. 1 of part A which is compulsory. Select one question from each unit of Part B.

## Part-A

- Q1. Answer all questions briefly. (5x5=25)
- Fundamental principles of World Trade Organization
  - Differentiate between GATT and WTO
  - Differentiate between Dumping and subsidy
  - Differentiate between Agreement on safeguards and Agreement on Sanitary and phytosanitary measures.
  - Retaliation in Dispute Settlement

## Part-B

### Unit-I

- Q2. Discuss and differentiate the concept of Most Favoured National Treatment (MFN) and National Treatment of GATT under International Trade Law with help of case law. (12.5)
- Q3. Elaborate on various exceptions to fundamental principle of free and fair trade of international trade law recognized under the General Agreement on Trade and Tariff (GATT). (12.5)

### Unit-II

- Q4. Discuss salient features of Agreement on Sanitary and Phytosanitary measures. (12.5)
- Q5. Define the concept of Subsidy under Agreement on subsidy and countervailing measures. Analyse the role of subsidy in international trade law and the countervailing measures to control its impact. (12.5)

### Unit-III

- Q6. Identify the nature of services which have been recognized under international trade. Discuss how General Agreement Relating to Services (GATS) promote services as matter of international trade. (12.5)
- Q7. Highlight the legal issues involved with regard to the concept of investment under International Trade Law. Discuss how Agreement on Trade Related Investment Measures (TRIMS) of WTO deals with the issue. (12.5)

### Unit-IV

- Q8. Discuss the salient features of Dispute Settlement Measures of WTO. (12.5)
- Q9. Write short note on the following: (12.5)
- Dispute settlement process
  - Non violation Complaints

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB(H)] APRIL-MAY 2019

Paper Code: LLB-410(b)

Subject: Election Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five question in all including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write short notes: (5x5=25)
- Describe the process of Election to the President of India.
  - Govt. Contract as a disqualifying factor
  - Model Code of Conduct
  - Need for regulating Opinion poll and Exit Polls
  - Difference between Recognized Political Parties and registered political parties.

## PART-B

### UNIT-I

- Q2 "In order to ensure impartiality, neutrality and credibility over the election commission of India, appointment of Chief Election Commissioner and other Election commissioners ought to be done by collective body similar to that of CVC, CBI Director, Lokpal, etc.," Do you agree with the statement? Discuss the possibility by analyzing the exiting constitutional provisions on election commission. (12.5)
- Q3 Write a detailed note on the election dispute by explaining various stages involved in it with the help of relevant provisions under the RP Act, 1951. (12.5)

### UNIT-II

- Q4 Write short notes: (12.5)
- Discuss the constitutional provisions on the qualifications and disqualifications of candidates.
  - Anti defection Law
- Q5 In the light of *Kailash Gahlot & others v. Election Commission of India* (23<sup>rd</sup> March, 2018 decided by the Hon'ble Delhi High Court), critically examine the concept of 'office of profit' by discussing relevant provisions.

### UNIT-III

- Q6 Discuss it in detail with the help of relevant provisions of the RP Act, 1951, the procedure involved in filing of valid nomination papers and highlight the grounds on which the nominations so filed could be rejected. (12.5)
- Q7 Write Short Note:
- Allocation of Symbols to Political Parties
  - Voter's Right to Know the Antecedents of the candidates and the measures taken by the ECI in this regard.

### UNIT-IV

- Q8 Critically examine the role of mass media and social networking sites in the process free and fair election. (12.5)
- Q9
- Highlight the Distinction between Corrupt practices and Electoral Offences.
  - Critically analyze the model of funding to political parties through electoral bonds.

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] APRIL- MAY 2019

**Paper Code: LLB 410 (c) Subject: International Humanitarian Law**

**Time : 3 Hours**

**Maximum Marks :75**

**Note: Attempt five questions in all including Q. NO. 1 of part A which is compulsory. Select one question from each unit of Part B.**

## Part-A

(5x5=25)

- Q1. Write short notes on following:
- War against Terrorism
  - Punishment of War crimes
  - Enemy charter
  - Non-International Armed Conflict
  - Geneva Convention IV

## Part-B

### Unit-I

- Q2. "International humanitarian law is in need of additional enforcement mechanism". Explain. (12.5)
- Q3. Discuss the historical development of International Refugee Law. Explain how United Nations relief and rehabilitation administration is contributing for upliftment of refugees. (12.5)

### Unit-II

- Q4. The rules for the classification of combatants in international armed conflicts appearing in 1949 Geneva Convention (III) Relative to the treatment of prisoners of war and the 1977 First Additional Protocol are unworkable; the only hope now in for custom to have a final say in the matter". Discuss. (12.5)
- Q5. What are the provisions for Amelioration of wounded and sick under International Humanitarian Law? Explain with the help of provisions maintained under the Geneva Conventions. (12.5)

### Unit-III

- Q6. "A single body of international humanitarian law should regulate all armed conflicts". Explain. (12.5)
- Q7. Discuss the recent example of treatment of prisoners of war with the help of relevant provisions. (12.5)

### Unit-IV

- Q8. Highlight the salient features of the Rome Convention establishing International Criminal Court in detail. (12.5)
- Q9. Write short notes: (2x6.25=12.5)

- ICRC
- Article 6 of Nuremberg Charter.

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## END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-406

Subject: Interpretation of Statutes

(Batch 2014 Onwards)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

### PART-A

- Q1 Write short notes:- (5x5=25)
- Relevance of Punctuation in Interpretation.
  - Mandatory and Directory Provisions.
  - Statement of Objects and Reasons as an External Aid.
  - Generalia specialibus non derogant*
  - Harmonious Construction.

### PART-B UNIT-I

- Q2 Explain the nature and scope of Interpretation in detail. Do you think that Interpretation and Construction are same? Discuss. (12.5)
- Q3 "Vagueness and ambiguity are employed generically to indicate indeterminacy which leads to interpretation" - Do you agree with the statement? Give your view. (12.5)

### UNIT-II

- Q4 Write an essay on various parts of states and their relevance in the process of interpretation. (12.5)
- Q5 Highlight the difference between proviso and exception and their reliability in the process of interpretation with the help of decided cases. (12.5)

### UNIT-III

- Q6 Write short note on the following External Aids with relevant cases-(12.5)
- Legislative History
  - Dictionary
- Q7 How far the constitutional assembly debates were relied by the Apex Court in *Menaka Gandhi v. Union of India*, AIR 1978 SC 597? Discuss.(12.5)

### UNIT-IV

- Q8 Explain the Mischief Rule of interpretation by discussing the Heydon's Case. How far the rule has been applied in India. (12.5)
- Q9 "*Ejusdem generis* and *Noscitur a sociis* are substantially same but there is a thin layer of difference between both". Explain. (12.5)

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-402

Subject: Intellectual Property Rights

(Batch 2014 Onwards)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write short notes on the following:- (5x5=25)
- (a) Goodwill
  - (b) Inventive step
  - (c) Derivative works
  - (d) Privacy of registered design
  - (e) Parallel imports

## PART-B UNIT-I

- Q2 "Copyright is a bundle of rights." What are the economic and moral rights associated with Copyright? (12.5)
- Q3 Explain the content and scope of (i) WIP Copyright Treaty and (ii) Copyright related provisions in TRIPS Agreement? (12.5)

## UNIT-II

- Q4 Explain with case laws and relevant statutory provisions the concept of 'Distinctiveness' as a per-requisite for trademark registration. (12.5)
- Q5 Narrate the statutory procedure to register a trademark in India. Can a trademark be renewed and how? (12.5)

## UNIT-III

- Q6 What is meant by compulsory licensing? What is the procedure in India to grant compulsory license for patents? Explain your answer by referring to the Patent Act 1970 and any two judicial decisions. (12.5)
- Q7 Are all inventions patentable? Discuss with reference to section 3 of Indian Patent Act? (12.5)

## UNIT-IV

- Q8 Explain the criteria and procedure to register Industrial Design? (12.5)
- Q9 Elaborate the relation and interface between Designs, Copyrights and Trademarks. (12.5)

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-404

Subject: Labour Law-II

(Batch 2014 Onwards)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write short notes on the following:- (5x5=25)
- (a) Define 'Factory' and 'Manufacturing Process' under Factories Act, 1948.
  - (b) Explain 'Employees State Insurance Fund' under the ESI Act, 1948.
  - (c) Doctrine of 'Notional Extension' under Employees' Compensation Act.
  - (d) Concept of 'Wages' under Minimum Wages Act, 1948.
  - (e) Enumerate the 'Employees' Pension Scheme' under the (EPF&MP) Act,

## PART-B

### UNIT-I

- Q2 Discuss the Constitutional validity of Minimum Wage and explain the procedure for Fixation of Minimum Wages? (12.5)
- Q3 Explain the concept of Minimum wages with relevant case laws under the Minimum Wages Act 1948? (12.5)

### UNIT-II

- Q4 Define the object of Payment of Wages Act and also discuss authorized deductions under this Act? (12.5)
- Q5 Explain the power and function of 'Inspector' under the Payment of Wages Act? (12.5)

### UNIT-III

- Q6 Elaborate the prescribed modes for the assessment of compensations under the Workmen's Compensation Act, 1923. What are the conditions to be fulfilled to file an appeal from the order of the commissioner under the act? (12.5)
- Q7 Critically analyze the term 'arising out of and in the course of employment' with relevant principles and important case laws under the Workmen's Compensation Act? (12.5)

### UNIT-IV

- Q8 Discuss the measures to be taken in factories with regard to 'Safety and working hours of the workers under the Factories Act, 1948. (12.5)
- Q9 (a) Explain various 'Benefits' to the dependents of the insured person under Employees' State Insurance Act, 1948. (6.5)
- (b) What is the object and importance of Employees' Provident Fund and write the contributions and matters which are provided in the Schemes? (6)

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-406

Subject: Law Poverty and Development  
(Upto 2014 Batch)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 (a) Differentiate between Poor and poverty? (5)  
(b) Right to development (5)  
(c) What is protective discrimination? (5)  
(d) Explain in brief the problems of undertrials (5)  
(e) Write a note on unorganized sector as a marginalized section of the society? (5)

## PART-B

### UNIT-I

- Q2 Write a note on the relative dimension of poverty? What is the contribution of law to aggravate or to reduce poverty? (12.5)
- Q3 The concept of "Below Poverty Line" is very deceptive. Explain the statement with special reference to the Indian situation and the impact of such calculation on the society. (12.5)

### UNIT-II

- Q4 Explain in the light of decided cases the protection envisaged in the Indian Constitution for the impoverished sections of the society? (12.5)
- Q5 What are the various legislations passed to protect the rights of weaker sections? Have they been successful in tackling poverty? (12.5)

### UNIT-III

- Q6 Identify the provisions of penal legislations which effect anti poor bias with special reference to bail justice? (12.5)
- Q7 What are the causes of atrocities against women? Discuss measure adopted by government to counter discrimination against women? (12.5)

### UNIT-IV

- Q8 Trace the growth of Legal Aid movement in India. (12.5)
- Q9 What are the various rights guaranteed to children of India under the Indian Constitution? Discuss the relevance of such rights with decided cases in context of child labour. (12.5)

# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE 2018

Paper Code: LLB-410 (A)

Subject: International Commercial Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No 1 of part A which is compulsory. Select one question from each unit of part B.

## PART-A

- Q1 Write short notes on:- (5x5=25)
- (a) Fundamental Breach Under CISG.
  - (b) Distinguish between FOB and LS Contracts
  - (c) Explain the kinds of Bills of Lading .
  - (d) Method of payment in International Trade.
  - (e) Mediation as means of settlement of commercial dispute.

## PART-B

### UNIT-I

- Q2 Discuss the rights of duties of buyers and sellers of International sales contract. What are the rights of unpaid seller against goods? Elucidate with case law. (12.5)
- Q3 Elucidate the salient features of International sale of Goods under CISG with special reference to breach of contract and remedies available to "innocent party" to contract? (12.5)

### UNIT-II

- Q4 What are the key Documents of Carriage of Goods by Sea? What are liability of Carrier and Shipper under the Hamburg Rules? (12.5)
- Q5 Write short notes on:-
- (a) Main features of Incoterms rules 2010.
  - (b) Distinguish between unimodal and multimode transportation of goods. (12.5)

### UNIT-III

- Q6 Explain the various types of Letter of Credit. Discuss the liability of the parties to Letter of Credit with help of case law. (12.5)
- Q7 Critically analyse the significant features of Uniform Custom and Practice (UCP 600) for documenting credit guidelines by International Chambers of Commerce to standardise international trade and risks of trading goods and services? (12.5)

### UNIT-IV

- Q8 Discuss the legal regime governing international commercial arbitration. Substitute your answer with case laws.. (12.5)
- Q9 Explain the provisions pertaining to recognition and enforcement of foreign arbitral award under the New York Convention and the Model law? (12.5)

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY- 2018

Paper Code: LLB 412(a)

Subject: Women and Law

(Upto 2014 Batch)

Time : 3 Hours

Maximum Marks :75

Note: Attempt all question from Part A & B as directed. Internal choice is indicated.

## Part-A

- Q1. Answer the following questions in brief: (5x5=25)
- How are the personal laws discriminatory towards women in the matters of inheritance?
  - What is the position of a woman as a guardian under personal laws?
  - Explain the term 'dowry' under Dowry Prohibition Act, 1961.
  - Adultery.
  - Benefits given under the Maternity Benefit Act, 1961.

## Part-B

### Unit-I

- Q2. Compare the status of women in India with other countries. (12.5)

OR

- Q3. What are the various ways in which the Constitution of India has promoted the rights of women? Discuss the same with the help of decided cases.

### Unit-II

- Q4. Whether the Uniform Civil Code can help in reducing gender inequality in India? Justify your views.

OR

- Q5. Analyze the difference between the various personal laws with respect to women in India. How are the personal laws discriminatory towards the women? (12.5)

### Unit-III

- Q6. What are the changes made by Criminal Law (Amendment) Act, 2013 with respect to crimes against women in India? (12.5)

OR

- Q7. Give a brief account of the working of the Protection of Women from Domestic Violence Act, 2005. (12.5)

### Unit-IV

- Q8. What is the role played by Dowry Prohibition Act, 1961 in reducing the culture of dowry in India?

OR

- Q9. Write an essay on various legislative efforts to safeguard the interest of women in detail. (12.5)

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