

B.L / LL.B (Hon's)

April - 2018

Question Paper

Register No.

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H 1555

H31A/H31A/CH31A

B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.

(For the candidates admitted from 2011 to 2017)

First Year — First Semester

JURISPRUDENCE

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Elaborate the concept of Pure Theory of Law.
2. What is Law? Explain the sources of Law.
3. Explain the nature and scope of International Law and Constitutional Law.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Possession is nine out of ten points of Law" — Explain.
5. What is Right? Explain the different kinds of Right.
6. Explain the concept of Person.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Mens rea.
- (b) Duty.
- (c) Jeremy Bentham on codification
- (d) Interpretation of Law.
- (e) Sanctions.
- (f) State.
- (g) Ethics and Morals.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Amitha sold her farm land to Nivetha, hence Nivetha became the absolute owner of that property. While ploughing the farm land, Nivetha found a gold treasure which was dates back to over 100 years. Nivetha thought that she purchased only the land and not the gold treasure hence she approached Amitha to give back the gold treasure. But Amitha refused the contention of Nivetha and replied that she was the owner of that farm land only for the past 30 years before that it was owned by Sandra. So, Amitha said that she has no right to retain the treasure with her. — Fix the concept of “Dharma” and decide the case with respect to Indian Jurisprudence.
9. Dinesh and Rahul were running two Departmental stores separately. Rahul sold all the products in his store at cheaper price than Dinesh’s store. Hence Dinesh incurred huge loss in his business in that financial year. Dinesh sued Rahul for causing loss in his business. Decide whether the case is maintainable or not?
10. A bequeaths his property to her daughter B, saying that B can enjoy the one half of the property after her marriage and another half after the birth of her first child. Without marrying, B gave a birth to her young one named C and B dies immediately after C was born. Whether C can enjoy the full property of his grandfather A? Decide the rights of C.

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H 1556

H31B/H31B/CH31B

B.L (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.

(For the candidates admitted from 2011 to 2017)

First Year — First Semester

CONTRACTS — I

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Insufficiency of consideration is immaterial but an agreement without consideration is void"-Discuss.
2. "An acceptance to be effective must be communicated to the offeror"-
Explain with decided cases.
3. Explain the circumstances in which a contract cannot be specifically enforced.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What are Quasi contracts? Enumerate the quasi contracts dealt with under the Indian Contract Act.
5. When is time deemed to be the essence of a contract in the performance of the contract and with what consequences?
6. What are necessities? When is a minor liable on a contract for necessities?

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
- (a) Misrepresentation
 - (b) Voidable contract
 - (c) Reciprocal promises
 - (d) Joint promises
 - (e) Injunctions
 - (f) Agreement
 - (g) Contingent contract.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of Law and decided cases. Give cogent reason.

8. A invites B to a dinner, at his house on a Sunday. B hires a taxi and reaches house of A at the appointed time, but A fails to perform his promise. Can B recover any damages from A.
9. X makes an offer to Y by a letter on 5th July 2017. The letter reaches Y on the next day. On 7th July 2017, Y posts his letter of acceptance. Meanwhile, on 6th July X posts a letter to Y revoking the offer. On seeing it Y sends a fax to X on the 8th April confirming the acceptance given through his letter of the 7th. Decide when the contract is concluded between X and Y.
10. A and B, being traders enter into a contract. A has private information of a change in prices which would affect B's willingness to proceed, with the contract. Is A bound to inform B?

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H 1558

H31D/H31D/CH31D

B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.

(For the candidates admitted from 2011 to 2017)

First Year — First Semester

LAW OF CRIMES – I (INDIAN PENAL CODE)

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "The punishment should reform the offender and should not be of retributive one" – Argue.
2. Critically analyse the liability of persons those who give or fabricate false evidence.
3. "In every robbery either there is theft or extortion" – Comment.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Compare and analyse common intention and common object.
5. Examine Acid attack as a form of grievous hurt.
6. Explain in detail Infancy, Insanity and Intoxication.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
- (a) Extra territorial jurisdiction
 - (b) Stalking
 - (c) Gang rape
 - (d) Abduction for ransom
 - (e) Mens rea
 - (f) Negligence and criminal liability
 - (g) Assault.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

- 8. A is B's servant. B entrusted a diamond studded gold ring to A. A ran away with the ring. Examine and decide and offence committed by A.
- 9. S, in an enquiry before the magistrate to ascertain whether Z is guilty or not, makes an oath statement which he knows to be false. Decide the offence committed by S.
- 10. Z instigates C to cause grievous hurt to A. C causes grievous hurt to A and in consequence to that A died. Decide the liability of Z.

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H 1559

H31E/H31E/CH31E

B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.

(For the candidates admitted from 2011 to 2017)

First Year — First Semester

FAMILY LAW – I

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Explain the pre-requisites of a valid marriage under the Hindu Marriage Act and highlight the social reforms brought by this law.
2. Critically evaluate the role of judiciary in the development of feminine jurisprudence under Muslim personal law from Shabano to Shayara Bano.
3. Critically analyse inter-country adoptions in India.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the constitutional validity of restitution of conjugal rights under the Hindu Marriage Act, 1955.
5. Briefly explain the traditional and modern sources of Hindu Law.
6. Discuss the consequences of void and voidable marriages under various personal laws.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Capacity of a Hindu woman to adopt a child.
 - (b) Sui juris Marriages.
 - (c) Concept of Dower.

[P.T.O.]

- (d) Significance of Molly Joseph V. George Sebastian.
- (e) Changes under the Indian Divorce Act.
- (f) Guardianship under Muslim Law.
- (g) Mitakshara School.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Salim's mother was a servant maid in the family of Nawab. Salim was born as a result of Nawab's cohabitation with his mother. There was no evidence regarding the marriage between Nawab and Salim's mother. But Nawab introduced Salim as his legitimate son to others. Salim claimed a share of inheritance as the son of Nawab, after Nawab's death. Advise Salim.
9. Ashok has two sons Anil and Sunil. Anil is given in adoption to Yamuna. Yamuna has a daughter Dhanya. Can Anil marry Dhanya? Decide.
10. 'A' and 'B' are Hindu husband and wife respectively. Subsequently 'A', the husband converted to Christianity. 'B', the wife refused to live with 'A' on the ground of conversion. After six months 'A' filed a petition for restitution of conjugal rights. Advise 'A'.

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H 1560

H31F/H31F/CH31F

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2017)

First Year — First Semester

LEGAL METHODS

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "The salience of legal methods is the concept of acquiring analytical skills in the Department of Law" – Explain.
2. Define 'judgement'. Discuss the various parts of a judgement. Illustrate with a model.
3. Examine the significance of 'Review of Literature' and 'Research problems' in the Doctrinal mode of legal research.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Write an essay on 'legislative drafting'.
5. Examine the significance of the School of Textualism.
6. "The framing of questionnaire itself is an art to be learnt" – Discuss.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Legal Dictionary
 - (b) Interview method
 - (c) Principles of Natural justice
 - (d) Law library

[P.T.O.]

- (e) Research manual
- (f) General clauses Act, 1897.
- (g) Law Commission of India.

PART D — (6 × 2 = 12 marks)

8. Answer SIX of the following very briefly.

- (a) Substantive and Procedural law
- (b) Plagiarism
- (c) Utility of maxims
- (d) Sources of law
- (e) Legal fiction
- (f) Collection of data
- (g) Define Constitution
- (h) Comparative Law.

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H 1561

H3IG/H32A/CH32A

**B.L. (Hons.)/LL.B.(Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2017)

First Year – Second Semester

CONTRACTS – II

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Define the terms 'Guarantee' and 'Indemnity'. Distinguish between the two and explain the rights of indemnity holder and indemnifier.
2. State the characteristic features of a Contract of Bailment and the difference in the duties of a gratuitous bailor and bailor for reward.
3. Explain the meaning of the maxim-Nemo dat Quod non habet and the exceptions to the rule, if any, with the aid of relevant case law.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. 'Delegatus non potest delegare' – Explain the maxim and the exception if any.
5. Explain the procedure for Registration of a Partnership firm.
6. Analyse the nature and quantum of Surety's liability.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
 - (a) Discharge of surety
 - (b) Duty of bailee
 - (c) Future goods
 - (d) Wife as implied agent of husband

[P.T.O.]

- (e) Distribution of assets between partners at the time of dissolution of firm.
- (f) Merchandisable quality.
- (g) Features of contract of Indemnity.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. 'G' goes to a renowned international watch showroom and purchases a Gucci brand watch. Within one month of use the watch starts to slow down. He takes it to the same showroom. They say there is some problem with the mechanism. As it is within warranty period he claims that the item is to be replaced. They refuse. 'G' sues the watch showroom proprietor. Decide.
9. 'V' is the owner of a rare breed of Dog. He had to visit abroad for a week, so he enlists the help of his neighbour. 'H' in taking custody and care of the dog during the duration. 'H' has two pet dogs already and agrees. 'H' feeds 'V's dog with high quality Pedigree food, but it contains an ingredient to which V's dog is allergic. Hence, it suffers from increase of heart palpitation and fits and dies on the way to a nearby Veterinary Clinic. V sues H for the loss. Decide.
10. 'B' who has rented out shops in his premises' permanent superstructure, engages 'C' as his agent to collect rent every month from them. The instructions given by 'B' to the agent 'C' is to collect only as demand draft and never in cash. One of the shopkeepers pays a months rent in cash. This is misappropriated by the agent. 'B' brings legal action against the shopkeeper for default in payment of rent. Decide.

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H 1562

H3IH/H32B/CH32B

**B.L. (Hons.) / LL.B. (Hons) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted during 2011 to 2017)

First Year — Second Semester

CONSTITUTIONAL LAW - I

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Discuss the salient features of the Indian Constitution with special reference to Parliamentary form of Government.
2. Explain the relationship between Fundamental rights and Directive principles of state policy in the light of judicial decisions.
3. Can the State impose restrictions on the institutions managed by Minority? Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define 'State'. Explain the tests to determine 'other authorities' as State under Art 12 of the Constitution.
5. What is public Interest Litigation? Explain the role of Public Interest Litigation in achieving social justice.
6. Can Preamble be amended under Article 368? Answer with the aid of decided cases.

PART C — (5 × 4 = 20 marks)

7. Write short notes on Five of the following:
 - (a) Fundamental Duties.
 - (b) In re Berubari Union case.
 - (c) Fundamental Rights case.
 - (d) Doctrine of Waiver.

[P.T.O.]

- (e) Preventive Detention
- (f) Expost facto laws
- (g) Forced labour

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. In an order, the Government imposes total ban on sawmills or Sawing operations within the area of reserved forest or protected forest. Is this order Constitutional?
9. Humsafar, an organization formed for the welfare of prostitutes has challenged the provisions of the Immoral Traffic Act on the ground that it violates their freedom to carry on business. Decide.
10. An Act of a State providing for 72% of reservation of posts in Government services to a specific community is inserted into the Ninth Schedule of the Constitution through a Constitutional amendment. An unemployed graduate wants to challenge this amendment. Advise him.

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H 1563

H3II/H32C/CH32C

**LL.B. (Hons.)/B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2017)

First Year — Second Semester

PROPERTY LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Examine the exceptions to the rule that property of any kind may be transferred.
2. Under what circumstances an Easement is suspended, extinguished and revoked?
3. State the essential features of a Mortgage by conditional sale and differentiate it from a sale with condition for reconveyance.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define and distinguish vested interest and contingent interest.
5. "Once a mortgage is always a mortgage" – Explain.
6. Discuss the rights and liabilities of lessor and lessee.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Doctrine of accumulation.
- (b) Attestation.
- (c) Doctrine of cypres.
- (d) Unpaid vendor lien.
- (e) Anomalous mortgage.
- (f) Tenancy by sufferance.
- (g) Easement by necessity.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. 'A' lets his house to 'B' for a rent of Rs. 5,000 per month and then transfers it to 'C'. 'B' having no notice of the transfer, in good faith pays rent to A for 2 months. Whether B is entitled to claim the same from C?
9. 'A' transfers his property to 'B' for life, then to 'C' an unborn for life and absolutely to 'D' (an unborn). Is the transfer valid? Decide.
10. A executes an usufructuary mortgage in favour of B with the condition that if A does not redeem within 10 years, the mortgage shall become a sale. Decide its validity.

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H 1564

H31J/H32D/CH32D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2017)

First Year -- Second Semester

FAMILY LAW - II

Time : 2½ hours

Maximum : 70 marks

PART A -- (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Distinguish between Joint family and Coparcenary. Examine the rights of a Coparcener in the Coparcenary property.
2. Who are the sharers and residuaries under Hanafi Law? Explain the procedure for allotment of shares for sharers and residuaries under Hanafi Law.
3. Explain the kinds of will under the Indian Succession Act, 1925. Elaborate the mode of execution and revocation of such will.

PART B -- (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define Hiba. Explain the essentials of Hiba and its kinds.
5. Examine the rules of intestate succession for Christians in India.
6. What are the general rules of succession in the case of a female dying intestate under the Hindu Succession Act, 1956?

PART C -- (5 × 4 = 20 marks)

7. Write short notes on Five of the following
 - (a) Obstructed heritage
 - (b) Re-opening of partition
 - (c) Stridhana Property
 - (d) Limitations for making will under Muslim Law
 - (e) Letters of Administration
 - (f) Mutawalli
 - (g) Doctrine of Cypres.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. A male Hindu dies intestate leaving his divorced wife, two sons, one daughter, brother and sister. Distribute his property.
 9. An Indian Christian female dies leaving her mother, father, two sons and three daughters. Divide the properties.
 10. A Hanafi Muslim dies leaving his widow, mother, daughter and a full sister. Divide the properties.
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H 1568

H3JA/H33A/CH33A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Second Year — Third Semester

CONSTITUTIONAL LAW — II

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Discuss the constitutional provisions relating to distribution of legislative powers between Centre and State in India.
2. Explain the privileges and immunities of Parliament members.
3. Explain the procedure to amend the Constitution and also explain the importance of basic structure in amending the Constitution.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Critically analyse the Anti-defection law in India.
5. Discuss the constitutional protections available to civil servants in India.
6. Examine the effects of National Emergency on Fundamental Rights.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Collective responsibility
- (b) State liability for torts
- (c) Administrative tribunal
- (d) Powers and functions of Election Commission of India
- (e) Advisory jurisdiction of Supreme Court
- (f) 73rd and 74th Amendment of the Constitution
- (g) Planning Commission.

[P.T.O.]

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PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. The Government of India levies an import duty on goods imported by a State for Governmental use. This is challenged by the State on the ground that the property of the State is immune from Central Taxation. Decide.
 9. Ramkumar an employee of the Central Government was dismissed from service, as he was proved guilty of committing a criminal offence. He was not given any prior notice of the impending removal. Discuss the validity of the dismissal.
 10. By means of an amendment to the Constitution, the election disputes of Prime Minister and speaker were kept beyond the judicial scrutiny. Examine the validity of such amendment.
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H 1569

H3JB/H33B/
CH32E

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2017)

Second Year — Third Semester/First Year — Second Semester

LABOUR LAW - I

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Trace the origin and development of labour legislation in India.
2. Examine the rights and liabilities of a registered trade union.
3. Discuss the nature and scope of the power of the Government in making reference of a dispute under the Industrial Disputes Act, 1947.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the procedure for submission and certification of standing orders under the Industrial employment (Standing orders) Act, 1946.
5. Enumerate the deductions permitted from wages under the Payment of Wages Act, 1936.
6. Define layoff and discuss the right of a workman laid off to get compensation under the Industrial disputes Act.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Voluntary arbitration
 - (b) Fair wage
 - (c) Statutory minimum wage
 - (d) Collective bargaining

[P.T.O.]

- (e) Labour Court
- (f) Dearness allowance
- (g) Industry.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Ravi was personal driver of an area manager of a bank. The area manager was given personal allowance by the bank to enable him to employ personal driver of his own jeep. All requirements in maintaining the jeep were borne by the bank. After 1 year, the area manager was not engaging the service of Ravi. Hence, Ravi claimed retrenchment compensation from the bank. The bank refused to pay compensation on the ground that he was not a workman – Decide.
9. A member of a trade union was injured by an accident, the particulars of which were supplied to the secretary of the Union. The Particulars were forwarded by the secretary to the legal adviser of the Union. The solicitor was of the opinion that there was no cause of action against employer legally. The legal advice was communicated to the injured workman. But when the period of limitation for claiming compensation expired the members brought an action against the Union for failure to exercise proper care in pursuing his claim – Decide.
10. A large number of workmen of different departments of a cotton industry were dismissed for go slow on different dates. During the enquiry, the witnesses were not examined in the presence of the charged workmen, and only the prepared statements of the witnesses were read over to them without supplying the copies of statements of witnesses to the workmen. Decide the legality of the enquiry conducted.

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H 1570

H3JC/H33C/
CH33C

**B.L. (Hons.) / LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the Candidates admitted from 2011 to 2016)

Second Year — Third Semester

PUBLIC INTERNATIONAL LAW

Time : $2\frac{1}{2}$ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Critically examine how international law is applied for interpretation in India. Refer to decided cases.
2. What are the rights and obligations that are transferred to the Successor State in International law.
3. Examine the provisions of the UN Charter relating to admission, expulsion and withdrawal of States in the United Nations Organisation.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Recognition and self determination have become the essential attributes of statehood" – Critically examine.
5. Explain the rights of privileges and immunities of Diplomatic envoys.
6. Examine the rights of a Coastal State over its Continental Shelf and Exclusive Economic Zone.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) General principles of law recognised by Civilized Nations.
 - (b) Double Nationality
 - (c) Asylum case
 - (d) Rebus sic standibus

[P.T.O.]

- (e) Landlocked states
- (f) Five freedoms of Air
- (g) Advisory jurisdiction of ICJ.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons :

8. States 'Rundesberg' and 'Mundesberg' had boundary disputes for several decades and refrained from all diplomatic relations. When the aircraft of 'Rundesberg' state flew across state 'Mundesberg', it was shot down by state 'Mundesberg'. Decide the remedy available for state 'Rundesberg'.
9. State 'A' seeks extradition of its citizen 'R' from State 'B' for a murder case in State A. State 'B' also filed FIR against 'R'. Can this be a ground for refusal of extradition? Decide.
10. State 'A' and State 'B' had followed a practice regarding the use of Sea and its passage for commercial purpose with a condition precedent. Declaration of Independence of State 'A' needed to violate the followed practice. Whether Act of State 'A' is sustainable? Decide.

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H 1572

H3JE/H33E/CH33E

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Second Year — Third Semester

INTELLECTUAL PROPERTY LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Enumerate the common features of intellectual property rights.
2. "Design influences the mind of the consumers". — Discuss the significance of design protection by explaining the above statement.
3. Discuss the role of WIPO in protecting and promoting intellectual property in developing and least developed countries.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the impact of Bayern Vs NATCO in Indian patent regime.
5. Explain the Concept of 'Distinctiveness' by referring to relevant case laws.
6. Describe the importance of 'moral rights' of the author in the context of the Copyright Act.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) National treatment.
 - (b) Mareva injunction.
 - (c) Well – known marks.

[P.T.O.]

- (d) Patent on software.
- (e) Locke's Labour theory.
- (f) Claims.
- (g) Design patent.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Indus Door Pvt. Ltd., invented a new remote control lock system for the doors of Aeroplane and obtained patent for this invention. Sometime later, another industry known as Valley House Doors Pvt. Ltd., produced similar remote control lock system for the doors used in the buildings and got very great demand in the market. On knowing the same Indus Door Pvt. Ltd., filed an infringement suit against Valley House Doors Pvt. Ltd., - Decide.
9. Mohan Varma, a Malayalam novelist, has written a novel titled as "Aliyazhi" and was published by one Meenam Publishers. Two years later, a Tamil writer Valavan translated this novel into Tamil after getting authorization from Meenam Publishers. On knowing the same Mohan Varma, as an author, wants to file copyright infringement law suit against the Tamil writer Valavan. - Decide.
10. Modex Industry produced a new baby soap and named it as MEDBA and later this name was registered as trade mark. One year later another industry known as Rodex manufactured a baby cream under the name 'MEDVA' and brought it into the market also. Thus, Modex Industry sued against Rodex Industry for trade mark infringement. Decide.

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H 1573

H3JG/H34A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2015)

Second Year — Fourth Semester

COMPANY LAW

Time : 2½ hours

Maximum ; 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Explain the procedural aspects for the formation of a company.
2. Discuss the role of directors in the present day corporate governance.
3. State the various ways in which corporate financing can be regulated in India.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the powers and duties of an auditor.
5. Explain the importance of Corporate Social Responsibility.
6. State the meaning of Defunct companies and the methods for their restoration.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) One person company.
- (b) Illegal Association.
- (c) Shares.

[P.T.O.]

- (d) Corporate Borrowings.
- (e) Debenture Holder.
- (f) Floating charge.
- (g) Powers of liquidators.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. A company has issued a share certificate to X without verifying the facts. Later on it was known that X used forged documents. But X was given dividends and Bonus shares for three years. Later X transfers the shares to Y and Y to Z. Company refuses to register the transfer in the name of "Z". Decide.
9. A shareholder who had a right to vote but whose vote was rejected brought an action to compel the directors to record his vote. Decide.
10. An application was made by a father as a guardian of his minor daughter for certain shares. The company registered the shares in the name of the daughter described as minor. The company went into liquidation and the name of the father was placed on the list of contributories. Decide.

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H3JH/H34B/CH33B

H 1574

**B.L. (Hons.)/ LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Second Year — Third Semester/Four Semester

LABOUR LAW II

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Social security measures have introduced an element of Stability and protection in the midst of stress and strains of life"— Discuss.
2. Define Employee and discuss when an employer cannot be held liable for compensation to the employee under the Employee's Compensation Act, 1923.
3. Discuss the provisions relating to health and safety of workers under the Factories Act, 1948.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the matters to be adjudicated by the Employees' Insurance Court.
5. State the conditions of eligibility prescribed under the Payment of gratuity Act, 1972.
6. Explain the schemes provided under the Employees Provident funds and Miscellaneous provisions Act, 1952.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Medical bonus
- (b) Shop under the Tamilnadu Shops and Establishments Act, 1947.
- (c) Controlling Authority

[P.T.O.]

- (d) Manufacturing process
- (e) Employees' State Insurance Fund
- (f) Social Insurance and Social assistance.
- (g) Occupational diseases.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. Raju was employed in a lorry for the purpose of carrying quarry material from the quarry site to the work spot. One day while he was going to the quarry in the lorry, he tried to hit a wild rabbit running in the ground. In his attempt to hit the rabbit, he fell down from the lorry and died. His widow claimed compensation. – Decide.
9. Akbar, an apprentice in the Sugar Mill while cleaning a dangerous part of an unfenced machinery was injured. State the liability of the occupier under the Factories Act.
10. Shiva worked in a steel company for 12 years and was retrenched. He claimed gratuity from the employer and the employer refused to pay on the ground that a retrenched employee is not entitled for gratuity – Decide.

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H 1575

H3JI/H34C/CH33D

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Second Year — Fourth Semester / Third Semester

LAW OF EVIDENCE

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Discuss the credibility of a dying declaration with reference to some decided cases. Can a dying declaration form the sole basis of conviction?
2. Explain the relevancy of facts and state the distinction between relevancy and admissibility.
3. Who is an Expert? What is an expert opinion? In which matters is the opinion of experts taken as admissible? Discuss about the criteria for appreciation of expert evidence.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What is meant by 'Character evidence'? When is character relevant? Discuss.
5. What are the exceptions to the rule that 'All facts in issue must be proved'?
6. What is meant by the 'Best evidence rule'? How does it apply to document and oral evidences?

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Hearsay Evidence
- (b) Dumb witness
- (c) Estoppel
- (d) Privileged communication
- (e) Evidence
- (f) Presumption as to power of attorney
- (g) Legitimacy of a child.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

- 8. A was tried for the offence of Dowry death. The only evidence available against him is that before marriage he had made a demand for dowry and it was not complied by the parents of the bride. Decide the case. Is it relevant fact to establish the motive of the person?
- 9. A got admission into three years degree course in a college on production of his intermediate certificate, which stated that he is eligible for higher studies. The University took an objection in the second year of his degree course that his Intermediate Certificate was not correct. What are the consequences?
- 10. In a suit A contends that he issued a notice to B, the opposite party. B denies the receipt of notice. A does not produce the office copy. What is the effect?

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H 1602

H3JK/H34E/CH34A

**B.L. (Hons.)/LL.B.(Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Second Year — Fourth Semester

MARITIME LAW

Time : $2\frac{1}{2}$ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Admiralty Law is a special law, a distinct entity because of its distinct origin, history, field of application and distinct courts that are used to administer it Elucidate.
2. "The scope and content of the admiralty jurisdiction in India have been the same as those in England and they continue to be so" — Analyse.
3. The action may be initiated either as '*action in rem*' or '*action in personam*' depending on conditions specified in admiralty law for each form of action — Critically comment.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What are the legal issues involved in the arrest of sea going ships?
5. Discuss the laws of Harbours and Pilotage.
6. What are the general immunity available to the Government ships under the Maritime Law?

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Maritime Piracy
 - (b) Distress of ship
 - (c) Flag of Convenience

[P.T.O.]

- (d) Bottomry bond
- (e) Towage
- (f) MV. Elizabeth and others Vs. Harwan Investment and trading case
- (g) ISM.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring the relevant provisions of law and decided cases. Give cogent reasons.

8. The plaintiffs, "the ship owners", issued a writ on 25th June 1975 claiming against the defendants, "the charterers", unpaid hire and damages for repudiation of a charter party. On an ex parte application the Judge granted an injunction until certain period restraining the charterers from removing or disposing out of the jurisdiction money standing to the credit of the charterers' account at a London bank. The ship owners appealed against the judge's refusal to extend the injunction beyond the said period. Decide.
9. When selling a motor yacht, the seller informed the buyer that the vessel had been recently scrapped and painted in dry dock, meaning and being understood to mean that nothing abnormal was detected. The buyer was satisfied and the vessel was not inspected. Later it was discovered serious bottom damage. Decide.
10. Two ships which belong to Moroccan and Egyptian collided in Alexandria harbor. The Moroccan ship took action in rem and also took out a warrant of arrest a ship under common ownership with the Egyptian ship. The Egyptian applied for a stay of proceedings in England in favour of Alexandria on the ground that it was not only competent but also natural and appropriate. Decide.

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H 1579

H3KC/H35C

B.L. (Hons)/LL.B. (Hons) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.

(For the candidates admitted from 2011 to 2015)

Third Year — Fifth Semester

CIVIL PROCEDURE CODE

Time : $2\frac{1}{2}$ hours

Maximum : 70 marks

PART A — ($2 \times 12 = 24$ marks)

Answer TWO of the following in about 500 words each.

1. "Law comes to the assistance of the vigilant, not to the sleepy" — Explain.
2. "An executing court cannot go behind the decree" — Explain. Are there any exceptions to this rule?
3. State and discuss the conditions for the applicability of Res judicata. Distinguish it from Res subjudice.

PART B — ($2 \times 7 = 14$ marks)

Answer TWO of the following in about 300 words each.

4. Discuss the provisions relating to suits instituted by or against Government.
5. Explain the effect of non-appearance of parties.
6. What are the circumstances in which a court may appoint a commissioner? Describe his power and functions.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:

- (a) Substituted service
- (b) Mesne profit
- (c) Caveat
- (d) Order and decree
- (e) Set off and counter claim
- (f) Garnishee
- (g) Legal Disability

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

- 8. Residential buildings were allotted by the housing board to the applicants who belonged to the lowest income group. After settlement of price, excess demand was made by the board. The allottees challenged the demand by filing a suit in the representative capacity. Whether the suit is maintainable?
- 9. 'X' holds a decree against 'Y' for Rs. 75,000/-. 'Y' holds a decree against 'X' for Rs. 1 lakh/-. 'X' and 'Y' both apply for execution of their decrees before a court which has jurisdiction to execute both of these decrees. Decide.
- 10. 'A' filed a suit against 'B'. On the date of hearing both the parties did not appear before the court. The court dismissed the suit. Now 'A' approaches you regarding further course of action. Advise him.

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H 1580

H3KD/H35D/CH34B

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Third Year — Fifth Semester/Second Year — Fourth Semester

PRIVATE INTERNATIONAL LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "No one theory can possibly answer adequately the question as to what are the theoretical base of Private International Law". Comment.
2. "The problem of 'Renvoi' arises in those cases where the rules of Private International Law either refer to the law of forum or refer to law of a third country". Comment.
3. Define 'Domicile' and explain the domicile of an independent natural person.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the public policy as a ground for the exclusion of foreign law.
5. Discuss the need for the unification of rules of Private International Law.
6. Explain the classification of Cause of action.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Mutual disclaimer theory
 - (b) Selection of the Lex causae
 - (c) Mode of discharge of contract under Private International law
 - (d) Legitimacy and legitimation

[P.T.O.]

- (e) Theory of territoriality
- (f) Foreign Tort
- (g) Boys Vs. Chaplin.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. A Hindu having a lawfully married wife living in India goes through a form of marriage at a registry office in England with an English woman. Discuss the validity of the marriage.
9. 'Y' from Germany comes to India and he is desiring to adopt an orphan living in an Indian orphanage. Discuss the law involved and the procedure for making the adoption valid.
10. 'X' a Hindu female married 'Y' a Hindu male at Delhi in accordance with Hindu rites in 2004. Immediately after marriage both 'X' and 'Y' went to New York and stayed together for four years at New York. They were blessed with two children, the first in 2005 and the second in 2008. After the birth of the second child 'X' came back to India in 2009 and admitted the first child in Delhi Public school. In 2010 'Y' moved to Pittsburg where he stayed for four months and filed a petition for divorce in Pittsburg. According to the law of Pittsburg, if a person is resident for 90 days in the state he/she can file a petition for dissolution of marriage. 'X' sent her reply under protest and did not submit to the jurisdiction of court. The court of Pittsburg granted exparte decree for dissolution of marriage to 'Y'. 'Y' married 'Z' immediately after the passing of decree. 'X' wants to file a case of bigamy. Argue the case for 'X' explaining the law relating to recognition and enforcement of foreign decrees in India. Refer to Judicial precedents.

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H 1596

H3KE/H35E/CH34C

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Third Year — Fifth Semester/Second Year — Fourth Semester

INTERPRETATION OF STATUTES

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Interpretation forms an indispensable tool in understanding human legislations" – Discuss.
2. "The rule of good faith in interpretation maintains a balance between the schools of textualism and purposivism" – Explain.
3. "The General Clauses Act due to its seminal impact on statutory construction, is referred as the Legislative Dictionary" – Elaborate.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss in detail the notion of strict construction of Taxing statutes.
5. Explain the relevance of 'Illustration', 'Explanation' and 'Removal of Difficulties Clause' as intrinsic aids of interpretation.
6. "The legislative drafters are the first lawyers to interpret the statute" – Enumerate.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Rule of noscitur a sociis
 - (b) Comparative law movement
 - (c) Distinction between crime and offence

[P.T.O.]

- (d) Practical construction of statutes
- (e) Interpretation of Treaties
- (f) Legal fiction
- (g) Causa omissus.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. 'X' a minority institution approaches the courts in India, to secure its interest from the intervention of State. During the course of judicial proceedings, a question is asked, whether minorities in India come under the category of the term 'People'. More particularly, the need to define the terms 'People' and 'Minorities' for the purpose of attaining constitutional objectives is underlined. Discuss.
9. 'Eco-park' is a public park known for its environmental concern. The statutory rules of the park reads :
'Other vehicles and motor cycles, jeeps, vans and motor cars are prohibited'.
A query arises whether bicycles come under the category of the said prohibition – Explain.
10. N a bus driver serving a State transport corporation, after finishing the day's duty whilst taking rest in the bus, suffers cardiac arrest. Subsequently, due to the intensity of the attack N dies. The widow claims compensation under the respective social security legislation. Discuss the merits.

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H 1581

H3KG/H36A

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2015)

Third Year — Sixth Semester

ENVIRONMENTAL LAW INCLUDING ANIMAL WELFARE LAWS

Time : $2\frac{1}{2}$ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Discuss in detail the constitution, power and functions of authorities under the Water (Prevention and Control of Pollution) Act 1974.
2. Explain the use of forest area and forest produce as said in the Indian Forest Act 1927.
3. Define Noise pollution and discuss the legal rules relating to Noise pollution.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss in brief Bio-Medical Wastes.
5. Explain the regulations governing Bio-diversity Authority.
6. Discuss in detail National Environmental Appellate Authority.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Exclusive Economic Zone.
 - (b) Environmental Audit.
 - (c) Disaster management.

[P.T.O.]

- (d) Municipal solid wastes.
- (e) Cattle trespass.
- (f) Inter generational equity.
- (g) Bio survey.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. The emission of carbon particles from the industries damaged the historical monument of India affecting its appearance. – Discuss the courts finding in this landmark case.
9. A writ petition was filed by the proprietors of a factory manufacturing and supplying polythene bags but there was an order issued by the Additional district magistrate under Sec. 144 of Cr. P.C. banning the use of polythene bags in that district. The petitioners alleged that the impugned order violates their fundamental right to carry on trade and business – Discuss.
10. A petition was filed against a magistrate's conditional order to shut down a paper mill that had failed to take adequate pollution control measures. Explain whether the magistrate's order U/Sec. 133 of Cr. P.C. is legally permissible – Discuss.

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H 1599

H3KH/H36B

**LLB.(Hons.)/B.L. (Hons.) DEGREE (Semester) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2015)

Third Year – Sixth Semester

LAW OF TAXATION

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. “No tax shall be levied or collected except by the authority of Law” – Discuss
2. Examine the circumstances in which income of other persons is treated as the income of the assessee.
3. Explain the scope of supply under the Goods and Services Tax Act, 2017.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define Agriculture income and its significance of Computation of total income.
5. Explain the position of set-off and carry forward of the losses and gains of speculative business under the Income Tax Act 1961.
6. Explain the definition of person as defined under the Central Goods and Services Tax Act, 2017.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :

- (a) Surcharge.
- (b) Perquisites.
- (c) Block of assets.
- (d) Best judgement assessment.
- (e) Input Tax.
- (f) Place of business under the Central Goods and Services Tax Act, 2017.
- (g) Imported Services under the Integrated Goods and Services Tax Act, 2017.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law.
Give cogent reasons.

8. Advise your Client on the following circumstances.

(a) A, a supplier, transferred the title of a Sony Television for a consideration of Rs.50,000/-. The possession has not been transferred. Decide whether this amounts to transfer of goods or service or none.

(b) A, a supplier transferred the possession of a Sony Television for a consideration of Rs.20,000/- But title is not transferred. Decide whether this amounts to transfer of title in goods or service or none.

9. State with reasons how the following attract income tax in India at the hands of the recipient.

(a) Income of trade Union.

(b) Income of minor.

(c) Deduction in respect of contribution to Provident Fund.

10. X is a Govt. employee. His salary for the previous year 2017-18 is as follows:

(a) Basic Pay – Rs.6,00,000/- (Six lakhs)

(b) Dearness Allowances – Rs.3,00,000/- (Three lakhs)

(c) House Rent Allowance Rs.1,20,000/-

(d) City compensatory Allowance – Rs.60,000/-

His expenses is as follows:

(a) House Rent Paid – Rs.2,40,000/-

(b) LIC Premium – Rs.1,20,000/-

(c) Provident Fund – Rs.80,000/-

Calculate the Taxable income for the previous year 2017-18.

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H 1582

H3KJ/H36C/CH34D

LL.B. (Hons)/B.L. (Hons) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.

(For the candidates admitted from 2011 to 2016)

Third Year – Sixth Semester/Second Year – Fourth Semester

INTERNATIONAL TRADE LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Explain the structure and functions of WTO.
2. Elaborate the theories of international trade.
3. Elucidate the significance of regional organisations in multilateral trade.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the role of FDI and FII in the free trade regime.
5. Narrate the evolution of World Trade Organisation.
6. How the disputes are settled under WTO?

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:

- (a) IMF
- (b) TRIPS
- (c) Dumping and Anti-dumping
- (d) European Union
- (e) MFN
- (f) SAARC
- (g) SAFTA.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. River Delta is an international river that flows across the countries namely country C, B and A respectively. These three countries entered into a treaty named as "Delta Treaty" for utilizing the river water for general consumption and for power supply. On the contrary, country C uses the river water for automobile production causing significant pollution. Both A and B warned C for misusing the water and hence it violates the treaty. But C responded that it is a developing country, hence there is a need for more consumption of water for productivity. A and B rejected the plea of C, hence A and B sued C. Whether C can succeed?
9. Country X is a member of OPEC, supplies arms to A country. Country A's enemy Y, who is also a member of OPEC, warns X country to stop supplying of Arms to A country. Both X and A are friendly nations in another regional organisation VIKE. Whether X should fulfill the obligations of 'OPEC' or 'VIKE'?
10. 'Forum of Ethical treatment for animals' is restricting the cultural practices in developing countries by saying that the animals should not be used for cultural sports or any other activities. It has sought a total ban of export from countries which torture the animals in the name of cultural practices. Will it be possible for the forum to succeed in WTO?

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H 1583

H3KK/H36D/CH34E

**LL.B. (Hons.)/B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Second Year — Fourth Semester/Third Year — Sixth Semester

COMPETITION LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "People who combine together to keep up prices do not shoot it from their housetops. They keep it quiet, they make their own arrangements in the cellar where no one can see" – Lord Denning. Explain.
2. 'Competition Act prevents monopoly but Intellectual Property Rights grants monopoly' – Discuss.
3. "Situation where selling the goods or extending the services price below the cost so as to oust its competitors out of market is void" – Describe.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What are the terms of reference and recommendations of Shri S.V.S. Raghavan Committee?
5. 'Dispute settlement mechanisms under the competition Act is adequate' – Explain.
6. Explain the procedure for leniency programme.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Definition of agreements in competition Act
 - (b) Doctrine of Single economic entity

[P.T.O.]

- (c) Perse Rule
- (d) Bid Rigging
- (e) Sherman Act
- (f) Joint Venture
- (g) Combination.

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of Law and decided cases. Give cogent reasons.

8. A soft beverage manufacturing company by business understanding with the multiplex and shopping mall agreed to sell its beverages with the price less than the 30% of market price. The multiplex owner did not allow the vendors to sell the goods manufactured by others. This practice was widely published in the newspapers. Based on the newspaper information the Competition Commission took suo motu cognizance. Decide.
9. XYZ & Co. is one among the five telecom service providers. The XYZ & Co. decided to provide free voice calls and data services for first 60 days along with purchase of smart phone valued Rs. 4,000/-. After completion of initial 60 days the XYZ & Co. decided to further extend the same service for 150 more days. The other four telecom service providers jointly refused to allow interconnection services to XYZ & Co consumers. Decide.
10. The M/S Bikers Make, a small motor vehicle manufacturing company, appointed dealers to sell scooters manufactured by its company. The appointed dealers were asked to sign a letter of intent which contained restrictive clauses such as exclusive distribution, restriction on area distribution and also if any defects in goods the appointed dealers had to repair at their own cost. A complaint was filed before the CCI alleging that this agreement was violative of competition Act – Decide.

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H 1584

H3KM/H36E/CH34F

**B.L. (Hons.)/LL.B. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2018.**

(For the candidates admitted from 2011 to 2016)

Second Year — Fourth Semester/Third Year — Sixth Semester

CYBER LAW AND FORENSICS

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Discuss the importance and relevance of UNCITRAL Model law on E-Commerce.
2. Explain the constraints and challenges faced in admissibility of electronic evidence in Indian judiciary.
3. State the power, functions and duties of Cyber Regulation Appellate Tribunal.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the advantages and disadvantages of Cyber arbitration.
5. What are the power, functions and duties of a certifying authority under the IT Act?
6. Explain the advantages of E-Taxation.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Data mining.
 - (b) Online digital library.
 - (c) Shrink wrap contract.
 - (d) Private key.
 - (e) BIT Tax.
 - (f) Sliding scale theory.
 - (g) Digital envelope.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

Answer TWO of the following by referring to the relevant provisions of law and decided cases. Give cogent reasons.

8. An employee in a company started to give defamatory statements against his colleague through social networking websites. The defamed person filed a complaint with his superiors and they in turn forwarded the same to police authorities. The employee takes the defence of freedom of speech in Internet and states that the company has no locus standi to complaint. Discuss and decide.
9. X is an ISP giving all opportunities for uploading any video file in the cyberspace provided by X. One Y uploads Z's copyrighted file. Z complains to X and X states that Y had taken copyright infringement liability and responsibility through agreement. Decide.
10. A is a multinational bank offering E-Banking service. Raj opens an account for E-Banking with the bank and later on becomes a victim of phishing action by a cyber criminal. Decide the liability and remedies for A.