

B.L (Hon's)

April - 2015

Question Paper

Register No.

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H 905

1

H3IA

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For candidates admitted from 2011 onwards)

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. What is "Law"? Explain the kinds of Law.
2. Explain the nature and scope of International Law and Constitutional Law.
3. Elaborate the concept of Sociological Jurisprudence.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What is Right? Explain the different kinds of Right.
5. "Custom begins where the usage ends" - Elucidate.
6. Narrate the validity of Precedent in English Jurisprudence.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Jural Correlatives and Jural Opposites.
 - (b) Obiter Dicta.
 - (c) Title.
 - (d) Theories of Punishment.
 - (e) Duty.
 - (f) Person.
 - (g) Act in the Law and Act of the Law.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

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

8. A customer found a currency note on the floor of the shop and put it in his pocket. The shop-keeper saw the activity of that customer and he demanded that currency note because it was found in his shop. The customer refuses to give it to the shop-keeper. Hence the conflict arose between the customer and the shop-keeper. Decide the case with the suitable examples.
9. "Amitha" sold her farm land to "Nivetha". Hence Nivetha became the absolute owner of that property. While plowing the farm land, Nivetha found a gold treasure which was 100 years old. "Nivetha" thought that she purchased only the land, not the gold treasure. So Nivetha 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 had no right to retain the treasure with her. - Fix the concept of "Dharma" and decide the case with whom the treasure should be retained.
10. Nandini lends Rs. 10,000/- to Fathima as an unsecured loan on 14-03- 2013, for that Fathima promised that she will repay the amount within one month. To prove her genuineness, she gave a post dated cheque for the sum of Rs.10,000/- on that day, mentioning the date in the cheque as 14-04-2013. Nandini presented the cheque on 14-07-2013. The banker refuses to encash the cheque by saying that it is a stale cheque. - Decide the case by fixing the rights and duties of Nandini and Fathima.

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H 906

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H3IE

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

First Year — First Semester

FAMILY LAW — I

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. Examine critically the constitutional validity of Restitution of Conjugal Rights.
2. Explain how a contract of marriage under Muslim Law is Dissolved.
3. Do you think gender discrimination in the Hindu Adoption and Maintenance Act, 1956 still persists? Support your answer with reasons.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the differences between void and voidable marriages.
5. Critically analyse legality of live – in relationship in our country.
6. Explain the legal inconsistencies in the Special Marriage Act, 1954.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Custom as a source of Hindu Law.
 - (b) Irretrievable breakdown of Marriage.
 - (c) Compulsory registration of marriage.

[P.T.O.]

- (d) Triple Talaq.
- (e) Types of Guardians.
- (f) Lakshmi Kant Pandey V. Union of India.
- (g) Family Court.

PART D — (2 × 6 = 12 marks)

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

8. At the time of marriage negotiations, 'A' the boy was shown a tall and fair girl as the prospective bride. On the day of marriage 'A' found that the girl shown at the time of negotiations was different from the one given in marriage. However he continued to live with her for six months and the marriage was consummated. Afterwards, he files a suit for annulment on the ground of fraud. Would he succeed? Give reasons.
9. 'X', a Muslim Girl, was given in marriage when she was 10 years old. On attaining puberty, she repudiated the marriage. The husband alleges that the marriage was consummated and she can't exercise that right. Decide.
10. A and B got married. Five days after the marriage, 'A' the husband finds that his wife 'B' is three months pregnant by some other man. But he continues to live for three years. After three years, he files a petition for relief. Will he succeed? Decide.

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H 907

3

H3IF

B.L. (Hons) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

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. Explain in detail the various sources available for data collection in carrying out a successful legal research.
2. How far Multi-Disciplinary Approach is useful to the development of the techniques of Legal Research and adopting a suitable methodology thus enhancing its results. Discuss.
3. Discuss in brief citizenship and how it helps an individual under International Law.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss briefly the contribution of Roscoe Pound to Sociological School of Jurisprudence.
5. Difference between "Prior" and "Posterior" method of Reasoning.
6. Trace the significance of Research Oriented Judgements.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Interview
 - (b) Types of variables
 - (c) Morality
 - (d) Socio – Legal Research

[P.T.O.]

- (e) Qualities of good researcher in law
- (f) Secularism
- (g) Hypothesis.

PART D — (6 × 2 = 12 marks)

8. Answer SIX of the following very briefly :

- (a) Legal data base
 - (b) Sententia Legis
 - (c) Bias
 - (d) Prospective overruling
 - (e) Kinds of Legal Reasoning
 - (f) Formation of New state
 - (g) Realism
 - (h) Group sampling.
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H 955

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H31D

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

First Year — First Semester

LAW OF CRIMES – I

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Falsus in uno, falsus in omnibus" – whether this maxim is suitable in criminal law? Examine.
2. State the exception to the offence of 'murder' with decided cases.
3. Narrate the Criminal Law Amendment Act, 2013 with regard to Indian Penal Code.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Write the offences relating to religion.
5. Distinguish joint liability and constructive liability.
6. Explain the offences of aggravated form of 'Theft'.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Criminal conspiracy
 - (b) Solitary confinement
 - (c) Death by negligence
 - (d) Disappearance of evidence
 - (e) Mischief
 - (f) Criminal intimidation
 - (g) Extortion.

[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 appears as a witness before Z, a magistrate. Z says that he does not believe a word of A's deposition and that A has perjured himself. A is moved to sudden passion by these words and kills Z. What offence A has committed? Decide.
 9. A, a police-officer, tortures B to induce him to point out where certain stolen property is deposited. Decide the liability of A.
 10. A, being Z's servant and entrusted by Z with the care of Z's plate dishonestly runs away with the plate, without Z's consent – Decide the liability of A.
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H 908

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H3IH

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

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. Explain the concept of State under Art. 12 of the Indian Constitution in the light of Liberalization, Privatization and Globalization.
2. "Art. 14 of the Indian Constitution forbids class legislation but permits reasonable classification" – Discuss with the help of relevant case laws.
3. Critically examine the interrelationship between Fundamental Rights and Directive Principles of State Policy.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Briefly explain the salient features of Indian Federalism.
5. What is meant by 'Procedure established by law' and how it differs from 'Due process of law'?
6. Evaluate the role of judiciary in the development of Environmental Jurisprudence.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
- (a) Preamble of the Indian Constitution.
 - (b) Acquisition of citizenship.
 - (c) Basic structure.
 - (d) Doctrine of eclipse.
 - (e) Preventive detention.
 - (f) Quo-warranto.
 - (g) Fundamental Duties.

PART D — (2 × 6 = 12 marks)

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

8. Mr. X had remained in the jail for fourteen years even after his acquittal by the competent court. What is the remedy available to Mr. X?
9. A son, aged 22 years was taken to police custody. He died in the police custody. The previous day when his mother visited police station, he was handcuffed, tied and kept in custody. But next day his body with handcuff and multiple injuries was found lying on the railway track. The police defended that the deceased had escaped from police custody and his body was found on the railway track – Advise the mother of deceased.
10. A law was enacted by the State. The law disqualifies a person to contest in Panchayat election in the State if he is having more than two children. The validity of this provision was challenged on the ground that it interferes with freedom of religion that violates Art. 25 of the Constitution – Decide.

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H 909

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H3II

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

First Year — Second Semester

**PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT AND
EASEMENT ACT**

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "An absolute Restraint on alienation is void but a partial restraint is not" – Elucidate.
2. Discuss the rights and liabilities of lessor and lessee.
3. Describe the various modes of Extinction of easement.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "Law leans in favour of vesting and against divesting" – Discuss.
5. Doctrine of Equitable Estoppel.
6. "Contribution is reverse of Marshalling" – Elucidate.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.

- (a) Attestation
- (b) Doctrine of Lis pendens.
- (c) Thulluson –Vs–Woodford
- (d) Spes-successionis
- (e) Fraudulent transfer
- (f) Kinds of Easements
- (g) Universal donee

[P.T.O.]

PART D — (2 × 6 = 12 marks)

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

8. 'A' sues 'B' to recover a house. Before the service of summons, 'B' transfers the property to 'C'. The suit is decreed against B. Is 'C' bound by the decree?
9. "A" sells a property to "B". 'B' then discovers that the property is subject to a right of way on the part of the public. What are the remedies available to 'B'?
10. 'A' gave his share in a Company 'X' in consideration of 'B' s share in Company 'Y', under a document. Is this a sale?

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H 911

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H3IK

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

First Year — Second Semester

HUMAN RIGHTS LAW

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 evolution of Human Rights.
2. How did Universal Declaration of Human Rights influence the Constituent Assembly in drafting Fundamental Rights.
3. Preamble is the key to understand the provisions of the Constitution. Explain the ideals and aspirations incorporated in the preamble of the Indian Constitution regarding the protection of the Human Rights.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. What are the human rights provided under the UN Charter? Explain.
5. Explain the rights of the women guaranteed under the convention relating to Women.
6. Discuss in detail the European Court of Human Rights along with the case laws.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
 - (a) Non-refoulement
 - (b) Rights and liabilities of disabled person
 - (c) NHRC

[P.T.O.]

- (d) Vulnerable groups
- (e) Prohibition of Genocide.
- (f) NGO and Human Rights
- (g) Self defence and 'use of force'.

PART D — (2 × 6 = 12 marks)

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

8. Mrs. Roopa, a garment employee of Chennai fell down from a running SETC Bus and suffered serious leg injuries. She was taken to various Government Hospitals but she was denied medical aid due to non-availability of beds. Later on she was admitted to a private hospital where she had to spend Rs. 1.5 Lakhs for her treatment. She claims the amount from the Government. Decide the liability of the Government.
9. Ramu was detained in jail under Preventive Detention Act. He wrote a scientific book in prison and sought the permission of the Government to send it to wife for publication. Government refused permission to him. Is the stand of the Government justifiable? Give reasons.
10. A military truck, while carrying a football team of jawans, caused an accident. 'A', a pedestrian, died in the accident. His wife has sued the Central Government for compensation. Will she succeed?

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H 949

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H3IG

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

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. 'Indemnity requires that the party to be indemnified shall never be called upon to pay.' — Expound.
2. 'Law of Partnership is but an extension of the Law of Principal and Agent' — Explicate.
3. In a contract of sale of goods, when does the property in goods pass from the seller to the buyer? Discuss the rules with reference to ascertained goods, unascertained goods and goods in a deliverable state.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Expound the situations when a Pledge created by a non-owner is valid?
5. In the case of the agents' negligence, he is liable to make good the damage directly arising from his neglect." — Discuss with relevant case Law.
6. Define Bailment and explain the essential characteristics of a Contract of Bailment.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:-
 - (a) Registration of a firm.
 - (b) Sub-agent and substituted agent.

[P.T.O.]

- (c) Rights of unpaid vendor, against the property.
- (d) Rights of co-sureties.
- (e) Duties and rights of a bailee for reward.
- (f) Hypothecation.
- (g) Ex-ship contracts.
- (h) Nemo dat quod non habet.

PART D — (2 × 6 = 12 marks)

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

8. G and H are partners in a business, sharing profits and losses equally. G dies. It is found that G had contributed Rs.50,000/- and H, Rs.20,000/- towards the capital of the firm. The assets of the firm amounts to Rs.40,000/- only. Decide how the deficiency of the capital is to be shared:
9. 'Q' sells and delivers goods to P. J, afterwards, without consideration agrees to pay for the goods if P fails to pay. P defaults in making payment. Decide the extent of liability of J.
10. R is a retailer of fertilizers. T comes to R' s shop, asks for a good fertilizer for his garden consisting of flowering and vegetable plants. R gives a tin of amalgamated fertilizer manufactured by Rexo & Co. T uses the fertilizer. He gets a good produce of Tomatoes and Radish. But, the Jasmine plants dried up. T files a suit against R for damages. Decide.

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H 956

9

H3IL

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

First Year — Second Semester

REGULATORY 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. Explain the different theories that are relevant for regulating various regulatory authorities.
2. Discuss the scope and challenges faced by TRAI in regulating the telecom sector in India.
3. Analyse the merits and demerits of the National Electricity Policy.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "The role of IRDA is to insure the insurance business in India" — Elucidate.
5. Discuss the various powers of the Competition Commission in deciding a dispute.
6. Analyse the impact of the amendments carried out on the TRAI Act 1997.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Abuse of dominant position.
 - (b) Composition of IRDA.
 - (c) Central Electricity Authority.

[P.T.O.]

- (d) Pension.
- (e) Enterprise.
- (f) Role of SEBI.
- (g) National Electricity Policy.

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 insurance company is warned by IRDA for false advertisement which is misleading the insurance consumer and customers. IRDA cancels the registration of the insurance company by notification. The cancellation is challenged by the company on the ground that IRDA is not empowered to be a barrier for advertisement policy of a company. Decide.
9. A marketing company made calls to various people who are listed in the register where marketing calls were banned. TRAI issues notice to the telecom service provider of that marketing company. Decide.
10. SEBI issues public notice against certain companies which have done business against the interest of the share holders. One of the company "A" sues SEBI on grounds of defamation. Decide.

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H 912

10

H3JA

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the Candidates admitted from 2011 onwards)

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. "India has adopted cabinet system of Government. In England, it has been described that the term 'crown' represents, the sum total of governmental powers and synonymous with executive". Discuss critically the power, position and influence of Indian President in the light of the provisions of Constitution and various landmark decisions.
2. Discuss the concept of 'consultation' and 'collegium' for the appointment of Judges of the Supreme Court and High courts. Can the appointment of judge made by collegium be challenged on any grounds.
3. Explain the principle of 'repugnancy'. Can it apply when two legislations, one enacted by Parliament and other by a State legislature cover a subject in State list? What procedure has to be followed to make a State law valid, even if the same is repugnant to the parliamentary legislation?

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the scope of freedom of trade, commerce and intercourse envisaged under the provisions of the Constitution of India in the light of decided cases.

[P.T.O.]

5. What are the consequences of proclamation of Emergency made under Article 356?
6. Explain Parliament's power to legislate with respect to matters contained in the State list and Centre's control over state legislature.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:
 - (a) Borrowing power
 - (b) Pardoning power
 - (c) Parliamentary Privileges
 - (d) Finance Commission
 - (e) Doctrine of pith and substance
 - (f) Criminalization in politics and Electoral laws
 - (g) Doctrine of pleasure.

PART D — (2 × 6 = 12 marks)

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

8. The President of India dissolved the Lok Sabha. But the Prime Minister continued in his office. The continuance of the Prime Minister along with his ministry even after the dissolution of Lok Sabha was challenged in the Supreme Court by 'X', a citizen of India on the ground that Prime Minister ceases to be a member of Parliament. Decide.
9. 'A' person is arrested under a warrant issued by the Speaker of the Legislative Assembly of a state for being produced before the assembly for answering and alleged breach of privileges. The Privileges alleged to have been broken is not mentioned. His wife files a writ of Habeas corpus in the High Court to secure his release. Decide.
10. The legislature of a state in India passes an Act prescribing a lower rate of sales tax on cotton goods manufactured within that state than on goods imported from other states. A trader in cotton goods challenges the validity of the Act on the ground of violation of freedom of interstate trade and commerce. Decide.

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H 957

(11)

H3JE

**B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS,
APRIL 2015.**

(For the Candidates admitted from 2011 onwards)

Second Year — Third Semester

INTELLECTUAL PROPERTY RIGHTS

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Critically examine how far the Novartis Case ensures the mandate of States in providing right to public health at all levels.
2. Define Trade Mark. Examine the Marks which are registrable and not registrable under the Trade Marks Act.
3. Explain the various kinds of Intellectual Property Rights and the need for protection against unfair competition under the aegis of the World Trade Organisation.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Examine the law relating to Industrial Designs.
5. Explain Copyright Protection for Dramatic and Musical works.
6. Analyse the functions of the World Intellectual Property Organisation [WIPO].

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following :
 - (a) Bretton Wood.
 - (b) Patent addition.
 - (c) Doctrine of fair use.

[P.T.O.]

- (d) Passing off.
- (e) Copyright in computer software.
- (f) Trade Secrets.
- (g) Origin of appellation.

PART D — (2 × 6 = 12 marks)

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

8. Dr. ZALMINO, a Professor of Nautical Science dictates notes to his own research scholar Ms. SUMANTHANA, in Yale University in 2012. After completion of her Doctorate in 2013 Ms. SUMANTHANA published her thesis without acknowledging Dr. ZALMINO. Does Ms. SUMANTHANA violated copyright law? Decide.
9. M/S RANBAXY LIMITED, a pharmaceutical company produced large quantity of vaccine without obtaining a prior permission from the patentee and distributed the vaccines free to all the hospitals to cure the effect of 'Ebola Virus'. Does the patentee have any remedy against the RANBAXY Limited? Decide.
10. M/S LUCKY MAN LIMITED, is using domain name "Vetriyalargal.com" with names, logos and identical photographs of M/S WIN WIN LIMITED'S famous Television live show "VETTIYADIYA VETRIYALARGAL". M/S WIN WIN LIMITED files suit for an injunction. Is it sustainable? Decide.

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H 916

12

H3JG

B.L. (Hons) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

For the candidates admitted from 2011 onwards.

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. "Subject to the provisions of the Act, the board of directors of a company shall be entitled to exercise all such powers and to do all such acts and things as the company is authorized to exercise and do' – Discuss.
2. "The ultra vires doctrine confines corporate action within fixed limits' – Examine this statement with the help of decided cases.
3. Discuss the procedure for winding up of a company by the Tribunal

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. "A promoter is a person who brings about the incorporation and organisation of a corporation" – Discuss.
6. Discuss the provisions for prevention of oppression and mismanagement under the Companies Act 2013.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:

- (a) Insider trading
- (b) Dividends
- (c) Illegal association

[P.T.O.]

- (d) Special resolution
- (e) Transfer and Transmission of shares
- (f) Floating charge
- (g) Corporate social responsibility.

PART D — (2 × 6 = 12 marks)

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

8. There were several shareholders in a company. A meeting was called for the purpose of making a call. Only one shareholder attended the meeting. He, however held the proxies of other shareholders. He took the chair and passed a resolution for making a call and then proposed and passed a vote of thanks. Decide the validity of the meeting.
9. A company issued debentures by which it undertook to pay the principal at a distant day and interest on fixed days half yearly and charged by way of floating security all its property present and future. The company reserved its right in the course and for the purpose of its business to sell or otherwise deal with its property until the company made a default in payment of interest for three months after the same should have become due. After the instalment of interest had become due more than three months but before the debenture holders had taken any steps to enforce their security, the company mortgaged its assets. Discuss the validity of the mortgage.
10. 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.

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H 917

13

H3JH

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

Second Year — Fourth 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. Examine the rules relating to the distribution of compensation under the Employee's Compensation Act, 1923.
2. Discuss the provisions regulating the employment of women and young persons under the Factories Act, 1948.
3. Explain the kinds of bonus and bring out the sums deductible from gross profits under the Payment of Bonus Act, 1965.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "The concept of social security is based on ideals of human dignity and social Justice" – Discuss.
5. Examine the various schemes provided under the Employee's Provident Funds and Miscellaneous Provisions Act, 1952.
6. Discuss the conditions prescribed for the payment of maternity benefit under the Maternity Benefit Act, 1961.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:

- (a) Sickness benefit.
- (b) Shops under the Tamil Nadu Shops and Establishment Act, 1947.
- (c) Manufacturing process
- (d) ILO on Social Security.
- (e) Employee under the Employee's Compensation Act, 1923.
- (f) Forfeiture of gratuity
- (g) Employee's Insurance Court.

[P.T.O.]

PART D — (2 × 6 = 12 marks)

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

8. Ram was engaged by the owner of a coconut farm to pluck coconuts, regularly once in a period of 40 days or so. One day while plucking the coconuts 'Ram' fell down from the tree and fractured his right hand. Ram claimed compensation, but the management objected to this claim – Decide.
9. Kumar, a clerk in a factory for the past 15 years, was dismissed from the service as he misappropriated money. The management forfeited the full gratuity amount payable to him. Decide the validity of the action taken by the employer.
10. Shantha, a women employee in a cotton factory had put in 12 years of service. Since her daughter died in a road accident, she made an arrangement to have a child through a surrogate mother. Under this procedure, a boy child was born and to take care of the child she applied for maternity leave. But the employer refused to grant maternity leave. Decide.

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(14)

H3JK

H 918

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015

Second Year — Fourth Semester

MARITIME LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. The coastal states may exercise their Criminal Jurisdiction on Board the vessel for the purpose of averting an investigation in connection with certain serious crimes – Critically Analyse with relevant case laws.
2. An 'Action in rem' is directed towards a ship rather than against the person – Elucidate
3. Under the Admiralty Rules of the High Courts, the sale of ship whether pendente lite or after adjudication has to be carried out like a sale of immovable property by Marshall – Discuss.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Discuss the difference between 'third party liability' and 'contractual liability'. When may the Ship-owner seek to limit his liability?
5. A ship pilot may proceed either '*in rem*' or '*in personam*' for the authorised pilotage dues to which he may be entitled – Analyse.
6. Discuss the procedures and principles involved in the sale of ships.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Bill of lading.
 - (b) One ship company.

[P.T.O.]

- (c) Contract of Indemnity.
- (d) Flag of Convenience.
- (e) ISM code.
- (f) Territorial waters.
- (g) M.V. Elisabeth and Ors Vs. Harwan Investment and Trading Co. 1992.

PART D — (2 × 6 = 12 marks)

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

8. The Cargo owners 'X' brought a number of actions against the defendant 'D' for the shortage of Cargo delivered. The writ of action was served on the ship 'B' which carried the cargo and also on its sister ships. After a while one of the sister ship was arrested and in the meanwhile, the ship 'B' was also arrested subsequently. 'X' claimed that since sister ship was already arrested the Court has no Jurisdiction to entertain action against ship 'B' – Decide.
9. A heavy gale was raging when the vessel 'D' and vessel 'E' were lying along side one another in the port. In an attempt to put 'D' out to sea, her crew cut off the ropes of 'E' so that the latter drifted ashore and was damaged – Whether maritime lien is applicable to this case – Decide.
10. The ship 'D' sank during her voyage from Canada to Japan with loss of all the lives on board. The action was brought by the personal representatives of the deceased 'X', to recover damages on behalf of his estate and for the benefit of his widow and daughter who were dependant on him. It was argued that that his death was caused by a defect in equipment provided by the employer in the course of his business – Decide.

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H 959

15

H3JJ

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

Second Year – Fourth Semester

LAW OF INSURANCE

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. What is Risk? What is the importance of 'Risk' in the contract of insurance?
2. Define 'Life insurance'. Distinguish Life Insurance contract from Marine Insurance.
3. Examine the salient features of IRDA Act.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Write a note on 'Cover note and Slip'.
5. Discuss the relevance of 'Total Loss' and 'Partial Loss' in insurance contracts.
6. Evaluate the role of Insurance Ombudsman to redress the grievances of policy holders.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Wagering contract and insurance.
 - (b) Application of the Principle of 'Indemnity' in fire insurance.
 - (c) Foreign investment in insurance sector.

[P.T.O.]

- (d) Salvage.
- (e) Proximate cause.
- (f) 'Average' in fire insurance.
- (g) No fault liability.

PART D — (2 × 6 = 12 marks)

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

8. A motor vehicle was purchased by 'A'. He forgot to transfer the insurance documents in his name. The insurance remained in the name of previous owner. The vehicle met with an accident. The injured sued 'A'. Decide.
9. Mr. Satish took a fire insurance policy on 01.02.2015 to protect his company premises. Unfortunately a fire broke out on the same evening. Whether Mr. Sathish can claim insurance? Decide.
10. Mr. Vendan took a life insurance policy. Two months later he committed suicide. His widow claimed policy amount. Decide.

Register No.

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H 919

16

H3KA

B.L. (Hons.) DEGREE (Semester) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

Third Year — Fifth Semester

ADMINISTRATIVE 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. Define Administrative Law and analyse its nature and scope with reference to its characteristics.
2. Analyse the essential characteristics of Delegated Legislation and enumerate the permissible delegation and non-permissible limits upon the legislature.
3. "Nemo Debet Esse Judex in Propria Causa Sua" is one of the cardinal principles of natural justice. Examine the basic tests of Bias and its types with the help of decided cases.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Analyse the process of Judicial Review with reference to the Doctrine of Legitimate Expectation and Doctrine of proportionality.
5. Define promissory estoppel and analyse its applicability and limitation against Government with the use of decided cases.
6. Examine the concepts of liability of the State in torts and its limitations in India.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
- (a) Administrative Directions
 - (b) Colourable exercise of power
 - (c) Injunction
 - (d) Parliamentary committees
 - (e) Droit administratif
 - (f) Public Interest Litigations
 - (g) Lokayukta and Lokpal in India.

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' entered into a contract with the State Financial Corporation for a loan Rs.5 crores for the construction of a hotel. On that basis by spending his own money 'A' started the construction work. The loan was refused by the corporation which had been previously sanctioned. Advise 'A' as to the kind of remedy available to him.
9. The hearing and submission of objections was dispensed with, in the case of acquisition of a private land by the Government, on the ground of urgency. Decide about the validity of such action taken by the Government.
10. District Collector who was the Chairman of the Regional Transport Authority granted motor vehicles permit to a co-operative society, to which he was also the President. Analyse the validity of this permit with adequate reasons.

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H 920

17

H3KC

B.L. (Hons.) DEGREE (Semester) EXAMINATIONS, APRIL 2015.

(For the Candidates admitted from 2011 onwards)

Third Year — Fifth Semester

CIVIL PROCEDURE 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 civil court shall try all suits of civil nature" – Explain and state the exceptions.
2. Explain the scope, object and applicability of Section 5 of the Limitation Act.
3. Discuss the provisions relating to suits instituted by or against government.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the essentials of a valid acknowledgement.
5. State the rules relating to the place of suing under the Civil Procedure Code.
6. When does a Civil Revision Application lie to the High Court?

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
 - (a) Representative suit
 - (b) Res subjudice
 - (c) Temporary injunction
 - (d) Reference

[P.T.O.]

- (e) Garnishee
- (f) Caveat
- (g) Remand

PART D — (2 × 6 = 12 marks)

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

8. An assessment order was made against Ram by the sales tax officer. Ram challenged the order by way of writ petition before the High Court on the ground of violation of the principles of natural justice. The High Court dismissed the writ petition on Merits. After then, Ram files another writ petition in the High Court with some more additional points. Decide.
9. Govind filed a suit on a mortgage against Ravi. During the pendency of the proceedings Govind died and his son Anand approached the counsel after four months of his father's death. Anand wants to proceed the suit of his father-Advise.
10. Summons was issued by the court to Nataraj to appear before the court for the purpose of giving evidence in a case. A request was made to the court on behalf of Nataraj stating that he is occupying high position in the society, and a commissioner may be appointed by the court to examine him. Will it be entertained by the court?

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H 922

H3KE

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

Third Year — Fifth 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. "The words shall be given the natural, plain and grammatical meaning" — Elucidate.
2. "The Constitution as an instrument, is living and organic, wherein it requires liberal interpretation" — Discuss.
3. "Labour legislations in the context of social security are considered to be welfare oriented, thus it involves beneficial and not arithmetical construction" — Analyse.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Trace the jurisprudence on the principle of noscitur a sociis, as evolved by justice Gajendragedkar in the 'Hospital Mazdoor Sabha' decision.
5. 'General Clauses Act is popularly addressed as legislative dictionary' — Explain.
6. Explain the general rules of Treaty interpretation.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
- (a) Principle of integration
 - (b) Eiusdem generis rule
 - (c) Principle of utility
 - (d) Principle of good faith
 - (e) Interpretation of taxing statutes
 - (f) Ouster clause
 - (g) Legal fiction

PART D — (2 × 6 = 12 marks)

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

8. Kumar a public spirited citizen, approaches the Supreme Court by way of Article 32, challenging the application of the Inter-State Water Disputes Act, in terms of excluding the jurisdiction of the courts. His argument is based on the notion that right to drinking water is a fundamental right. Discuss.
9. In a case involving, torture by police officials, the Supreme Court is concerned with the implication of the prohibition of torture as a jus cogens norm in International Law. Whether the concern binds the Indian courts. Examine.
10. In a case involving a prohibited act, under the Indian Penal code, a question arises in terms of the legal status of the boy aged exactly 6 years and 365 days old. Determine the position of the boy in terms of the 'General Exceptions' under the code.

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Register No.

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H 952

H3KB

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

Third Year - Fifth Semester

LAW OF CRIMES - II

**(Criminal Procedure Code including Juvenile Justice Act
and Probation of Offenders Act)**

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Define Arrest. Bring out the circumstances, when the arrest can be made without and with warrant.
2. State the procedure of the trial of Summons cases.
3. Define Charge and narrate the forms and content of charges.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Explain the procedures for Proclamation and Attachment under this code.
5. State the provisions relating to Executive Magistrate.
6. Explain the law relating to Judgement in a criminal justice system.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following:

- (a) Court of Sessions.
- (b) General Diary
- (c) Bail on Non-Bailable cases.

[P.T.O.]

- (d) Search warrant
- (e) Release on probation
- (f) Juvenile Justice Board
- (g) Child Welfare Committee.

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 judicial magistrate of Ist class convicted an accused after following all procedures, but without hearing the accused the sentence hearing was imposed. Decide the validity of the order of conviction and sentence passed by the judicial magistrate.
9. Mrs. R, who is a widow, aged about 85 years and having only one daughter who already got married, without any sufficient means to maintain herself, she decided to claim livelihood from her married daughter. Decide.
10. Mr. Y, was charged with offence of committing theft of Rs. 500 from a shop, he was tried by the magistrate. The magistrate decides to release Mr. Y on probation. Decide.

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H 923

H3KG

B.L. (Hons) DEGREE (Semester) EXAMINATIONS, APRIL 2015.

(For the Candidates admitted from 2011 onwards)

Third Year — Sixth Semester

ENVIRONMENTAL LAW

Time : 2½ hours

Maximum : 70 marks

PART A — (2 × 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. "Right to life and livelihood includes the right to live in a pollution free environment". Critically examine this statement.
2. Define Sustainable Development. Whether the legal elements of the concept of sustainable is a part of Indian Environmental Jurisprudence? Elucidate.
3. Enumerate the constitution, power and functions of the State Pollution Control Board under the Water [Prevention and Control] Act, 1974.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Analyse the constitutional obligations of the State to protect the natural environment.
5. Explain the power of central government to make rules under the Environment [Protection] Act, 1986.
6. Describe the various provisions of criminal law regarding abatement of public nuisance.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following.
- (a) Stockholm Declaration
 - (b) Trial Smelten Arbitration case
 - (c) Chief Wildlife Warden
 - (d) National Environmental Engineering Research Institute [NEERI]
 - (e) Eco- Labelling
 - (f) M.C.Mehta V. Kamal Nath
 - (g) Mass Tort Action.

PART D — (2 × 6 = 12 marks)

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

8. The Mangalore Municipal Corporation gave a clearance to construct hospital in the public parks. Against the clearance of municipality, People Watch, an NGO filed a writ in the High Court of Karnataka on the ground that wildlife and natural habitat would be adversely affected. Decide.
9. Cochin Superintendent of Police issued a circular to the locals stating that prior permission must be obtained for the use of loud speakers for celebrating local religious ceremonies. Mr. SIVAN, objected to the circular on the ground that it is violative of fundamental freedom to religion. Is it sustainable? Decide.
10. M/s RAINY COSOURS applied to the Tamil Nadu State Pollution Control Board seeking permission for starting an industry. The Board fixed a date for public hearing, wherein majority of the local residents objected it. Considering other aspects, the board gave a permission to start that industry. Decide the suitable remedies to the local residents.

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H 924

21

H3KH

B.L. (Hons) DEGREE (Semester) EXAMINATIONS, APRIL 2015.

(For the Candidates admitted from 2011 onwards)

Third Year — Sixth Semester

LAW OF TAXATION

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. Define direct and indirect tax. Explain its nature with advantages and disadvantages.
2. Examine the concept of clubbing income of other persons and explain the procedures for treatment of losses under Income Tax Act.
3. Define Dealers. Analyse the different types of dealers under central Sales Tax Act and VAT Act.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Define the following terms.
 - (a) Assessment year and Previous year.
 - (b) Accrual of income
 - (c) Declared goods.
5. Explain the Net and exempted assets under the Wealth Tax Act.
6. State the various special class Assesseees.

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the followings:
 - (a) Income from other sources
 - (b) Income tax authorities

[P.T.O.]

- (c) Escaped income assessment
- (d) Total turn over
- (e) Valuation date
- (f) Progressive taxing system
- (g) Disadvantages of VAT.

PART D — (2 × 6 = 12 marks)

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

8. Give the tax rates for male assesseees for the assessment year 2014-2015.
9. The income particulars Mrs. 'B' for the previous year are as follows :

Income :

- (a) Income from agriculture = Rs. 4,00,000 P.A.
- (b) Income from rent of house = Rs. 70,00,000 P.A.
- (c) Winning from lottery = Rs. 1,00,00,000

Expenditure :

- (a) Payment of LIC Premium = 1,50,000/- P.A.
- (b) Medical expenditure for her spouse = 1,00,000/- P.A.
- (c) Payment of wealth tax = 10,000/-

Calculate the taxable income of Mrs. 'B' for the assessment year 2014-2015.

10. On 31st March, 2014 'X' has following assets
 - (a) Urban vacant land worth about Rs. One Crore
 - (b) Two Aircrafts each worth about Rs. 2 Crores
 - (c) Cash in hand of Rs. 75,000/-
 - (d) Gold bond worth about Rs. 50,00,000/-

The two aircrafts has been used for commercial purpose. Calculate the wealth tax of Mr. X for the assessment year 2014-2015.

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22

H3KJ

B.L. (HONS.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For candidates admitted from 2011 onwards)

Third Year – Sixth Semester

INTERNATIONAL TRADE LAWS

Time: 2½ hours

Maximum: 70 marks

PART A – (2 x 12 = 24 marks)

Answer TWO of the following in about 500 words each.

1. Regional Trade Arrangements (RTA) represents both an important challenge and unique opportunities for the WTO – Analyse.
2. Explain the basic structure of TRIPS Agreement and explain the necessity of introducing the provision on compulsory licensing under TRIPS.
3. Examine the UNCITRAL's work on International Commercial Arbitration and Conciliation.

PART B – (2 x 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. Trace out the development and evolution of International Trade Law in Pre and Post World War periods.
5. "The adoption of the Charter of Economic Rights is the most significant achievement in the direction of solution of the problems posed by economic inequality in the world" – Elucidate.
6. Examine the role and functions of the International Bank for Reconstruction and Development (IBRD).

PART C – (5 x 4 = 20 marks)

7. Write short notes on FIVE of the following:

- (a) Membership and withdrawal of WTO
- (b) Uruguay Round
- (c) Dispute Settlement Mechanism under WTO
- (d) Differences between UNCTAD and WTO
- (e) Dumping and Anti-dumping

(P.T.O.)

(f) Online Contracts

(g) NIEO

PART D – (2 x 6 = 12 marks)

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

8. Republic of Malta requested consultations with Caribbean Islands, concerning a provisional anti-dumping measure imposed by Caribbean Island, through publication in the Official Register on imports of cement from Republic of Malta falling under tariff heading 2523.29.00, as well as Caribbean Islands' actions preceding that measure. Republic of Malta considered that the provisional anti-dumping measure and the actions preceding it violate, inter alia, Article VI of the GATT 1994. Decide.
9. Kingdom of Desbis requested consultations with Turkey concerning Republic of Rodgar's quantitative restrictions on imports of textile and clothing products. Kingdom of Desbis claimed that those measures are in violation of GATT Articles XI and XIII. The background to this dispute is a recently concluded customs union agreement between Republic of Rodgar and the European Communities. Kingdom of Desbis claimed that GATT Article XXIV does not entitle Republic of Rodgar to impose new quantitative restrictions in the present case. Decide.
10. The EU requested consultations with Republic of Cascatia in respect of the alleged lack of protection of inventions by Canada in the area of pharmaceuticals under the relevant provisions of the Republic of Cascatia for implementing legislation, in particular the Patent Act. The EU alleged that Republic of Cascatia's legislation is not compatible with its obligations under the TRIPS Agreement, because it does not provide for the full protection of patented pharmaceutical inventions for the entire duration of the term of protection envisaged by Articles 27.1, 28 and 33 of the TRIPS Agreement. The EU requested the establishment of a panel to the DSB. Decide.

H 951

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23

H3KK

B.L. (Hons.) DEGREE (SEMESTER) EXAMINATIONS, APRIL 2015.

(For the candidates admitted from 2011 onwards)

Third Year — Sixth Semester

COMPETITION 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. "The Per Se rule is that the acts or practices specified by the Act is deemed or presumed to have an appreciable adverse effect on competition are by themselves prohibited" — Analyse this statement under the Indian Competition Act.
2. Explain the term Relevant Market with the help of decided cases.
3. Describe the factors to be considered by the commission in determining whether a combination would have the effect of or is likely to have an appreciable effect on competition in the relevant market.

PART B — (2 × 7 = 14 marks)

Answer TWO of the following in about 300 words each.

4. "The dominant position of an enterprise is a question of fact to be determined in each case" — Discuss.
5. Discuss the background factors that led to the formation of Competition Act in India.
6. Explain the term Cartel with the help of decided cases.

[P.T.O.]

PART C — (5 × 4 = 20 marks)

7. Write short notes on FIVE of the following
- (a) Resale price maintenance
 - (b) Predatory price.
 - (c) Exceptions to Anti Competitive Agreement.
 - (d) Joint ventures
 - (e) Cross border issues and competition.
 - (f) Acquisition
 - (g) Refusal to deal.

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' hospitals had a contract with a firm of anesthesiologists, 'Y' and Associates providing for the firm to offer their services to the hospital on an exclusive basis. The relevant term was that the hospital shall restrict the use of its Anesthesia department to 'Y' and Associates and that no other persons, parties or entities shall perform such services within the hospital for the term of the contract. Decide whether this agreement is violative of Competition Act.
9. Mason Corporation appointed its competitors as del credere agents and fixed the prices at which they could sell the products for which it claimed patent protection. The agent was given only a license to sell. Decide whether this agreement is violative of Competition Act.
10. 'A' company and 'B' were competitors relating to the manufacture of glass making machinery. They cross licensed among themselves their patents and as a result of the monopoly acquired through these patents, others were excluded from a fair opportunity to freely engage in commerce in such machinery and in the manufacture and distribution of glass products. All the patents had by cross licensing agreements merged into a pool that effectually controlled the industry. Decide whether the companies have violated the Competition Act.