

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)

LL.B. Sem-V : WINTER- 2022

SUBJECT : INTELLECTUAL PROPERTY LAW

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 10/11/2022

W-12608-2022

Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 a) Discuss the concept of infringement of the patents and discuss the remedies in case of infringement of the patent

OR

b) Explain the concept of passing off and distinguish the same from infringement of trademark.

Q.2 a) Elucidate on the aspects of public welfare enshrined in the Novartis Judgment

OR

b) Write a detail note on Diamond v Chakraborty.

Q.3 a) Explain the significance of registration of patents and the procedure for the registration of the patent

OR

b) Elaborate the nature and scope of the Copyright

Q.4 a) Discuss the salient features of Industrial Design Act 2000

OR

b) Write a note on trade secret, mentioning the position of law of trade secret in India

Q.5 a) 'Mr A' is faced with an objection for his trademark by registrar of the Trademark on relative grounds of refusal of the trademark. Advice 'Mr A' with most effective argument against the section 11 of the trademark.

OR

b) 'Mr. A' writes a book in Sanskrit titled 'Rakthabhyasa'. 'Mr.B' translates the book into English and names it 'Hard work through sweat and blood' 'Mr. A' files a case on the grounds of stealing his idea and demands compensation. Solve this matter.

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SUBJECT : PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT &
EASEMENT ACT

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 12/11/2022

W-12609-2022

Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 a) Define the term Transfer of Property. Discuss the properties which cannot be transferred.

OR

b) 'Any condition which impose absolute restraint on alienation are void'. Discuss with exceptions.

Q.2 a) Explain the doctrine of election as embodied in the Transfer of Property Act, 1882.

OR

b) Discuss the doctrine of Lis Pendens.

Q.3 a) Write notes on the following:

- i) Essentials of a valid sale
- ii) Fraudulent Transfer

OR

b) Explain the following:

- i) Lease
- ii) Gift

Q.4 a) i) A expecting that 'C' his aunt, who had no issues, would bequeath her house worth 10 lakhs, transfer it to 'B'. Is it a valid transfer?

ii) A grants a lease of plot of land to 'B' with a condition that if 'B' shall build upon it, he would re-enter. 'A' transfers to 'C' his right of re-entering in case of breach of the Covenant not to build. Discuss the validity of such transfer.

OR

b) i) 'A' sells his property to 'B' with a condition that if 'B' sells the said property in future, he must sell to 'A' or to any member of his family on the rate at which he purchased. Is this a valid transaction?

ii) 'A', the owner of a house 'X' has a right of way over an adjoining plot of land belonging to 'B'. 'A' transfers this right of way to 'C'. Discuss validity of this transaction.

Q.5 a) Write a detailed note on revocation and suspension of easement.

OR

b) Write notes on the following:

- i) Licence
- ii) Revocation of Licence

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER- 2022
SUBJECT : ADMINISTRATIVE LAW

Day : Tuesday

Time : 10:00 AM-12:30 PM

Date : 15-11-2022

W-12610-2022

Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 a) Explain the doctrine of separation of powers and state what is the impact of this doctrine on Indian Administrative Law.

OR

b) Delegated legislation is not an isolated phenomenon numerous factors are responsible for its growth. Discuss factors leading to the growth of delegated legislation.

Q.2 a) In the scheme of control mechanism the first place is occupied by the Judiciary. Explain how Judiciary keeps control over delegated legislation with the help of relevant cases.

OR

b) 'Judicial review is the powerful weapon to restrain unconstitutional exercise of power by the executive'. Explain Judicial review of administrative action through writs.

Q.3 a) 'No one should be condemned unheard' is the principle which forms part of Natural Justice. Discuss the principle of Audi Alterm Partem.

OR

b) "Public undertaking must be given maximum autonomy necessary for functional efficiency however they must be subject to governmental as well as legislative control". Comment.

Q.4 a) An Ombudsman provides a valuable methods of investigating complaints against government departments. Critically evaluate the institution of Ombudsman in India.

OR

b) Discuss the governmental privileges in legal proceedings.

Q.5 a) Write a notes on:

- i)** Statutory remedies
- ii)** 'X' a member of Selection Committee, interviews 'Y' whose confidential report was written by him. Wherein he expressed appreciation of work of 'Y'. Decide in the light of case law, whether the following action is valid.

OR

b) Write notes on:

- i)** Reasoned decision.
- ii)** The state Government approved certain rules by which Municipal taxes were sought be levied by Municipality. The notice published by the municipality merely stated that, the rules can inspected at the office of the municipality on all working days during office hours". A house owner was called upon to pay taxes in respect of his house. He challenged the imposition of tax on the ground that the rules were neither published as required nor laid before the legislature. Decide giving reasons.

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BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER- 2022
SUBJECT : COURT MANAGEMENT

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 17-11-2022

W-12612-2022

Max. Marks : 60

N. B. :

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q. 1 Bring out the important functions of law as a guidepost for minimally acceptable behavior in the society and to deal with certain behaviors declared as an offence under the Laws in force in the country.

OR

Q. 1 Bring out the importance of 'Accounting for Law'.

Q. 2 Bring out the concept and importance of e-governance in the light of 'M.P. Online' case study.

OR

Q. 2 Explain how 'Public Administration' attempts to explain how the Government decisions are made as well as administering projects for the implementation of the decisions.

Q. 3 Explain in detail the Constitutional role of the Judiciary in India with special reference to 'Public Interest Litigation'.

OR

Q. 3 Write a detailed note on the 'Administration of Justice' in India with special reference to the Indian Evidence Act, 1872.

Q. 4 "Access to Justice is defined as the ability of people to seek and obtain a remedy through formal and informal institutions of Justice and in conformity with the Human Rights Standards" Discuss.

OR

Q. 4 "Alternative Dispute Resolution (ADR) gives the parties in dispute the opportunity to work with disputes issues with the help of a Neutral Third Party". Discuss.

Q. 5 Explain how effective communication techniques are important for a successful law practice.

OR

Q. 5 "Some of the basic Courtroom etiquette rules require people to be on time, be polite to the judge, opposing counsel and the court staff as well as dress appropriately" Elaborate the importance of 'Court Manners and Etiquettes'.

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER- 2022
SUBJECT : DIRECT TAX

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 19-11-2022

W-12613-2022

Max. Marks : 60

N. B. :

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q. 1 Write short note on **ANY THREE** of the following:

- a) Basis of Charge
- b) Income Tax Return Forms
- c) Previous Year
- d) Gratuity
- e) 'Audit' under Income Tax
- f) Deduction under Sec. 80 G

OR

The following is the Profit and Loss Account for the year ended on 31st March, 2019 furnished by Mr. Akash.

Particulars	Amount	Particulars	Amount
To Salary	2,45,000	By Gross Profit	3,50,250
To Advertisement	12,000	By Sundry Receipts	8,400
To Fire Insurance	10,250	By Gift from father	20,000
To Office Expenses	24,500	By Interest on Bank Deposits	5,000
To Depreciation	9,000	By Bad Debts Recovered	3,520
To Bonus	3,000	(Not allowed as deduction earlier)	
To Income Tax	4,200		
To Interest on bank loan	7,280		
To R.D.D.	2,260		
To Net Profit	69,680		
	387170		387170

Additional Information:

- a) Salary includes Rs. 12,100 paid to a domestic servant.
- b) Advertisement includes Rs. 3,725 as expenditure incurred for selling household furniture.
- c) Allowable depreciation as per income tax rules in Rs. 7,000.

Note : You are required to compute Taxable Income from Business for the Assessment Year 2019-20.

Q. 2 Elaborate the provisions regarding Resident Status of different assesses under Income Tax Act.

OR

Enumerate any ten incomes which are exempted u/s 10 of the Income Tax Act.

P. T. O.

Q. 3 Critically evaluate the concept of “Tax Deducted as Source”.

OR

Define “Capital Assets”. State what are those transfers which are not treated as transfer for capital gain purposes?

Q. 4 Evaluate the term “Income from other sources”. State the main incomes which are included under this head.

OR

Examine the provisions regarding the levy of penalty imposed on an assessee under Income Tax Act.

Q. 5 State who can appeal against the order of the Assessing officer. Explain the procedure of filing the appeal before the first appellate authority under Income Tax.

OR

Define “Profession Tax”. State the provisions relating to application of rate of profession tax and filing of returns.

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BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER- 2022
SUBJECT : LAW ON EDUCATION

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 19-11-2022

W-12614-2022

Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) What is role of UNO's specialized Agencies for Right to Education?

OR

b) Explain the utility and importance of Adult Education.

Q.2 a) One of the most significant transformations in education in India over the past several decades is the drastic increase in women's access to colleges and universities. Highlight the various UGC policies for Women's Education which has been instrumental in bringing about such transformation.

OR

b) How have judiciary changed the dimension of Education in India? Elaborate your answer with various case laws.

Q.3 a) Education is on the concurrent list subject to entry 66 in the Union list of the Constitution which gives exclusive legislative power to the Central government for co-ordination and determination of standards in institutions of higher education. Discuss the problems related to Higher Education in India.

OR

b) Discuss the impact of privatization on education in India.

Q.4 a) Discuss the case of T.M.A Pai Foundation vs. State of Karnataka (AIR 2003) and its impact on Right to Education.

OR

b) Discuss the case of Indra Sawhney and ors v. Union of India (AIR 1993).

Q.5 a) Write short notes on:

- i) Technical Education
- ii) Kothari Commission

OR

b) Write short notes on:

- i) Role of UGC for development of Higher Education
- ii) Hurtog Committee

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