

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - V : WINTER : 2023
SUBJECT : BUSINESS LAW : DIRECT TAX

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 30-11-2023

W-25024-2023

Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
- 2) Figures to the right indicate **FULL** marks.
- 3) All questions carry **EQUAL** marks.
- 4) Use non programmable calculator is allowed

Q.1 a) What are allowances with regards to salary? Explain the provisions regarding taxability of allowances with reference to the provisions of the Income Tax Act, 1961. (12)

OR

b) State the transactions covered under the term "transfer" in relation to a capital asset. (12)

Q.2 a) State the classes of persons exempt from payment of profession tax U/s 27-A. Enumerate ten such persons. (12)

OR

b) Explain the provisions regarding the carry forward and setoff of business losses. (12)

Q.3 a) "Can the income of any other person be clubbed in the income of the assessee"? State "Yes" or "No". If the answer is "Yes" Give the provisions under the Income Tax Act, 1961. (12)

OR

b) State the persons who can appeal against the order of the Assessing Officer. What is the procedure to file appeal against the first appellate authority? Explain. (12)

Q.4 a) Ms. Sangita receives the following emoluments during the previous year ending 31.03.2020. (12)

Basic Pay	Rs.40,000
Dearness Allowance	Rs.15,000
Commission	Rs.10,000
Entertainment allowance	Rs. 4,000
Medical expenses reimbursed	Rs.25,000

Professional tax paid Rs. 2,000 (Rs.1,000 was paid by her employer)
Ms. Sangita contributes Rs. 5,000 towards recognized provident fund. She has no other income. Determine the income from salary for A.Y. 2020-21, if Ms. Sangita is a State Government employee.

OR

b) State the incomes that are included under the head "Income from Other Sources." (12)

Q.5 Write Short Note (**ANY THREE**) (4x3) (12)

- 1) Gratuity.
- 2) Basis of Charge.
- 3) "Audit" under Income Tax.
- 4) Deduction under Section 80G.
- 5) Advance Payment of Tax.
- 6) Agricultural Income.

* * * *

Day : Tuesday

Time : 10:00 AM-12:30 PM

Date : 28-11-2023

W-25023-2023

Max. Marks : 60

N.B:

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

Q.1 A) Explain the advantages and disadvantages of Alternative Dispute Resolution Mechanism.

OR

B) Distinguish between the Alternative Dispute Resolution Mechanism with Judicial system prevailing in India.

Q.2 A) What is the importance of having “Confidentiality and Neutrality” in all the Alternative Dispute Resolution Mechanism, explain with relevant provisions if any.

OR

B) Enumerate the concept of “Arbitration”, under the Arbitration and Conciliation Act, 1996. What are the different types of Arbitration? Explain.

Q.3 A) Explain the role of National Courts and its role in solving the issues which occurs in the International Commercial Arbitration? Explain with relevant provisions.

OR

B) Throw some light on the major objective and scope of Arbitration and Conciliation Act, 1996 in light with the recent amendments which has taken place.

Q.4 A) Write short notes on the following:-

- i) Arbitration Agreement
- ii) Role of Conciliator

OR

Q.4 B) Write short notes on the following:-

- i) UNCITRAL Model Law
- ii) ICSID Arbitration

Q.5 A) Company ABC Ltd entered into a contract with a social media influencer named Mr. Q who endorses electronic appliances. Mr. Q has lot of followers, therefore company ABC Ltd, wanted to enter into a contract with Mr. Q with a condition to make him the brand ambassador of only his company, to which Mr. Q is little apprehensive about. Mr. Q with his lawyer and the company ABC Ltd is now on the Negotiation terms. Suggest.

OR

B) ABC Pvt. Ltd. And XYZ Pvt. Ltd. entered into a commercial agreement. There was a clause of referring any dispute that arose between the parties to arbitration. When a dispute arose between the parties in relation to the agreement, ABC Pvt. Ltd. filed a case before the Civil Court with jurisdiction. However, XYZ Pvt. Ltd. wants to invoke the arbitration clause which is present in the agreement. Discuss.

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)

**LL.B. Sem - V : WINTER : 2023
SUBJECT : ADMINISTRATIVE LAW**

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 25-11-2023

W-25021-2023

Max. Marks : 60

N.B.:

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

Q.1 a) With the help of various definitions of the Administrative Law as propounded by various scholars explain the nature and scope of Administrative law.

OR

Q.1 b) "Delegated legislation fulfills the need of modern times which is less cumbersome and more expeditious than the Act of Parliament" Comment and state the reasons for its growth and Constitutional limits over it.

Q.2 a) "It is the function of the legislature to legislate, but if it seeks to give this power to the executive, then it is the duty of legislature to see how its agent carries out the agency". Explain Parliamentary control over delegated legislation.

OR

Q.2 b) An essential element of Judicial process is that the Judge has to be impartial and neutral and to be in a position to apply his mind objectively to the dispute before him. Discuss the rule against bias.

Q.3 a) Administrative discretion though is necessary but an absolute, Unfettered discretion is bad and danger to democracy and individual's right. Explain judicial control over Administrative discretion.

OR

Q.3 b) Explain the Ordinary Civil remedies available to individual in case of violation of rights.

Q.4 a) Discuss the power of investigation and inquiry with reference to the Commission of Inquiry Act, 1952.

OR

Q.4 b) Define Tribunal and explain in detail Judicial review of Administrative decision.

Q.5 a) Write a short note on:

- i) Contractual Liability of Government
- ii) The Government has announced that new industrial units in the State would be granted exemption from payment of tax for a period of three years. Acting on the above assurance Mr 'A' established a factory on the assurance later the government withdraws the said benefit. Mr 'A' wants to approach the Court. Advise him.

OR

Q.5 b) Write a short note on:

- i) Right to Information
- ii) A complaint was given by ladies students that some boy's students of their college entered the ladies hostel and misbehaved. The enquiry committee recorded the statements of the girls of the hostel in the absence of boys and expelled the boys from the college. Is it valid?

* * * * *

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - V : WINTER : 2023
SUBJECT : PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT &
EASEMENT ACT

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 23-11-2023

W-25020-2023

Max. Marks : 60

N.B.

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

Q.1 A) Elaborate on the concept of 'Sale of Property' and rights and liabilities of Seller and Buyer with the help of relevant provisions under the Transfer of Property Act, 1882.

OR

B) Explain the concept of 'Doctrine of Election' & 'Apportionment' with the help of relevant provisions and judgments.

Q.2 A) Discuss the rights and liabilities of a 'Mortgagor' and 'Mortgagee'.

OR

B) Discuss the concepts of 'Possession' and 'Ownership' in detail.

Q.3 A) Evaluate the doctrine of 'Notice' in detail and discuss the types of Notice.

OR

B) Elaborate on Transferable and Non – Transferable interests as described under the Transfer of Property Act, 1882.

Q.4 A) Write note on mode of acquisition of Easement.

OR

B) Elaborate on the concept of 'License' and discuss the rights and liabilities of a 'Licensee' and 'Licensor' as provided under the Indian Easements Act, 1882.

Q.5 A) One of your cousins wishes to understand what are 'Actionable Claims' and the provisions pertaining to their transfer. Explain in detail, the provisions pertaining to Actionable Claims given under the Transfer of Property Act, 1882.

OR

B) Write a detailed note on Gift of Property and the rights and liabilities of parties under a transaction of Gift.

*

*

*

Day : Tuesday

Time : 10:00 AM-12:30 PM

Date : 21-11-2023

W-25019-2023

Max. Marks : 60

N.B.

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

Q.1 A) *Sun Pharma Ltd.* has invented a drug, for which it has also obtained a Patent (12) under the Patents Act, 1970 and the patent is in subsistence. *Moon Pharma Ltd.* started manufacturing the same drug and started selling the patented drug of *Sun Pharma Ltd.* without its consent. *Sun Pharma Ltd.* wants to file a case against *Moon Pharma Ltd.* Guide *Sun Pharma Ltd.* as to what actions it can take against *Moon Pharma Ltd.* and also state the remedies available to *Sun Pharma Ltd.*

OR

Q.1 B) *Shivalik Publications*, has a website on which it published Supreme Court (12) Judgments with additions such as foot notes, head notes and short notes. *Zeal Publications* also launched a website and copied the contents on *Shivalik Publication's* website and made them available to their users. Discuss the infringement of copyrights and state whether the acts of *Zeal Publications* leads to infringement of copyright under the Copyright Act, 1957.

Q.2 A) 'One of the limitations to the rights of a Patentee is Compulsory License.' (12) Enumerate the provisions as to Compulsory License under the Patents Act, 1970.

OR

Q.2 B) Discuss the status of Biotechnology Patents in India with the help of relevant (12) cases.

Q.3 A) Define trade mark and explain in detail the characteristics of a trademark as (12) per the Trade Marks Act, 1999. Further explain Associated and Collective Trade Mark.

OR

Q.3 B) Discuss the provision of infringement of Trade Mark with the help of relevant (12) cases.

Q.4 A) Discuss the nature of Copyright. Enlist the subject matter in which copyright (12) subsists.

OR

Q.4 B) Define Geographical Indications. Further, discuss the registration process of (12) Geographical Indications.

Q.5 A) Write short notes on the following : (12)
i) Ratio laid down in the *Novartis AG vs. Union of India*
ii) Patent Co-operation Treaty

OR

Q.5 B) Write short notes on the following : (12)
i) Characteristics of Design under the Designs Act, 2000
ii) Position of Trade Secret laws in India

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

LL.B. Sem-V : WINTER : 2023

SUBJECT : LAW ON EDUCATION

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 30-11-2023

W-12614-2023

Max. Marks : 60

N.B.

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

Q.1 a) "Discrimination in education is a violation of human rights." Analyze the Convention against Discrimination in Education, 1960 from this perspective.

OR

b) What are the challenges faced by the adult education system in India? How can they be addressed?

Q.2 a) How has the Secondary Education system evolved in India over time? Explain.

OR

b) "Teacher education and training are key to ensuring quality education." Discuss this statement in the context of the right to education.

Q.3 a) What are the problems faced by the higher education system in India? How can they be addressed?

OR

b) How does privatization affect the equity in education in India? Discuss with the help of landmark case laws.

Q.4 a) Analyze the impact of the First National Policy on Education 1968, on the education system in India.

OR

b) "Accountability is necessary for the success of professional bodies for quality improvement." Discuss this statement in the context of other professional bodies.

Q.5 a) Leela, a 15-year-old girl, is discouraged by her family from pursuing her studies further as they believe education is not necessary for girls. How can you use legal provisions and education policies to promote and support girl child education, especially in rural areas?

OR

b) Write note on :

- iii) Yashpal Committee
- iv) Society for Un-aided Private Schools of Rajasthan v. Union of India (2012)

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER : 2023
SUBJECT : DIRECT TAX

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 30-11-2023

W-12613-2023

Max. Marks : 60

N.B.:

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

Q.1 A) Explain what are the provisions regarding residential status of different assesses?

OR

B) What are the specific income included under the heads "Income from other sources"?

Q.2 A) Elaborate and explain the provisions regarding registration under the Profession Tax Act, 1975.

OR

B) Discuss the provisions regarding different types of provident funds under the Income Tax Act, 1961.

Q.3 A) Explain the manner in which net wealth is calculated under the Wealth Tax Act, 1957.

OR

B) Explain the provisions regarding clubbing of income under the Income Tax Act, 1961.

Q.4 Write short notes on any **THREE** of the following:

- a) Gross Total Income
- b) Summary Assessment
- c) Previous Year
- d) Cost Inflation Index
- e) Composite Rent
- f) Belated Return

Q.5 A) Mr. Rishabh is working in Xenon Ltd. and has given the details of his income for the P. Y. 2020-21.

Particulars	Amt in INR
Basic Salary	10,000 p.m.
D.A. (50% is for retirement benefits)	8,000 p.m.
Commission as a percentage of turnover 0.1%. Turnover during the year	50,00,000
Bonus	40,000
Gratuity	25,000
His own contribution in the RPF	20,000
Employer's contribution to RPF 20% of his basic salary	
Interest accrued in the RPF @ 13% p.a.	13,000

Calculate the gross salary of Mr. Rishabh for the P. Y. 2020-21.

OR

B) "There are some incomes that are exempt under the Income Tax Act, 1961". Elaborate the statement with reference to the provisions.

* * * *

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER : 2023
SUBJECT : COURT MANAGEMENT

Day : Tuesday
Date : 28-11-2023

W-12612-2023

Time : 10:00 AM-12:30 PM
Max. Marks : 60

N.B. :

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

Q.1 A) Elaborate the interface between law and management and its relevance with Court Management. (12)

OR

Q.1 B) Bring Out the Importance of E-Governance Projects with special reference MP online project. (12)

Q.2 A) What is the procedure for administration of justice with regards to criminal justice system in India? (12)

OR

Q.2 B) Explain how Calendaring, Docket Control and Billing Management are the vital ingredients of Law Practice management. (12)

Q.3 A) Discuss the working of Lok Adalat system and its importance as an effective means of ADR system in India. (12)

OR

Q.3 B) What is the role and need of ICT in Indian Judiciary? (12)

Q.4 A) Explain the concept of 'Access to Justice' in the light of the Constitutional provisions and recent authorities cited. (12)

OR

Q.4 B) Explain why lawyers need effective communication and Trial Tactics in the present competitive era. (12)

Q.5 Write short notes of the following: (06)

- 1) Public Interest Litigation
- 2) Justice Theories

OR

Q.5 Write short notes of the following: (06)

- 1) Court manners and etiquettes
- 2) Judicial Process and Court Structure

* * * * *

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER : 2023
SUBJECT : ADMINISTRATIVE LAW

Day : Saturday

Time : 10:00 AM-12:30 PM

Date : 25-11-2023

W-12610-2023

Max. Marks : 60

N. B. :

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

Q. 1 a) Define Administrative Law. Trace its nature, scope and need in modern times.

OR

b) 'The Doctrine of Separation of Powers had an intimate impact on the growth of administrative process and administrative law in United States.' Discuss the Doctrine of Separation of Powers as applicable in India.

Q. 2 a) How the judiciary exercise its control over delegated legislation invoking the Doctrine of Ultra-Vires? Explain with relevant case laws.

OR

b) "No one should be condemned unheard is the principle which forms part of Natural Justice". Discuss the necessary ingredients.

Q. 3 a) Describe the governmental liability for torts with the help of leading case laws.

OR

b) Explain the concept of administrative discretion. Discuss the grounds of judicial control of exercise of administrative discretion in India.

Q. 4 a) An Ombudsman provides a valuable method of investigating complaints against government departments. Explain the powers and functions of Ombudsman.

OR

b) How does the judiciary exercises control over administrative action through Writs with the help of relevant cases.

Q. 5 Write short note on:

- a) Right to Information
- b) Special leave to appeal

OR

Write short note on:

- a) Government privileges in legal proceedings
- b) Administrative Tribunal

* * * * *

.....
BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER : 2023
SUBJECT : PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT &
EASEMENT ACT

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 23-11-2023

W-12609-2023

Max. Marks : 60

.....

N.B.:

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

Q.1 A) Define Transfer of Property. Elaborate upon the concept of immovable property.

OR

B) What is vested interest? Distinguish it from contingent interest.

Q.2 A) Evaluate the doctrine of notice. Explain the types of notices.

OR

B) Write a detailed note on doctrine of part performance.

Q.3 A) What is Mortgage? Evaluate kinds of mortgage with an appropriate illustrations.

OR

B) Define Lease. Enumerate the rights and liabilities of Lessor.

Q.4 A) What is Gift? Discuss when gift may be suspended or revoked.

OR

B) Write a detailed note on:
i) Actionable Claims
ii) Rights of buyer

Q.5 A) Write notes on the following:
i) Suspension of Easement
ii) Disturbance of Easement

OR

B) Write notes on the following:
iii) Transfer of Easement
iv) General principles of Easement

* * * *

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
LL.B. Sem-V : WINTER : 2023
SUBJECT : INTELLECTUAL PROPERTY LAW

Day : Tuesday

Time : 10:00 AM-12:30 PM

Date : 21-11-2023

W-12608-2023

Max. Marks : 60

N.B.

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

Q.1 a) An invention can be patented, if it is novel, involves an inventive step and is capable of industrial application. Write a detailed note on inventions which cannot be patented, under the Patents Act, 1970.

OR

b) Explain Biotechnological patents with the help of relevant cases.

Q.2 a) 'A trademark is an intellectual property which is capable of distinguishing goods and services of one person from another person.' Elucidate the absolute and relative grounds for refusal for registration of trademark with case laws.

OR

b) Enlist and enumerate those acts which do not amount to copyright infringement under the Copyright Act, 1957.

Q.3 a) Define 'Design' under the Designs Act, 2000. Further discuss the essential requirements for the registration of a design, with the help of relevant case laws.

OR

b) Write a detailed note on the concept of geographical indication and state what kinds of GI cannot be registered under the Geographical Indications of Goods (Registration and Protection) Act, 1999.

Q.4 a) Trade Related Aspects of Intellectual Property Rights (TRIPs) is the most comprehensive multilateral agreement on Intellectual Property. Discuss in detail what intellectual properties are covered under TRIPS and further give an overview of TRIPS.

OR

b) What is trademark infringement? Further differentiate between trademark infringement and passing off.

Q.5 a) i) Discuss the case of Bayer Corporation vs Union of India.

ii) Sahil has been using the trademark 'Supreme' for the sale of his sandwiches. He has been using the trademark since 2000 and his trademark has acquired reputation. In 2020 he made an application for registration of his trademark 'Supreme'. Discuss with legal reasoning, whether the trademark should be registered or not.

OR

b) i) Explain in detail Patent of Addition.

ii) Rohit has invented an invention and has also been granted a patent for the invention. Rohit further granted exclusive license of the patent to ABC Pharma Ltd. The licence Deed is registered with the controller. One XYZ Pharma Pvt. Ltd. starts using Rohit's invention without his consent. ABC Pharma Ltd. filed a case against XYZ Pharma Pvt. Ltd. for infringement. Discuss the legal consequences and remedies available.

* * * *

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)

LL.B. Sem - V : WINTER : 2023

SUBJECT : CONSTITUTIONAL LAW : LAW ON EDUCATION

Day : Thursday

Time : 10:00 AM-12:30 PM

Date : 30-11-2023

W-25025-2023

Max. Marks : 60

N.B.

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

Q.1 A) Explain the provisions and international impact of the Convention against Discrimination in Education, 1960.

OR

B) How does UNESCO contribute to the global promotion of quality education, and what are some of its key initiatives and programs aimed at achieving inclusive and equitable education for all? Discuss the role of UNESCO in advocating for educational goals, particularly in the context of the Sustainable Development Goals.

Q.2 A) What are the primary objectives and key provisions of the National Policy on Education 2020 and how does it aim to transform the educational landscape in India at various levels?

OR

B) Discuss the role of University Grants Commission for quality Improvement in higher education.

Q.3 A) How has secondary education evolved in India and what challenges have been encountered in providing equitable access to quality secondary education across the country?

OR

B) Explain the provisions and significance of the Right of Children to Free and Compulsory Education Act, 2009. How has this Act contributed to the realization of the right to education for children in India?

Q.4 A) What are the primary causes and consequences of the privatization of education? Discuss how factors like economic considerations, quality enhancement and increased choice have contributed to the growth of private education institutions. Examine the potential advantages and disadvantages of this trend.

OR

B) "Higher education in India faces problems ranging from income and gender disparities in enrolment, to poor quality of faculty and teaching and even to a general lack of motivation and interest amongst students". Explain.

Q.5 A) i) "Rahul, a young student from a rural area, aspires to pursue technical education and dreams of becoming an engineer, However, his family faces financial constraints and lacks awareness of the available government schemes and policies that support technical education for students like Rahul. Develop a plan to guide Rahul and his family, using legal provisions and educational policies, to ensure he can access technical education and achieve his dream.

ii) Write a note on Law Commission of India.

OR

B) i) Raj, a middle aged individual who had to discontinue his education due to financial constraints in his youth, how seeks to continue his education and earn a degree. However, he faces challenges in balancing work, family, and education. Design a program that takes into account the legal provisions and educational policies aimed at promoting adult education. How can Raj access education and achieve his goal while managing his other responsibilities?

ii) Write Case analysis of P.A. Inamdar v. State of Maharashtra.

*

*

*