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B.A. (LAW) / LL.B. (FIVE YEAR DEGREE COURSE) (2009 COURSE)
LL.B. (Five Year) Sem-VIII : WINTER- 2022
SUBJECT : LABOUR LAWS

Day : Friday

Time : 02:00 PM-05:00 PM

Date : 25-11-2022

W-5159-2022

Max. Marks : 80

N. B. :

- 1) Attempt **ANY SIX** questions out of which **Q. NO. 1** is **COMPULSORY**.
 - 2) **Q. NO. 1** carries 20 marks and all other questions carry **12** marks each.
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- Q. 1** Write short notes on **ANY FOUR** of the following:
- a) Industrial Disputes under the Industrial Disputes Act, 1947
 - b) 'Partial and total disablement' under the Workmen's Compensation Act, 1923
 - c) Collective Bargaining
 - d) International Labour Organization
 - e) Manufacturing process under the Factories Act, 1948
 - f) Wage period under the Payment of Wages Act, 1936
- Q. 2** Define Lay-off and Retrenchment. Discuss the provisions relating to prohibition of lay-off and retrenchment under the Industrial Disputes Act, 1947 with the help of relevant case laws.
- Q. 3** Critically examine the position of Hospitals and Educational Institutions as 'Industry' in the light of the landmark judgement of the Supreme Court i.e. Bangalore Water Supply and Sewerages Board v. R. Rajappa, AIR 1978.
- Q. 4** "The Factories Act, 1948 is an Act of social welfare legislation." Explain the above statement with reference to the provisions relating to the welfare of worker under the said Act.
- Q. 5** Define Trade Union. Discuss the procedure given under the Trade Union Act, 1926 relating to the registration of Trade Union.
- Q. 6** "The object of the Maternity Benefits Act, 1961 is to provide social justice to women worker and provide maternity relief to them." Comment.
- Q. 7** Define the term Wages and distinguish between minimum wages, fair wages and living wages with reference to the Minimum Wages Act, 1948.
- Q. 8** What are the defenses available to an employer against a claim for compensation made by the worker for personal injury caused by accident arising out of and in the course of employment under the Workmen's Compensation Act, 1923?
- Q. 9** State the deductions which an employers is authorized to make from the wages of a workmen under the Payment of Wages Act, 1936.
- Q.10** Define Unfair Labour Practice, and mention the unfair labour practices on the part of employees under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practices Act, 1971.

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B.A. (LAW) / LL.B. (FIVE YEAR DEGREE COURSE) (2009 COURSE)
LL.B. (Five Year) Sem-VIII : WINTER- 2022
SUBJECT : PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT &
EASEMENT ACT

Day : Wednesday

Time : 02:00 PM-05:00 PM

Date : 30-11-2022

W-5161-2022

Max. Marks : 80

N.B.

- 1) Attempt any **SIX** questions in all. Q.1 and Q.10 are **COMPULSORY**.
 - 2) Q.1 carries 20 marks and all other questions carry 12 marks each.
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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Vested and contingent interest
 - b) Doctrine of Part Performance
 - c) Charge
 - d) Subrogation
 - e) Apportionment
 - f) Rule against perpetuity
- Q.2** Discuss with appropriate illustration properties which can and cannot be transferred.
- Q.3** Evaluate the Doctrine of Election with the help of case law.
- Q.4** What is Lis-Pendens? Examine the doctrine of Lis-Pendens with appropriate judicial pronouncements.
- Q.5** Define Mortgage. Evaluate the rights and liabilities of Mortgagor and Mortgagee.
- Q.6** What is lease? Explain how the lease can be determined.
- Q.7** 'The seller is bound to disclose to the buyer any material defect in property.' Comment on the rights and duties of seller and buyer before and after sale.
- Q.8** Define Gift. Discuss the grounds of revocation or suspension of Gift under TPA, 1882.
- Q.9** Evaluate the Doctrine of Notice. Explain various types of Notice.
- Q.10** Define Easement. Discuss the essentials of a valid Easement.

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B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
B.A. LL. B. Sem - VIII : WINTER- 2022
SUBJECT : LABOUR LAWS

Day : Friday

Time : 02:00 PM-04:30 PM

Date : 25-11-2022

W-12499-2022

Max. Marks : 60

N.B.:

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

Q.1 a) Explain the term 'arising out of an in the course of employment' as used in the Employee's Compensation Act, 2010 with the help of cases.

OR

b) "The Factories Act, 1948 is an Act of Social Welfare Legislation". Comment with special reference to the provisions relating to the Safety of the workers.

Q.2 a) When can the registration of a trade union be cancelled or withdrawn? Is amalgamation of two or more trade unions possible? Explain.

OR

b) 'No women shall be entitled to maternity benefit unless she has actually worked in the establishment of the employer from whom she claims maternity benefit'. Evaluate the eligibility and requirements for maternity benefit.

Q.3 a) Define 'Minimum Wages'. Elaborate the procedure laid down under the Minimum Wages Act, 1948 for fixing and revising minimum wages.

OR

b) "The wages of an employed person shall be paid to him without deduction of any fund except those authorized by or under the Payment of Wages Act, 1936". Comment on the provision relating to deductions under the Payment of Wages Act, 1936.

Q.4 a) Explain rights of recognized union with reference to the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971.

OR

b) Define the term 'Industrial Dispute' and state the various modes of settlement of industrial dispute under the Industrial Dispute Act, 1947.

Q.5 a) i) Define Notional Extension under Employee Compensation Act, 2010.

ii) In a film studio, raw film is moulded and transformed into a finished product. Is it a factory as defined in the Factories Act, 1948?

OR

b) i) Define Disablement under Employee Compensation Act, 2010.

ii) If a workman was on public road and was attacked and received injuries as a result of which he died. Is employer liable to pay compensation?

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B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)

B.A. LL. B. Sem - VIII : WINTER- 2022

SUBJECT : LAW OF EVIDENCE

Day : Monday

Time : 02:00 PM-04:30 PM

Date : 28-11-2022

W-12500-2022

Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) Write a detailed note on the 'Problems of applicability of Indian Evidence Act to 'Commission of Inquiry and Court Martial'.

OR

b) Elaborate the concept of Direct Evidence and Differentiate between 'Direct Evidence' and 'Circumstantial Evidence' with the help of recent case laws.

Q.2 a) Discuss the principle of 'Res Gestae' and essentials of 'Evidence of Common Intention'

OR

b) Elaborate in detail, the General Principles concerning 'Inadmission of confession made before a Police officer'.

Q.3 a) Write a detailed note on Relevance of Judgment of Court of Justice and Admissibility of Judgement in Civil and Criminal matters framed in Collusion.

OR

b) Explain the Meaning and Classification of Presumptions with special reference to 'Presumption of Death'.

Q.4 a) Explain the general principles concerning exclusion of Oral Evidence by Documentary Evidence

OR

b) Write a detailed note on the Principle of Estoppel under Section 115 of the Evidence Act.

Q.5 a) Bring out the essentials in relation to the Competency to testify evidence as to the affairs of the state under the Evidence Act.

OR

b) Explain the general principles of Examination in Chief, Cross and Re-Examination of witnesses and issues relating to 'Hostile Witnesses'.

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B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
B.A. LL. B. Sem - VIII : WINTER- 2022
SUBJECT : CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT &
PROBATION OF OFFENDERS ACT

Day : Wednesday

Time : 02:00 PM-04:30 PM

Date : 30-11-2022

W-12501-2022

Max. Marks : 60

N. B. :

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

- Q. 1** a) Write short notes on:
- i) Concept of Fair Trial
 - ii) Classes of Criminal Courts

OR

- b) Elaborate the steps for the initiation of criminal proceedings against an accused, further define 'Cognizable offence' and 'Non-Cognizable offences'. Cite two case laws.

- Q. 2** a) Explain the object of bail and discuss 'Bailable' and 'Non-Bailable' offences.

OR

- b) Discuss the circumstances under which a person is entitled to claim for maintenance under the provisions of Code of Criminal Procedure.

- Q. 3** a) Who is a 'Public Prosecutor'? Discuss his role under the Code of Criminal Procedure.

OR

- b) Explain the procedure followed by the police at the time of arrest and further state their powers.

- Q. 4** a) Elaborate the circumstances under which the Magistrate could take cognizance of the offences.

OR

- b) Write Short Notes on:
- i) Charge
 - ii) Trial

- Q. 5** a) Outline the history of the Indian Probation Act.

OR

- b) Discuss the powers and procedures of the court to release offenders under the Indian Probation Act.

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B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)

B.A. LL. B. Sem - VIII : WINTER- 2022

SUBJECT : PRACTICAL PAPER-II (DRAFTING, PLEADING & CONVEYANCING)

Day : Friday

Time : 02:00 PM-04:30 PM

Date : 2/12/2022

W-12502-2022

Max. Marks : 60

N. B. :

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) Draft a Plaint in a suit for claiming damages for malicious prosecution.

OR

b) Draft a Petition for divorce by mutual consent to file it in the Family Court Pune by choosing your own facts.

Q.2 a) Draft an Application for an accused person releasing him on bail who has been arrested for an offence under Sec. 323, 506 of I.P.C.

OR

b) Draft a Caveat Application under Sec. 148A of Civil Procedure Code.

Q.3 a) Draft a private Criminal Complaint for an offence of bigamy under Sec. 494 I.P.C.

OR

b) Mr. Sumit had filed a suit for specific performance of contract in a Civil Court Pune which is decreed by Hon'ble Court. Draft a memorandum of Appeal to file it in a Appellate Court.

Q.4 a) Mr. Abhishek a businessman wants to go abroad for business tour. Prepare a draft of General Power of Attorney for Mr. Abhishek in favour of his brother Mr. Sachin.

OR

b) Draft a Lease Deed for commercial unit in apartment for a term of six years (choosing your own facts).

Q.5 a) Draft an Affidavit for declaration of legal heirs of deceased.

b) Draft a Promissory Note.

OR

Explain :

- a)** Amendment of Plaint
- b)** Forms of Pleading

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B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
B.A. LL. B. Sem - VIII : WINTER- 2022
SUBJECT : MARITIME LAW

Day : Monday

Date : 5/12/2022

W-12503-2022

Time : 02:00 PM-04:30 PM

Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL MARKS**.
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Q.1 a) Explain the historical development of maritime law during the British rule and in independent India.

OR

Q.1 b) Critically examine the role of 'The United Nations Convention on the law of Sea 1982', towards strengthening of International Law.

Q.2 a) Examine in detail the concept of 'Maritime Claim' which is defined under the Admiralty (Jurisdiction and Settlement of maritime Claims) Act 2017.

OR

Q.2 b) Write a note on Admiralty law in India.

Q.3 a) 'A bill of lading is a legal document issued by a carrier to a shipper that details the type, quality and destination of the goods being carried' Justify the statement in the light of concept and functions of Bill of Lading.

OR

Q.3 b) 'There are various types of contracts each having its own features which help in knowing the same'. Explain in the light of concept and types of Maritime Contract.

Q.4 a) Examine the significance and procedure of ship arrest and also state the jurisdiction issues involved.

OR

Q.4 b) Elaborate the concept of ship arrest and also state the significance of Brussels convention.

Q.5 a) Write a note on Institutional Arbitration.

OR

Q.5 b) Explain the concept of maritime lien and also state the approach of India enforcing maritime lien.

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B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)

B.A. LL. B. Sem - VIII : WINTER- 2022

SUBJECT : COMPETITION LAW & PRACTICE

Day : Wednesday

Time : 02:00 PM-04:30 PM

Date : 7/12/2022

W-12504-2022

Max. Marks : 60

N.B.

- 1) All Questions are **COMPULSORY**.
 - 2) All Questions carry equal marks.
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Q. 1 a) Enumerate the main objectives of the MRTP Act, 1969. Also highlight the concept of the “unfair trade practices” under the Indian Market

OR

b) “The agreements coming under the Intellectual Property Rights run parallel to the Competitive Agreements”. Explain.

Q. 2 a) How are Combinations governed under the Indian Competitive Markets?

OR

b) What do you understand by the term “horizontal and vertical agreements”? Which among the following can be considered as the Anti-Competitive Agreement and why?

Q. 3 a) What do you understand by the concept of “Abuse of Dominant Position”? Explain with the relevant case laws?

OR

b) What is the role of Competition Commission of India in regulating Unfair Competitions? Explain with relevant case laws.

Q. 4 a) Discuss the powers and functions of the Competition Commission of India along with the relevant provisions.

OR

b) Explain the importance of Competition Advocacy under the Competition Act, 2002.

Q. 5 a) Critically evaluate the salient features of the Federal Trade Commission Act, 1914.

OR

b) Explain the procedure by which the Economic Reforms and Industrial Policy of 1991 acted as a major factor towards the development of Competition Regime in India?

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B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
B.A. LL. B. Sem - VIII : WINTER- 2022
SUBJECT : GENDER JUSTICE & FEMINIST JURISPRUDENCE

Day : Wednesday

Time : 02:00 PM-04:30 PM

Date : 7/12/2022

W-12505-2022

Max. Marks : 60

N. B. :

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q. 1 a) “The United Nation (UN) Convention on the Elimination of Discrimination Against Women (CEDAW) is the most comprehensive treaty on the rights of the women. It condemns any form of discrimination against women and reaffirms the guarantee of equal political, economic, social, cultural and civil rights to the women and men.”
Comment.

OR

b) “Article 14 of Indian Constitution provides Equality before law and equal protection of law”. Critically evaluate the statement with regards to the discrimination faced by women in Indian scenario with the help of case laws.

Q. 2 a) Does Indian Personal law provides justice to women or it discriminates in the matter of Guardianship and adoption laws? If yes, justify your answer in brief.

OR

b) Define the term “Feminism”. Critically explain Feminist Movement in India.

Q. 3 a) Critically discuss the legal provisions relating to rape before and after the landmark case of Nirbhaya.

OR

b) According to Minimum Wages Act, 1948, “Women must get wages because every person who works must be paid for higher work”. What are the legal measures taken in India for the upliftment of working women?

Q. 4 a) “Adultery was a criminal offence under Chapter XX of the Indian Penal Code until it was quashed by the Supreme Court of India on 27th September 2018 as unconstitutional.” Evaluate.

OR

b) Uniform Civil Code envisages social transformation particularly in the status of the women by eliminating discrimination on grounds of religion. Discuss how the enactment of Uniform Civil Code will eliminate the discrimination against women.

Q. 5 Write note on:

- a) i) Prostitution
- ii) Air India v. Nargesh Meerza

OR

Write note on:

- b) i) Female infanticide
- ii) Shayara Bano v. Union of India

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