

BHUPALGAD - X (2008 COURSE): APRIL / MAY - 2013
SUBJECT: INTERPRETATION OF STATUTES

Day: *Saturday*
Date: *27-04-2013*

Time: *10:00 A.M. To 1:00 P.M.*
Max. Marks: 80

N.B.:

- 1) Attempt any **SIX** questions in all including **Q. No. 1** which is **COMPULSORY**
- 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.

- Q.1** Write short notes on any **FOUR** of the following:
- a) Literal Rule
 - b) Golden Rule
 - c) Preamble
 - d) Marginal Notes
 - e) Rule of last antecedent
 - f) Non obstante clause
- Q.2** Explain the meaning and state the objects of interpretation.
- Q.3** Explain the external Aids to construction of statutes.
- Q.4** What is Repeal? Explain express and implied Repeal.
- Q.5** "A Remedial statute receives a liberal construction". Why? Comment.
- Q.6** Explain the rules of interpretation of Penal statutes.
- Q.7** Elaborate the rules of interpretation of constitution as developed by the courts in India.
- Q.8** Discuss the Mischief Rule with the help of case-laws.
- Q.9** Write notes on:
- i) Retrospective effect to a statute
 - ii) Conjunctive and Disjunctive words
- Q.10** "The statute must be read as a whole". Discuss.

BHUPALGAD-X(2008COURSE)-APRIL/MAY-2013
SUBJECT: ELECTIVE: LAW AND MEDICINE

Day: **Friday**
Date: **3-5-2013**

Time: **10.00 A.M. To 1.00 P.M.**
Max. Marks: **80**

N.B.;

- 1) Attempt **ANY THREE** questions from section-A and **ANY THREE** questions from section -B including Q.NO.1 and Q.NO.6 which are **COMPALSORY**.
- 2) **Q.No.1** and **Q. No. 6** carry **20 marks** each and all other questions carry **10 marks** each.

SECTION-A

- Q.1** Write a short notes on **ANY FOUR** of the following
- a) Indian Medical Association Vs V P Shanta
 - b) Doctrine of informed consent
 - c) Medical malpractices
 - d) Experimental abuse on people in custody
 - e) Varieties of medical profession
 - f) Doctors duty towards the medical profession
- Q.2** Discuss the concept of health as a fundamental right in the Constitution of India.
- Q.3** Discuss in brief the code of conduct prescribed by the Medical Council for the Medical Officers.
- Q.4** Discuss the patient's rights of full disclosure of course of therapy.
- Q.5** Explain the concept of medical negligence and negligence according to the law of crimes.

SECTION-B

- Q.6** Write a short notes on **ANY FOUR** of the following
- a) Death in medico legal cases
 - b) Medical insanity
 - c) Law relating to road accidents
 - d) Importance of sterilization
 - e) Hathi committee report
 - f) Wounds
- Q.7** Discuss the legal significance of biological stains and hair.
- Q.8** Explain the various injuries in medico legal cases.
- Q.9** Discuss the legal connotations of identification of a dead body.
- Q.10** Explain the rules relating to external post mortem examination.

BHUPALGAD-X (2008 COURSE) APRIL/MAY: 2013
SUBJECT-ELECTIVE: INVESTMENT AND SECURITY LAWS

Day : **Friday**
Date : **3-5-2013**

Time : **10:00 A.M. TO 1:00 P.M.**
Max.Marks : **80**

N.B.

- 1) Attempt any **SIX** question including Q.No. 1 which is **COMPULSORY**.
- 2) Q.No.1 Carries **20** Marks and all other questions carry **12** marks

- Q.1** Short notes on **ANY FOUR**
- a) Features of Security Contract
 - b) Railway Receipt
 - c) Charge
 - d) Lien
 - e) Pledge
 - f) SEBI
- Q.2** "Share is Smallest part of share capital" discuss in the light of classification of shares.
- Q.3** Explain the following :-
- a) Simple Mortgage
 - b) Types of Charge
- Q.4** What is Pledge? Distinguish between Hypothecation and Pledge.
- Q.5** Elaborate the trends in security in the light of interest legislation in Canada and USA
- Q.6** What is Mortgage? What are the rights of Mortgagor?
- Q.7** "Income Tax Act, 1961 provides for tax on Capital Gains" comment.
- Q.8** Elucidate Hague rules in the light of documents of title.
- Q.9** What are the features of Securities Contracts (Regulation) Act, 1956?
- Q.10** Discuss the scope and accountability of SEBI in Protection of Investors.

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BHUPALGAD-X (2008 COURSE) : APRIL/MAY 2013
SUBJECT- ARBITRATION, CONCILIATION AND ALTERNATIVE DISPUTE
RESOLUTION SYSTEMS

Day : Monday
Date : 6-5-2013

Time : 10.00 A.M. TO 1.00 P.M.
Max. Marks : 80

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- N.B.** 1) Attempt **ANY THREE** questions from Section-I and Section-II, **Q. No. 1 and 6** which are **COMPULSORY**.
2) **Q. No. 1 and Q. No .6** carries 20 marks each and all other questions carry 10 marks.
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SECTION-I

- Q.1** Write short notes on **ANY FOUR** of the following
- a) Foreign Award
 - b) Statement of claims and defense
 - c) Geneva Convention
 - d) Conciliation Agreement
 - e) Jurisdiction of Arbitral Award
 - f) Doctrine of waiver
- Q.2** When Arbitration is allowed with the intervention of a Court? Explain..
- Q.3** What is Conciliation? Explain the process of Conciliation as a dispute Redressal Mechanism.
- Q. 4** Enumerate the powers duties and obligation of the Arbitral Tribunal.
- Q.5** Interim measures orders under Arbitration and Conciliation Act, 1996.

SECTION-II

- Q.6** Write short notes **ANY FOUR** of the following
- a) Fast Track Arbitration
 - b) Importance of ADR
 - c) Med-Arb
 - d) Public interest litigation
 - e) Sampath Kumar Case
 - F) Legal Literacy
- Q.7** Legal aid today has acquired the status of fundamental rights. Do you agree? Explain with the help of leading cases.
- Q. 8** Explain in detail the composition, structure and functions of Consumer Forum under the Consumer Protection Act, 1986.
- Q.9** What is International Award? Explain New York Convention for the enforcement of International Award.
- Q.10** Discuss the role of family Courts in reducing the load of civil Courts in the country.

BHUPALGAD - X (2008 Course) : APRIL /MAY 2013
SUBJECT : Land Laws Including Land Ceiling Tenancy And Local Laws

Day: Tuesday
Date: 30-04-2013

Time: 10:00 A.M. TO 1:00 P.M.
Max. Marks: 80

N.B.

- 1) Attempt any six questions including **Q. No.1** which is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all **other** questions carry **12** marks.

- Q.1**
- a) Agrarian reform measures
 - b) Revenue year & Land Revenue
 - c) Boundary mark
 - d) Nistar Patrak
 - e) Tiller's day
 - f) Deemed tenant & protected tenant.
- Q.2** Who are Revenue officers? Explain their powers, Duties and Functions under the Maharashtra Land Revenue Code, 1966.
- Q.3** What is valid surrender? When tenant can surrender his tenancy? Briefly explain the procedure for such surrender by the tenant under the Bombay Tenancy and Agriculture Land Act, 1948.
- Q.4** State the procedure for conversion of use of land from one purpose to another under the Maharashtra Land Revenue Code, 1966.
- Q.5** "No ejection ordinarily to be made if the tenant pays or is ready and willing to pay standard Rent and permitted increases". Comment with reference to Maharashtra Rent Control Act. 1999.
- Q.6** Write notes on the following with reference to the mamlatdar courts Act, 1966.
- a) Powers of mamlatdar's courts
 - b) Execution of mamlatdar decision
- Q.7** Discuss the provisions relating to removal of encroachments on land vesting in Government under Maharashtra Land Revenue code, 1966.
- Q.8** Discuss the effect of Non-registration of agreement under the Maharashtra ownership flats (Regulation of promotion of construction, sale, management and transfer) Act, 1963.
- Q.9** Discuss in brief the general provision of Maharashtra Apartment ownership Act, 1970.
- Q.10** What is preliminary Survey? Explain and discuss the procedure for acquisition of land under the land Acquisition Act, 1894.

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BHUPALGAD-X (2008 COURSE): APRIL/ MAY- 2013
SUBJECT: ELECTIVE: INTELLECTUAL PROPERTY LAW

Day: *Friday*
Date: *03-05-2013*

Time: *10:00 A.M. To 1:00 P.M*
Max. Marks: 80

N.B:

- 1) Attempt **SIX** questions in all including **Q. No. 1** which is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.

Q.1 Write short notes on **ANY FOUR** of the following:

- a) Provisional specification
- b) Service mark
- c) Cinematographic film
- d) Trade secret
- e) Good will
- f) TRIPS

Q.2 Discuss the role of International Intellectual Property Instruments in harmonizing the intellectual property right laws in the world.

Q.3 'There are certain inventions which cannot be patentable'. Justify.

Q.4 Discuss the rights and liabilities of a patentee.

Q.5 Discuss the process of registration of Patent.

Q.6 Discuss the concept of passing off and distinguish it from Trademark.

Q.7 Elaborate the salient features of Designs Act, 2000.

Q.8 Explain the concept of author and owner of copy right.

Q.9 Discuss the Remedies for infringement of copyright.

Q.10 Explain the Acts which does not infringement of copyright .