

LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017

SUBJECT : a) BUSINESS LAW GROUP: BANKING LAW

Day : **Monday** Time : **10.00 AM TO 01.00 PM**
Date : **20/11/2017** **W-2017-1316** Max. Marks : 60.

N.B.:

- 1) Attempt any **FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1** Explain the primary and ancillary services rendered by commercial banks in India.
- Q.2** What is the necessity of exercising control over credit created by banks? Enumerate the various methods of credit control available to Reserve Bank of India.
- Q.3** "The transactions between a banker and his customer are regarded as being of a private character and therefore he should not divulge to third parties the state of his customer's account." Comment with exceptions.
- Q.4** Who is holder in due course? What are special privileges of a 'holder in due course' under the Negotiable Instruments Act?
- Q.5** "Fundamental principles on which credit is generally based on character, capacity and capital." Explain.
- Q.6** Define 'Pledge.' What are its essential ingredients? Who can create a valid pledge?
- Q.7** Define and elaborate the meaning of 'Banking, Banking company' and enumerate the forms of business in which Banking companies may engage.
- Q.8** Write notes on any **TWO** of the following:
- a) Social Control over banking
 - b) Features of Deposit Insurance Corporation Act

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LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017
SUBJECT : HUMAN RIGHTS LAW GROUP : HUMAN RIGHTS OF
DISADVANTAGED GROUP: PROBLEMS & ISSUES IN THE PROTECTION AND
ENFORCEMENT

Day : **Monday** Time : **10.00 AM TO 01.00 PM**
Date : **20/11/2017** **W-2017-1317** Max. Marks : **60**

N. B. :

- 1) Attempt **ANY FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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Q.1 Elaborate on the rights of those persons who are mentally ill. What are the safeguards provided for mentally ill persons in International law?

Q.2 Discuss the role of judiciary and the emergence of human rights for disadvantaged children with regard to protection and promotion of their welfare.

Q.3 Elaborate the efforts and measures taken by UN in protecting rights of Tribal and indigenous people.

Q.4 "The advancement of women has been focus of the work of United nations since it's Creation". Discuss the steps taken by UN in this regard and evaluate the role played by Supreme Court in enforcing such international instruments in India.

Q.5 Enumerate the rights of minorities incorporated in the Indian Constitution. Also discuss the important judicial pronouncement in this regard.

Q.6 Describe how the constitutional framers were conscious in protecting rights of the working class and in particular the unorganized labour.

Q.7 Discuss the rights of the prisoners and important judicial decisions in this regard.

Q.8 Write note on :

- a) Aids victims
- b) Future perspectives of human rights of disadvantaged

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LL. M. SEM-II (2015 COURSE) CBCS : **WINTER - 2017**

SUBJECT : INTELLECTUAL PROPERTY LAW GROUP : LAW RELATING TO COPYRIGHT

Day : **Monday**
Date : **20/11/2017**

Time : **10.00 AM TO 01.00 PM**
Max. Marks : 60

W-2017-1318

N.B.:

- 1) Attempt **ANY FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1** Explain basic concepts of copyright from statute of Anne to age of computers.
- Q.2** "Strong copyright protection is essential for economic development". Explain.
- Q.3** "Copyright protects work and ideas per se are not included in the ambit of protection of copyright". Justify.
- Q.4** Explain the doctrine of 'sweat of the brow' and give your views regarding applicability of the doctrine.
- Q.5** Discuss the important provisions for Rome Convention for the protection of performers, procedure, of phonograms and broadcasting organizations.
- Q.6** Discuss various modes of assignment of copyright as per Indian Copyright Act, 1952.
- Q.7** Discuss various modes of assignment of copyrights as per Indian Copyright Act, 1952.
- Q.8** Discuss the important provisions of TRIPS relating to copyrights.

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LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017

SUBJECT : ENVIRONMENTAL LAW GROUP : ENVIRONMENT PROTECTION &
DISASTER MANAGEMENT

Day : Monday Time : 10.00 AM TO 01.00 PM
Date : 20/11/2017 W-2017-1319 Max. Marks : 60

N.B.:

- 1) Attempt ANY FOUR questions.
- 2) All questions carry EQUAL marks.

- Q.1 Disasters due to escape of dangerous substance has prevailed right from the eighteenth century and hence the House of Lords had evolved the rule of strict liability. Discuss the emerging trends related to the law relating to the escape of dangerous substance.
- Q.2 One can see that the law is far behind to cope up with the various disasters, as the disasters are continuously on the rise. Discuss the inadequacy of the legislative measures and suggest some steps to improvise the legislative response related to disasters.
- Q.3 Whenever there is a disaster much help and relief funds are provided by the government, voluntary organizations, NGO and the public at large; but unfortunately these relief funds and the food products do not reach the people who are in distress. Discuss the problems of disbursement of relief grants and public accountability of officials.
- Q.4 Discuss the right of hearing of an affected individual in the investigation of a disaster.
- Q.5 The judiciary has a very stringent approach in cases of factory disasters which affect the environment. Discuss the role of the judiciary in imputing liability in the cases of environment pollution.
- Q.6 Write a detailed note on the role of National Green Tribunal.
- Q.7 Discuss the problems related to the disasters caused by the tsunami. Suggest a few preventive measures to minimize the ill effects of the disasters caused by tsunami.
- Q.8 Write a note on ANY TWO of the following:
- a) Disasters caused by railway accidents
 - b) Rights of certain class of victims, women and children
 - c) Nuclear radiation

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LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017

SUBJECT: (A) BUSINESS LAW GROUP: LAW OF EXPORT IMPORT REGULATION

Day : Saturday
Date : 18/11/2017

W-2017-1312

Time : 10.00 AM TO 01.00 PM
Max. Marks : 60.

N.B.:

- 1) Attempt any **FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1 Critically evaluate the role of international regime in area of export import regulation with reference to WTO agreement, tariff and non-tariff restrictions.
- Q.2 "Goods, services and transportation are the basic needs of export and import trade." Comment.
- Q.3 Examine how Foreign Trade Development and Regulation Act, 1992 provides the legislative framework for control of import and export.
- Q.4 "Exim policy deals with the development of exports and the minimization of imports in India." Discuss the exim policies regarding agriculture products and jewellery.
- Q.5 "Import and exports of goods is an intricate activity." Discuss the regulation of import and export during pre and post 1991 era of Indian economy.
- Q.6 Discuss the contribution of Export Promotion Councils and Export Processing Zones in promotion and expansion of exports in India.
- Q.7 "Technology transfer from developed nations to developing nations is mixed in controversy. Out dated technology is dumped by them on developing nations." Discuss.
- Q.8 Write short notes on:
- a) Control of smuggling activities
 - b) Automatic approval schemes.

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LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017

SUBJECT: PROTECTION & ENFORCEMENT OF HUMAN RIGHTS IN INDIA
(HUMAN RIGHTS LAW)

Day: Saturday
Date: 18/11/2017

W-2017-1313

Time: 10.00 AM TO 01.00 PM
Max. Marks: 60

N.B.:

- 1) Attempt any **FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1 “Legal remedies for protection of human rights are provided under the Indian constitution”. Critically elaborate the legal remedies under Indian constitution to shield protection against violation of human rights in India.
- Q.2 Critically analyze the philosophy of preamble of Indian constitution with reference to provisions of UDHR.
- Q.3 Write a critique on “Judicial activism and protection of Human Rights in India”.
- Q.4 Discuss the role of Civil and Criminal courts in protecting human rights.
- Q.5 Elucidate the notion of right to compensation with the help of relevant judicial pronouncement.
- Q.6 Explain the role of India in implementing international norms and standards of human rights.
- Q.7 “Indian judiciary has always successfully made fundamental human rights available to the children”. Comment on the rights of child that are made meaningful by judiciary.
- Q.8 Write short notes on any **TWO** of the following:
- a) Fundamental Duties and its relevance in human rights
 - b) Civil liberties in India
 - c) State Human Rights Commissions

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LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017

SUBJECT : ENVIRONMENTAL LAW GROUP : ENVIRONMENT PROTECTION IN INDIA

Day : **Saturday**
Date : **18/11/2017**

Time : **10.00 AM TO 01.00 PM**
Max. Marks : 60

W-2017-1315

N.B.:

- 1) Attempt **ANY FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1** Explain the role of Tort Law in controlling Environmental Pollution.
- Q.2** Discuss in detail the history behind the enactment of Environment Protection Act, 1986.
- Q.3** Explain the role of judiciary in Coastal Zone Management.
- Q.4** Explain the Environmental Legislation for hazardous substances in India with reference to landmark judgments.
- Q.5** What are the objectives of public participation in environment decision making? Discuss in detail the pre requisites for making the public participation meaningful and effective.
- Q.6** Explain the role of local bodies in the conservation of natural resources in the light of 73rd and 74th amendment to the Constitution of India.
- Q.7** Explain in detail how the Supreme Court has given a new meaning to the concept of 'The Right to a Wholesome Environment' and 'Right to Livelihood'.
- Q.8** Write a note on:
- a) Classification of Zones under Coastal Zone Management
 - b) Environmental Audit

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LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017

SUBJECT : c) INTELLECTUAL PROPERTY LAW GROUP : LAW RELATING TO
TRADEMARKS

Day : Saturday
Date : 18/11/2017

W-2017-1314

Time : 10.00 AM TO 01.00 PM
Max. Marks : 60

N.B.:

- 1) Attempt **ANY FOUR** questions.
- 2) All questions carry **EQUAL** marks.

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- Q.1 Write short notes on **ANY THREE** of the following:
- a) Registered and Unregistered Trademark
 - b) Function of Trademark
 - c) Trademark registry
 - d) Kinds of reliefs in suit
 - e) Confidential information and Trade Secret
 - f) Grounds for refusal of registration
- Q.2 “Trademark is a visuable symbol or sign in the form of a word, a device, or a label and a means of identification which enables traders to make their goods or services readily distinguishable form similar goods or services supplied by others”. Discuss and evaluate the various forms of trademarks.
- Q.3 “An Anton Piller order is a Court order which provides for the right to search premises and search evidence without prior warning”. Discuss with recent cases.
- Q.4 “Trademark is a different from design, a design is necessarily part and parcel of the manufacture while a trademark is not necessarily so”. Comment and discuss the important objectives of the Madrid Convention.
- Q.5 Write a detailed note on:
- a) Classical cybersquatting
 - b) Typographical cybersquatting
- Q.6 Discuss the provisions regarding assignment and transmissions under the Indian Trademark Act, 1999.
- Q.7 “The Domain Name System (DNS) is the System of global navigation within the internet”. Comment and discuss the issues of domain name and cybersquatting and its remedies under the Trademark Law.
- Q.8 Write a detailed note on ‘Philosophy of distinctive character’ of the following
(**ANY TWO**):
- a) German theory
 - b) Second theory
 - c) Cynics theory

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Day: **Thursday**
Date: **16/11/2017**

W-2017-1311

Time: **10.00 AM TO 01.00 PM**
Max Marks. 60

N.B.

- 1) Attempt any **FOUR** questions.
- 2) All questions carry **EQUAL** marks.

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- Q.1** Write analytical note on Non – Empirical Legal Research.
- Q.2** Traditional research is concerned with legal prepositions & doctrines whereas Empirical research is concerned with people, social values & social institutes. Evaluate & distinguish between types of legal research.
- Q.3** Analyze the meaning, need, features & importance of Research Design
- Q.4** Hypothesis is a tentative statement which expresses the nature of relationship between two or more variables usually in the form of cause - effect relationship. Comment on characteristics & types of hypothesis.
- Q.5** Write a critique on Non – Probability sampling.
- Q.6** Analyze the following two methods of data collection.
- i) Questionnaire Method
 - ii) Case Study Method
- Q.7** Enumerate the objectives, types & principles of Legal writing.
- Q.8** Write short note on:
- a) Writing a law review article
 - b) Legal citation system

LL. M. SEM-II (2015 COURSE) CBCS : WINTER - 2017

SUBJECT : JUDICIAL PROCESS

Day : Tuesday
Date : 14/11/2017

Time : 10.00 AM TO 01.00 PM

Max. Marks : 60

W-2017-1310

N.B.:

- 1) Attempt ANY FOUR questions.
- 2) All question carry EQUAL marks.

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- Q.1 Write a critique on Judicial Process under Indian Constitution along with relevant judicial pronouncements.
- Q.2 A Judge is not legislator and cannot be so, but laws are not made only by legislatures. There are many sources as well through which many laws are made. Comment on Precedent as one of the techniques of law making.
- Q.3 The power of Judicial review is an exception to the principle of separation of powers, which demarcates distinct areas for the different constitutional organs to exercise their powers. Elaborate the concept and power of judicial review along with its improper exercise and non-exercise.
- Q.4 Critically enumerate scope and limits of Judicial activism in India.
- Q.5 Analyse the following:
a) Rawls Theory of Justice
b) Dharma as the foundation of legal ordering in Indian thought
- Q.6 Elucidate the Independence of Justice theories in context of Indian Constitutional ordering.
- Q.7 Critically enumerate Supreme Courts verdicts influenced by theories of Justice.
- Q.8 Write notes on ANY TWO of the following:
a) Judicial activism in India
b) Judicial accountability in India
c) Measure for Reforming Justice delivery system in India

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