

LL.B. (THREE YEAR DEGREE COURSE) (2009 COURSE)

LL.B. Sem-V : SUMMER : 2022

SUBJECT : COMPANY LAW

Day : Friday
Date : 20-05-2022

S-4964-2022

Time : 10:00 AM-01:00 PM
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** Write short notes on **ANY FOUR** of the following:
- a) Pre Incorporation Contract
 - b) One Person Company
 - c) NCLT
 - d) Allotment of Shares
 - e) Corporate Social Responsibility
 - f) Proxy
- Q.2** Define Company. Explain the merits of incorporation of a company.
- Q.3** Define Debentures. Explain the different kinds of debentures. What remedies are available to debenture holder?
- Q.4** What is Prospectus? Explain the contents of a prospectus and liabilities for misstatement.
- Q.5** Define Director. State the provisions of the Companies Act regarding appointment and removal of Directors.
- Q.6** "Promoter is not an agent or trustee for the company he promotes, but stands in a fiduciary position towards it". Comment.
- Q.7** Explain the rule "Supremacy of the majority of shareholders is applied in managing the company". Are there any exceptions to this rule?
- Q.8** State the provisions of the Companies Act, with respect to Annual General Meeting.
- Q.9** "The intention of the legislature is to prevent too easy an alteration of the clauses contained in the memorandum of association". Comment.
- Q.10** Define winding up. State the circumstances under which a company may be wound up by the Tribunal.

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

LL.B. Sem-V : SUMMER : 2022

SUBJECT : INTELLECTUAL PROPERTY LAW

Day : Friday
Date : 20-05-2022

S-12608-2022

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) “Intellectual Property is of recent origin as compared to the criminal laws or laws of contract”. Justify the statement in the light of concept, nature and scope of Intellectual Property.

OR

b) Explain the concept patent, its history and its significance in today’s industrial world.

Q.2 a) Elaborate the concept of Biotechnology in detail, its significance and also state the arguments in support and in opposition of granting the biotechnology patent.

OR

b) Discuss the significance of registration of the patent and also state the procedure of registration of patent.

Q.3 a) Explain the concept of passing off in detail and distinguish the concept of passing off from infringement of trademark.

OR

b) Analyse the concept of author and owner of the copyright and state the circumstances when the author and owner regarding the same work may differ.

Q.4 a) Explain the concept of fair deal, and state the acts which constitutes fair deal.

OR

b) Elaborate the role of Patent Cooperation Treaty and Paris Convention in harmonizing patent law of various countries .

Q.5 a) i) Discuss the facts and ratio of the case Bayer Corporation vs. Natco case.

ii) ‘A’ wrote a novel that novel became very popular, ‘B’ wanted to get it translated. ‘A’ allowed ‘B’ to translate it. ‘B’ exceeded the conditions mentioned in the licence agreement. ‘A’ sued ‘B’ for infringement ‘B’ took a stand that he is not liable for infringement as the licence. Predict the outcome of the case

OR

b) i) Discuss the facts and ratio of the case Cadila Health Care vs. Cadila Pharmaceutical Ltd.

ii) Mr. ‘A’ a photographer took the photograph of Mr. ‘B’ and gave the copy of that photograph to Mr. ‘B’. Mr. ‘B’ posted that photograph on his facebook account. Mr. ‘C’ downloaded the photo of Mr. ‘B’ from the facebook and used it for commercial purpose. Discuss whether Mr. ‘A’ can institute the suit of infringement of copyright on Mr. ‘C’ with proper reasons and relevant copyright provisions.

* * * *

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

LL.B. Sem-V : : SUMMER - 2022

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

Day : Monday
Date : 23-05-2022

S-12609-2022

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) Who are competent to transfer and what kind of properties may be transferred? State exceptions to it.

OR

- b)** Write notes on the following:
- i) Vested Interest
 - ii) Doctrine of notice

Q.2 a) Elaborate the doctrine of part performance.

OR

- b)** Write notes on the following:
- i) Fraudulent transfer
 - ii) Doctrine of Lis-Penders

Q.3 a) What is Sale? How it is effected? State the rights and liabilities of a buyer.

OR

- b)** Write notes on the following:
- i) Simple mortgage
 - ii) Lease of immovable property

Q.4 a) What is Easement? Describe the circumstances under which easements are extinguished.

OR

- b)** Write notes on the following:
- i) Revocation of Licence
 - ii) Revival of easement

Q.5 a) i) 'A' is entitled to a sum of ₹ 5,000/- towards maintenance from 'B'. 'A' transfers this right to 'C'. Is 'C' entitled to this right?

ii) 'A' makes a gift of his property to 'B' reserving a right to revoke if any time he pleases. Discuss its validity.

OR

b) i) 'A' transferred his property to 'B' during the pendency litigation of such property. Examine the validity of the transfer.

ii) 'A' buys a house from B and fails to get possession owing to defeat of title. 'C' is in possession. What is the remedy of 'A'?

* * * *

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

LL.B. Sem-V : : SUMMER - 2022

SUBJECT : ADMINISTRATIVE LAW

Day : Wednesday
Date : 25-05-2022

S-12610-2022

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) "Administrative law is that branch of the law which controls the administrative operation of Government". Discuss.

OR

b) Discuss the doctrine of Rule of Law as propounded by A. V. Dicey. Explain the new dimensions to the doctrine in the modern welfare state.

Q. 2 a) It is not only the requirement, but also the duty of the Parliament to control the delegated legislative powers. Discuss the Parliamentary control over the delegated legislation.

OR

b) Explain the concept of 'Administrative Discretion'. Discuss the grounds for judicial review of administrative discretion.

Q. 3 a) The principles of natural justice are not fixed, but are flexible and variable and they cannot be put in a strait jacket. Discuss the principle of natural justice as incorporated in the maxim 'Nemo Judex In Re Sua'

OR

b) The administration in India has been acquiring vast powers in the name of social economic development and therefore close supervision and mechanism for redressal of grievances like Lokpal is needed in India. Discuss.

Q. 4 a) "Government's power to enter into contract is prescribed by the Constitution of India, which is different and independent from the Contract Act". Discuss the liability of the government in contract with the help of decided cases.

OR

b) The judiciary exercises control over administrative action in various ways. Explain in short the judicial control of administrative action through Writs.

Q. 5 a) i) An advocate was removed from the rolls of State Bar Council on the ground of his professional misconduct, without giving him opportunity to defend himself. Examine the validity of his removal.
ii) Write short note on Commission of Enquiry.

OR

b) i) State the facts and the principle laid down in the case:
L. Chandrakumar V. Union of India
ii) Write short note on Administrative Tribunals

* * * * *

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

**LL.B. Sem-V : : SUMMER - 2022
SUBJECT : COURT MANAGEMENT**

Day : Friday
Date : 27-05-2022

S-12612-2022

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) Write a detailed note on the 'Basics of Administrative Management'.

OR

b) Elaborate the concept of 'Law and Management' with special reference to 'Economic Analysis of Law'.

Q.2 a) Write a detailed note on the Structure and Hierarchy of the Court system in India.

OR

b) Explain the concept of E-Governance in relation to Best Practices of Governance Case Study in the Light of MP-Online Case.

Q.3 a) Explain in detail the Constitutional Role of Judiciary in India.

OR

b) Explain how Cash Flow System, Docket Control and Calendaring acts as a boost to a successful Law practice.

Q.4 a) Bring out the importance of 'Court Manners and Etiquettes' as an integral part of Ethics, Integrity and Aptitude in Legal Profession.

OR

b) Write a detailed note on the importance of 'Organizational Behavior and Soft Skills' and its relevance in Legal Profession.

Q.5 a) Bring out the essentials of Judicial Reasoning and Case Briefing in Law Practice.

OR

b) Explain how the Lok Adalat System and Process prove to be vitally important for speedy and efficient justice to the masses.

* * *

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

LL.B. Sem-V : : SUMMER - 2022

SUBJECT : DIRECT TAX

Day : Monday
Date : 30-05-2022

S-12613-2022

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 Write short notes on **ANY THREE** of the following:

- a) Perquisites
- b) Tax deducted at source
- c) Sec 80C of Income Tax Act, 1961
- d) Agricultural income
- e) Allowances

Q.2 Explain the term 'Residential Status' State the rules that determine residential status of an individual.

OR

Explain the following:

- i) Short term capital gains and long term capital gains.
- ii) State the provision relating to contribution to recognized provident fund.

Q.3 Compute the Income under the head Salary of Ramesh for the assessment year 2018-2019 from the following particulars:

- i) Basic salary 14,000pm.
- ii) DA Rs. 200 pm. (which enters retirement benefit as per the terms of employment)
- iii) Bonus Rs. 4,000 p.a.
- iv) Rent free accommodation in Delhi provided by X Ltd the employer, fair rental value being Rs. 60,000.
- v) The cost of furniture provided therein is Rs. 10,000/-
- vi) Entertainment allowance Rs. 500 pm.
- vii) His contribution towards RPF is at 12%.
- viii) Employers contribution to RPF is Rs. 15,000 pa.
- ix) Interest on RPF balance at 12% pa is Rs. 18,000.
- x) Life insurance premium paid by Ramesh is Rs. 12,000 pa. on a policy of Rs. 1,30,000.

Free use of motor car of 1.8 ltrs. Engine capacity with driver, partly for official and partly for personal use.

OR

Explain the procedure for determination of GAV as per section 23(1) of the Income Tax Act 1961.

Q.4 State the provisions regarding advance payment of tax under Income Tax Act, 1961.

OR

Discuss at least ten examples or incomes that are always chargeable to tax under income from other sources.

Q.5 Explain 'Assessment' state the types of Assessment under Income Tax Act, 1961.

OR

Explain the provisions with regarding 'set off' carry forward and set off losses under the Income Tax Act, 1961.

* * * * *

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

LL.B. Sem-V : : SUMMER - 2022
SUBJECT : LAW ON EDUCATION

Day : Monday
Date : 30-05-2022

S-12614-2022

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) Discuss as to how the UNO's specialized agencies promote Right to Education.

OR

b) Explain the nature and scope of Right of Children to Free and Compulsory Education Act, 2009.

Q.2 a) "The Convention against Discrimination in Education 1960 is a binding instrument which provides for standards and quality of education". Discuss.

OR

b) Discuss the right of education as incorporated in the Indian Constitution with special reference to the 86th Amendment Act, 2002.

Q.3 a) Write a brief note on the recent development in Women's Education in India with special reference to the UGC policy and programs on Women's Education

OR

b) Discuss the role of judiciary in light of development of Right to Education related with Minority Institutions.

Q.4 a) Discuss the impact of privatization on Education in India.

OR

b) Discuss the problem of accessibility and accountability of the education systems.

Q.5 a) Write short notes on:

- i) T.M.A. Pai Foundation v. State of Karnataka (2003)
- ii) Law Commission of India

OR

b) Write short notes on:

- i) P.A. Inamdar vs. State of Maharashtra (2005)
- ii) National Policy on Education 1986

* * * *