

28778

ANJANER I (CBCS - 2013/2015 COURSE) : SUMMER - 2016
SUBJECT : LAW & JUSTICE IN A GLOBALIZING WORLD

Day : Friday
Date : 13-05-2016

Time : 10:00 A.M. To 1:00 P.M.
Max. Marks : 60

N.B.

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

Q.1 "Law, justice, morals and ethics are mere words shorn of any effect and meaning, unless an effective legal content is reposed in these words, establishing a firm interrelation between these words". Discuss and elaborate the relationship between law and morals.

Q.2 "Theory of natural law has been transformed with passage of time and in recent past, leaders of contemporary positivism have acknowledged the same. Comment and explain the pure theory of law expounded by Hans Kelson.

Q.3 "Jurisprudence is a study of law and its functioning in legal systems their judicial, legislative administrative apparatuses and provides knowledge about their effect or impact on each other." Comment and explain the nature and scope of sociological jurisprudence.

Q.4 Critically analyse the relationship between law and justice with the help of different definitions, types, theories and justice.

Q.5 The concept of property, when it emerged and went on the developed, has been charged according to circumstances and the law also had to undergo change it tune with it. Comment and discuss the changing concepts of property.

Q.6 "The Internet has changed the world of criminal activity. Access to computers and internet access are only barriers to illegal cyber enterprises". Comment and discuss with changing nature of punishment.

Q.7 "Traditional concepts of families are changing; 'married with children' was long the paradigm: but the past decades have seen this erode, to be replaced by more fluid and inclusive concepts of family". Discuss and enumerate the changing concept of family and role of family courts in India.

Q.8 Write note on:
a) Inquisitorial system
b) Economics competitions, regulation and public interest

Subject : Comparative Public Law / Systems of Governance

Day : Saturday
Date : 07/05/2016



Time : 10.00 AM TO 01.00 PM
Max Marks : 60 Total Pages : 1

N.B.:

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

- Q.1 Write a critique on recent developments of Rule of Law in Britain, Australia and India.
- Q.2 The Indian Constitution has not indeed recognized the doctrine of separation of powers in the absolute rigidity but the functions of the different parts or branches of the government have been sufficiently differentiated. Evaluate the doctrine of separation of powers in India.
- Q.3 Analyse the principles and legal features of Indian Constitution along with features of American Constitution.
- Q.4 Evaluate and compare the structure and Composition of Parliament in UK, USA and India.
- Q.5 Critically examine the Impact of Judicial Review on Modern Constitutions with significant precedents.
- Q.6 The US Constitution does not contain any specific provision for access to administrative documents but such a right has been conferred by statutes. Elucidate and compare Access to Information in US and India.
- Q.7 Ombudsman provides a valuable method of investigating complaints against government departments. Elucidate need for ombudsman in India, England and New Zealand.
- Q.8 Write notes on **ANY TWO** of the following:
 - a) Types of Constitution
 - b) Major legal Systems of the World
 - c) Monarchical System

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Subject : Research Methods & Legal Writing

Day : Thursday
Date : 05/05/2016



Time : 10.00 AM TO 01.00 PM
Max Marks : 60 Total Pages : 1

N.B.:

- 1) Answer any **FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1** What is computerized research? What is role of Lexis Nexis, Westlaw and Manupatra? How computerized research helps in legal writing?
- Q.2** Explain:
a) Report writing
b) Data processing.
- Q.3** What is sampling? What is its role in research? How a good sample is made? What are effects of faulty sample? Explain types and reliability of sampling.
- Q.4** Write a critique on meaning, need, characteristics, variables and types of research design.
- Q.5** How a good research problem is identified and a good hypothesis is made? What is their object, scope and implication in legal research?
- Q.6** Write a critique on methods for legal research.
- Q.7** Explain various aspects of legal research methodology, explaining its types, meaning, characteristics and objectives.
- Q.8** Write notes on:
a) Tools and methods of data collection
b) Meaning, objectives, characteristics and significance of research:

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Subject : a) Business Law Group : Legal Regulation of Economics Enterprises

Day : Tuesday

Date : 24/05/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

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

Q.1 Comment upon rationale of Government regulation in the light of constitutional perspectives in the sphere of economic activities.

Q.2 Highlight the features of New Economic Policy 1991 in the light of globalization. Does it help Indian Economy?

Q.3 Examine the role of 'Public Sector' in the economic development. What is the present policy of Government towards Public Sector?

Q.4 Examine the provision of Industrial Development and Regulation Act 1951, regarding powers of government to take over of management and control of Industrial Unit.

Q.5 What is the problem of sick-undertakings? How government deals with it. What is present government policy towards sick-units?

Q.6 Discuss how legislations deals with mass disaster and environment degradation?

Q.7 What are Multinationals? How they are regulated in India?

Q.8 Write notes on:

- a) De-materialized securities.
- b) Fairness in competition.

Subject : b) Human Rights Law Group : Human Rights and International Order

Day : Tuesday

Date : 24/05/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

- 1) Attempt any **FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1 Write a critique on the Role of the International Organizations in development of Human Rights.
- Q.2 Evaluate the Role of International Labour organization and other conventions and protocols dealing with Human Rights.
- Q.3 Critically enumerate the Role of Non-Governmental Organization (NGO's) as a protection agency in Human Rights.
- Q.4 Analyze the Role of International Court of Justice as a mechanism for enforcement of Human rights at International level.
- Q.5 Critically examine in detail the mechanism available for enforcement of Human Rights at National level.
- Q.6 Write a critique on the provisions of Universal Declaration of Human Rights and state its Impact on Indian Constitution.
- Q.7 Enumerate and analyze the provisions of Covenant on Civil and Political Rights with reference to Part-III of the Indian constitution.
- Q.8 Write notes on the following (Any Two)
 - a) European convention on Human Rights
 - b) UNICEF
 - c) UNESCO.

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Subject : a) Business Law Group : Law of Industrial and Intellectual Property

Day : Friday

Date : 20/05/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

- 1) Attempt any **FOUR** questions.
 - 2) All questions carry **EQUAL** marks.
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- Q.1** “Intellectual properties are territorial in nature but their trans-border moment has resulted in an international framework for their protection.” Comment and evaluate emphasizing the role an efficiency of international conventions in this area of law.
- Q.2** “Computer programme *per se* are not patentable but a claim to an invention incorporating a computer program could be.” Comment and critically discuss.
- Q.3** “Intellectual property laws also favours a monopolization of group rights.” Comment and discuss in the light of interrelationship between human rights and intellectual property rights.
- Q.4** “Intellectual property rights regime not only confers monopoly on individuals but also takes care of community at large.” Examine this statement with a note on traditional knowledge, geographical indication.
- Q.5** Critically examine the special problems of proof of Infringement with the help of landmark case laws
- Q.6** Discuss the patentability and non-patentability with some issues and controversies in pertaining to biotechnology.
- Q.7** Define passing off. Evaluate the efficiency of laws to avoid violations.
- Q.8** Write a short note on any **TWO** of the following:
- a) Proof of non-anticipation
 - b) Principles for determine in infringement
 - c) Consumer protection and trademark.

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Subject : b) Human Rights Law Group : Concept and Development of Human Rights

Day : Friday

Date : 20/05/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

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

- Q.1 State the impact of Liberalization, Privatization and Globalization on Human Rights in India.
- Q.2 Discuss the role of Human Rights protection agencies.
- Q.3 Explain the notion of judicial activism in the light of Human Rights and judicial process.
- Q.4 Elucidate the classification of Human Rights in the light of recent trends at International level.
- Q.5 Elaborate the concept of obligation of states in relation with the duties of Individuals.
- Q.6 Explain in detail the Concept and Development of Human Rights in India.
- Q.7 Describe the impact of colonization on the International Human Rights.
- Q.8 Write short notes on **ANY TWO** of the following:
 - a) Human Rights in National Law
 - b) Human Rights in Western Tradition
 - c) Third Generation Rights

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Subject : Indian Constitutional Law : The New Law Challenges

Day : Wednesday

Date : 18/05/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.

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

- Q.1 The word 'other authorities' under Article 12 of the Indian Constitution has greater amplitude and gave rise to various interpretations by the judiciary to protect the fundamental rights. Explain with the important case laws.
- Q.2 Explain in detail that when the centre can give direction to the state under Article 356 and 365 of the Indian Constitution.
- Q.3 Discuss the Constitutional provisions pertaining to freedom of press. Substantiate your answer with landmark judgments.
- Q.4 Equality is a dynamic concept with many aspects and dimensions and it cannot be imprisoned within traditional and doctrinaire limits. Comment.
- Q.5 The fundamental rights must be constructed in the light of the directive principles. In a number of decision the supreme court has given many directive principles of state policy, the status of fundamental rights. Discuss with the help of landmark case laws.
- Q.6 Right of minorities to establish and administer educational institutions is not absolute but subject to certain restriction. Explain with the help of important case laws.
- Q.7 Examine the status of Election Commission in India and suggest the election reforms.
- Q.8 Write notes on:
 - a) Creation of new states
 - b) Empowerment of women

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Subject : Law and Social Transformation in India

Day : Monday

Date : 16/05/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 60 Total Pages : 1

N.B.:

- 1) Attempt any **FOUR** questions
 - 2) All questions carry **EQUAL** marks.
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- Q.1** According to Von Savigny law is influenced by traditions and culture to such a vast extent that, law is merely the reflection of customs, traditions and culture. Do you agree with the above proposition? Substantiate your views with relevant illustrations.
- Q.2** The vast empowerment of women through the Constitutional and other legal provisions has led to the over-powering of women in certain parts of the Indian society, and in some cases the theme of empowerment of women has failed to protect the women from various atrocities. Comment.
- Q.3** Explain as to how the Indian legal system has dealt with the problem of child labour.
- Q.4** Discuss as to how the law has tried to bring about various reforms in the family law.
- Q.5** State regulation is antithesis to free enterprise or economy as it causes disparities in the income, so state regulation is inevitable. Discuss the optimum extent of state regulation on free enterprise.
- Q.6** Industrialization has a negative impact upon the environment. Discuss as to how the law tries to balance the two seemingly opposite concepts of Industrialization and environment.
- Q.7** In the alternatives to law, the jurisprudence of Sarvodaya occupies a prominent place. Discuss Gandhiji's views of Sarvodaya.
- Q.8** Write short notes on any **TWO** of the following:
- a) Language as a divisive factor
 - b) Local self-government
 - c) Right to property

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