

TAMILNADU NATIONAL LAW UNIVERSITY



QUESTION PAPERS

**REPEAT (EVEN-SEMESTER) EXAMINATIONS,
JUNE-2023**

Name :

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Register No.:

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023
ENGLISH – II/BUSINESS ENGLISH - II

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 =50 Marks)

Answer all the Questions:

1. Discuss the concept of "Equivalence" in relation to translating poetry, novels, or religious texts with regard to syntax? Also, elaborate on the cultural and sociological influences that affect the translation procedure?
2. Describe the stages involved in the writing process and provide an example of how it works for a topic of your interest. How would the steps/stages of the writing process support you in your projects/assignment writings?
3. How does the study of linguistics enhance the understanding of the varied aspects of a language in general? Describe the Monophthongs, Diphthongs and the Consonants with at least ten examples each and explain how they help in effective pronunciation.
4. Take up a literary text from the classic age and a modernist text from early 20th century. Discuss these two texts in terms of their different approaches in fictional representation of legal thoughts.
5. **Read the passage given below and answer the questions that follow:**

Today there is a lot of talk about the environment. All nations are coming to an agreement to save planet earth. We pollute the earth, we pollute the water; we also pollute the subtle environment through our negative feelings and emotions. We have become a victim of our greed and needs. We are not in control of our mind. We hear a lot about other things in life but we spend very little time to hear about ourselves. How to handle our mind? How to be in the present moment? How to be happy and grateful? This we have not learnt. This is the most unfortunate thing. Then what is the solution? This is where we are reminded of a very fundamental principle that governs our environment, our mind, our emotions and our life in general. Our body has the capacity to sustain much longer the vibration of bliss and peace than it does negative emotions

because positivity is at the centre of our existence. As with the structure of an atom, protons and neutrons are in the centre of the atom and electrons constitute only the periphery; the same is with our lives; the core centre of our existence is bliss, positivity and joy but it is surrounded by a cloud of negative ions. Through the help of breath we can easily get over our negative emotions in a short period of time. Through meditation and certain breathing techniques, we can clear this negative cloud. This life has so much to offer to you. You can see this once you take some time off, rejuvenating the soul. Your soul is hungry for a smile from you. If you could give this, you feel energised the whole year and nothing whatsoever can take the smile from you. Everyone wants to be successful in life. But without knowing what is success, you want to be successful. What is the sign of success? Just having a lot of money, is that success? Why do you think money means success? Because money gives you freedom so that you can do whatever you want? You may have a big bank balance, but, you have stomachaches, ulcers, you may have to go for a bypass surgery; can't eat this, can't do this, can't do that. We expend half our health to gain wealth and then spend half our wealth to gain back the lost health. Is this success? In fact, it is very bad mathematics. Look at those who claim to be successful— are they successful? No, they are miserable. Then, what is the sign of success? It is confidence, compassion, generosity and a smile that none can snatch away, being really happy and being able to be freer. These are the signs of a successful person. Take some time off to look a little deeper into yourself and calm the mind down, thus, erasing all the impressions that we are carrying in our minds and experience the presence of the divine that is the very core of our existence.

Questions:

- a) What is the most unfortunate thing referred to in the passage? (1 mark)
- b) How can we get rid of our negative emotions? (1 mark)
- c) What is 'Bad Mathematics', according to the passage? (1 mark)
- d) What are the main signs of a successful person? (1mark)
- e) What is said about the environment? (1mark)
- f) How are we not in control of our minds? (1mark)
- g) Find out a word from the passage which means :
 - i. the outer area
 - ii. making more vital (1 mark)
- h) Attempt a short critical appreciation about the passage. (3marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023
BUSINESS ECONOMICS

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the questions:

1. Keeping in view the characteristics and features of a perfectly competitive market, industry has given the price as Rs. 80 per unit of a product. Calculate Total Revenue, Marginal Revenue and Average Revenue for a firm selling 1 to 10 units of this product. Further assume that the firm charges 85 rupees instead of 80 rupees, how far will this firm be able to generate profits or survive in the market?
2. As a newly established firm, your product was highly appreciated by the local community, as an economic advisor of the same firm submit a proposal to increase the outreach of your product to earn more revenue.
3. "Free rider problem occurs when individuals are permitted to consume resources in an unlimited manner, also the consumption of such products cannot be limited in any way". How far do you agree with the above statement, what are the possible solutions to free riding?
4. Outsourcing has spread its market in every sector of an economy, keeping in view the advantages and disadvantages of outsourcing, do you agree that outsourcing is a good solution for firms to improve. Support your response with suitable examples.
5. "Economic Development of Rural India is essential for boosting GDP". Do you agree with the given statement? Support your answer with valid reasons.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023
COST AND MANAGEMENT ACCOUNTING

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. Prepare a statement of cost giving the following information 1. Prime cost 2. Works cost 3. Cost of production 4. Cost of sales and 5. Profit

Raw materials consumed	40,000
Indirect Materials	9,000
Wages traceable to jobs	15,000
Wages paid to maintenance worker	7,500
Lubricating oil	3,750
Consumable stores	4,250
Repairs to plant & Machinery	5,100
Repairs to office Building	1,500
Postage and Telegram	1,200
Audit fees	2,800
Directors' fees	6,400
Legal Expenses	3,600
General Expenses	1,250
Gas & Water	750
Advertising	4,900
Packing Charges	2,200
Manager's salary (2/3 rd for factory 1/3 rd for office)	12,000
Interest received	1,900
Loss on sale of plant	4,000
Payment of sales tax	3,100
Travelling expenses & commission	500
Sales	1,50,000

2. A truck load of materials of different grades was purchased for Rs.2,25,000. Materials are sorted into the following grades whose market price is shown against each of them.

	Units	Selling price Per unit
Grade I	25,000	6.00
Grade II	15,000	5.00
Grade III	10,000	2.50

Find out the purchase rate per unit of each grade of the material assuming that all the grades yield same rate of profit.

3. Jai Ltd has three production departments A, B and C and two service departments D and E. The following figures are extracted from the records of the company:

Rent and rates	5,000
Indirect Wages	1,500
Depreciation of Machinery	10,000
General lighting	600
Power	1,500
Sundries	10,000

Following, further, details are available:

	Total	A	B	C	D	E
Floor space in square feet	10,000	2,000	2,500	3,000	2,000	500
Light Points	60	10	15	20	10	5
Direct Wages (Rs.)	10,000	3,000	2,000	3,000	1,500	500
H.P of Machines	150	60	30	50	10	-
Value of Machinery	250000	60,000	80,000	1,00,000	5,000	5,000

Apportion the cost to various departments on the most equitable basis by preparing a primary departmental distribution summary.

4. The following information was obtained from a company in a certain year Sales Rs.1,00,000; Variable Costs Rs.60,000 and Fixed Costs Rs.30,000. Find the Profit Volume Ratio, Breakeven point, Margin of safety and Margin of Safety ratio
5. "Cost accounting and Management accounting are branches of accounting. Both the systems involve presentation of accounting data for the purpose of decision making and control of day-to-day activities." Elucidate the above statement in detail.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.Com. LL.B. (Hons) and Degree Programme
Repeat (Even-Semester) Examinations, June 2023

POLITICAL SCIENCE (Political Theory and Organizations)

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 =50 Marks)

Answer all the Questions. Each Answer should not be less than 500 Words:

1. "In political theory, the term 'State' has a technical expression implying a human association having four essential elements"- Analyze the statement.
2. "Liberty is an invaluable asset to the individual and has to be defended at all times" – Analyze how, this is under threat in current times and the important means by which the liberty of the people can be protected.
3. Critically analyze the various socio-economic and political ideas advocated by Karl Marx.
4. "Judiciary in a State should be made independent. If the judiciary is not free, it will not be able to give decisions against the government and protect the fundamental rights, and the constitution" – Analyze various factors which help in protecting the independence of Judiciary.
5. Analyze the role of Civil Society Groups in contemporary Indian society in ensuring good governance and democracy in India.

PART – B (2 x 10 = 20 Marks)

Answer all Questions. Each Answer should not be less than 500 Words:

6. Evaluate the doctrine of Monistic or Traditional theory of Sovereignty. Does it contribute to the despotic power of the State?
7. Explain various Features of a Federal Form of Government and the differences between Unitary and Federal form of Governments.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**B.A. LL.B. (Hons) Degree Programmes****Repeat (Even-Semester) Examinations, June 2023****SOCIOLOGY – II (Indian Society)****Time: 2 ½ Hours****Maximum Marks: 50****PART – A (5 x 10 = 50 Marks)****Answer the following questions in 1000-1200 words with appropriate examples.**

1. Discuss the Urban Classification and its reflection in Indian Census.
 2. Discuss development of 'Sects' and 'Mythology' as basic structures of Religion.
 3. How do you understand the term 'Criminal Tribe' through socio-historical perspectives?
 4. Discuss the Peasantry system and different types of villages in India.
 5. Discuss the discourse on Secularism in India.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) and Degree Programme
Repeat (Even-Semester) Examinations, June 2023
SOCIOLOGY – III (Sociology of Law)

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 =50 Marks)

Answer the following in 1000-1200 words with suitable examples:

1. How Human Sciences has defined the Discourse of Normality in a Modern State?
2. Discuss the various levels/dimensions of 'Alienation' experienced by workers in advanced capitalist societies.
3. Illustrate Rationalization as a process. How is it different from Rationality?
4. Talcott Parsons mentions that the isolated nuclear family is a creation of Industrial Capitalist Society. Do you agree? Justify your response.
5. According to Marx, Ideology and Law, are products of the ruling Class. Do you agree? Justify your response

PART – B (2 x 10 = 20 Marks)

Answer the following in 1000-1200 words with suitable examples:

6. Do you think the emergence of Kibbutz or Kibbutzim is challenging the universality of 'family' as a social institution? If so, how?
7. Is Sociology a Positive Science or Normative Science? Explain with proper reasons and examples.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

ADVANCED COURSE ON COPYRIGHT LAW

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 =50 Marks)

Answer all the Questions:

1. What is the role of originality in determining the copyrightability of a work? Define originality and state with reasons which test can be considered as the best test to determine originality in works other than a computer programme.
2. What is considered as an infringement under the Copyright Act 1957? State whether online copyright infringement is included under section 51. If so, describe the nature of the remedy available for online copyright infringement in India under Copyright Act 1957. Critically analyse whether Section 51 covers all aspects of online copyright infringements.
3. Determining authorship and ownership of a work is essential. State the essentials of determining authorship and ownership of a work in India specifically relating to the literary works and analyse the differences in the factors put forth by the Indian and the UK courts to determine joint authorship?
4. Define moral right and determine whether moral rights in a work can be protected after the death of the author in India and determine whether the principles of moral rights in the Indian context are in conflict with the constitutional principles of freedom of speech and expression.
5. Rajat and Rajan are famous Bharatanatyam dancers who were working as professors in Kaveri Kalai College in Trichy. The government of Tamil Nadu under the project “*Sangam valartha kalaigal*” provided a grant of 1 crore to Rajat and Rajan for research on dance. Both of them created a new form of dance called “*vakshaganga*” which was a combination of Mohiniattam and Bharathanatyam. Rajat and Rajan were awarded *Kalaimamani* award in the year 2020 for this work. In April 2021 Rajat passed away and Rajan bequeathed his rights to his son Valavan in May 2021, as Rajan was diagnosed as suffering from end stage cancer and may die by the end of 2021 as per the

doctor's diagnosis. In 2022 Rajan was in a coma. To commemorate the contributions of Rajat and Rajan the students of Kalai Kaveri college performed "vaksha ganga" on the eve of *chithitai thiruvizha* in Madurai. This was live streamed through SK Television channel. Valavan sued SK TV and the Kalai Kaveri college for violation of his copyright. Whereas the TV channel and Kalai Kaveri college pleaded the defense of fair use. Decide.

PART – B (2 x 10 = 20 Marks)

Answer both the Questions:

6. Explain in detail what are the types of copyright infringements that occur in the music industry and discuss the role of the Copyright society in the music Industry to regulate and protect the rights of the creators in India?
 7. What are the types of licensing available under the Copyright Act in India and analyse the efficacy of the Compulsory Licensing Provision in protecting the rights of the print disabled people in India?
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) and Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

LAND LAWS OF TAMIL NADU

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. The state of “Y” initiated an irrigation project under which it is proposed to construct several reservoirs downstream. In this regard, the state government acquired lands from the small farmers owning small areas of land and eking out their livelihood doing agriculture under the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013*. The farmers objected to the acquisition on the ground of no public service would be served by acquiring the lands. *Per contra*, the state of “Y” contended that by the construction of the reservoirs, water would be supplied and utilised in more than 10 districts for agricultural purpose, besides supplying water to the state in question. Further, the farmers raised concern that the state of “Y” used unequal bargaining and coercive powers and had not given adequate compensation for the land acquired. Being the situation, the farmers moved the High Court for declaring the acquisition as unfair, unreasonable, unconscionable and unenforceable and violative of Articles 14 and 300-A of the Indian Constitution.

In the light of the above facts and circumstances, discuss and decide the following:

- a. Payment of lawful compensation to the farmers who had been deprived of their agricultural lands.
- b. The rehabilitation and resettlement process under the 2013 Act.
- c. The validity of the acquisition proceedings in the given facts is valid or violative of Article 14 and 300-A of the Indian Constitution.

2. Write a short note on the following:

- i. *Melwaram*,
- ii. *Kudiwaram*
- iii. *Kaiaeruvaramdar* and
- iv. *Mattuvaramdhar*

3. Critically examine the statement "*No cultivating tenant shall be evicted from his holding or any part thereof, by or at the instance of his landlord, whether in the execution of a decree or order of a Court or otherwise*". Are there any exceptions to the statement?
4. Summarize the provisions relating to fixation of ceiling on land holding under section 5 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. What is the ceiling area for a family?
5. Give an account of the Zamindari system that existed during the British period and explain the steps taken in the direction of its abolition and conversion to Ryotwari system.
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Repeat (Even-Semester) Examinations, June 2023

GENDER JUSTICE AND FEMINISM

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 =50 Marks)

Answer all the Questions:

1. *“Frederick Engels believed that women’s subordination began with the development of private property when the world historical defeat of the female sex took place” - Critically analyse the above statement analysing briefly, the origin of patriarchy.*
2. *“Liberal theory of Gender Justice seeks to open up public life equally to men and women but does not challenge the structural forms of oppression.” Critically examine the statement.*
3. *“We are persons who are of the same sex. We have, according to us, the same rights under the Constitution as heterosexual groups of society... The only stumbling block to our equal rights was 377. Criminality is now gone. The unnatural part or order of nature is gone from our statute. So therefore our rights are equal.” - Critically analyse the statement in the light of the current same sex marriage debate in India.*
4. Critically evaluate the grounds for divorce for Christian couples in India through feminist lens.
5. *“Women’s subordination and oppression happened to be universal and all pervasive.” Critically discuss the statement highlighting the need for the study of Gender Justice in India.*

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) Degree Programme
Repeat (Even-Semester) Examinations, June 2023
HISTORY – II (Legal History of India)

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the questions:

1. "No subject or field can be mastered without some knowledge of its history and development." Analyse the relationship between history and law and also discuss in what way history helps law students.
2. "Law, which has proved a rich site for debates about the impact of colonial rule in this region, is not a subject that has been neglected by scholars of South Asia. The development of the colonial legal system has received particular attention from historians interested in the relationship between power and knowledge in British India." Comment the statement by tracing the historiography of the Indian legal history.
3. Despite of the earlier failures of the English East India Company's missions to secure its rights on trading the Indian subcontinent especially the heartland of the Mughals, the Company had managed to establish its factories in different parts of Indian territories. Unlike the other European Companies, the English Company followed different policies and methods to obtain territories and to establish its trading rights in different regions. Do you agree with this statement? Substantiate your answer with suitable examples.
4. The English East India Company, a trading firm, gradually established its political control over the territories of the Indian subcontinent in order to protect its trading interests in the region. However, this was not completed without the help from the government from its homeland, England. The British Government greatly supported the Company initiatives in the Far East through granting Royal Charters. Analyse the

contributions made by both the Charters of 1726 and 1753 in the field of legal administration in British India.

5. The Indian subcontinent witnessed the introduction of the modern legal ideas and institutions under the English East India Company rule. Initially, the development of the legal system in the presidency towns and mofussil areas was quite different. Efforts were taken to codify the Indian laws in the nineteenth century. This was done through the four law commissions constituted by the British Parliament. Analyze the factors which facilitated the Codification of Law in the nineteenth century Colonial India.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

JURISPRUDENCE

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. 'Morality is concerned with regulating both the internal and external conduct of men whereas law is concerned only with regulating the external affairs of men. There has been a long debate between the Analytical School of Law and the School of Natural Philosophy of Law over the role of morality in Law.'

Considering the above statements, explain the approach of Positivist and Natural Law over the relationship between Law and morality with the aid of Hart-Fuller Debate.

2. Appreciate and Criticize John Rawl's Theory of Justice with the help of relevant illustrations.
3. Roscoe Pound commented that, "Legal realism is the view that law is not a closed system of rules but is a process of decision-making that is influenced by a variety of factors, including the social, economic, and political context."
Do you agree with above mentioned statement? Answer the question by explaining the basic characteristics of American and Scandinavian Realism and also comment on relevance of the realist school of jurisprudence at the present.
4. 'Augustine's philosophy of law is a complex and sophisticated system of thought. It has been criticized by some for being too idealistic, but it remains a powerful and influential force in Western thought.' Comment.
5. Mr. Thor and Mr. Captain America are friends and employed at a Vibranium Mine in India. Vibranium is a very precious metal. In order to increase his efficiency in mining, Mr. Thor made a hammer for himself and started using it in the year 2023. The hammer was so well made that his productivity increased instantaneously, and he went on to win the best employee of the month award for 6 continuous months. Mr. Captain America was jealous of the success of Mr. Thor. He tried making a hammer for himself but failed miserably. One day when both were working side by side, a speck of dust fell in

Mr. Thor's eyes. He handed over his hammer to Mr. Captain America and rushed to wash his eyes. Mr. Captain America decided to make use of this opportunity and started marching to his house along with the hammer for himself. On his way home he realized what he did was a great mistake. Instantly, he threw the hammer into a piece of vacant land and cried on his way back home. Now, the owner of the said vacant land, Mr. Tony Stark watched this and went to pick the hammer, but it was too heavy for him. He paused and thought for a moment, and finally said to himself, 'As long as it is on my land it's mine'. Subsequently, he covered the hammer completely with a huge pile of mud and walked home.

In this case, to whom does the possession lie? Answer the question elaborately with the help of the jurisprudential concept of possession.

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Repeat (Even-Semester) Examinations, June 2023

CONSTITUTIONAL LAW - II

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. Rakela is one of the States in Adini, a democratic, republic, sovereign, socialist and secular country. The Finance Minister of Rakela Mr. Bagal made personal remarks that the people from 'Prattu Desh', another state in Adini cannot understand the universities and the education system of Rakela, which in his claim was "...one of the best and too good for many people, especially those hailing from Prattu Desh." The Governor of Rakela Mr. Hank upon knowledge of this public speech, felt that Mr. Bagal exceeded his ethical and constitutional limits of his official position to be making such a defamatory and discourteous statement.

Mr. Hank also believed Mr. Bagal's remarks were principally against the oath that he swore, before becoming the Finance Minister of the State. In light of this conviction, Mr. Hank wrote to the Chief Minister of the State to take appropriate actions against Mr. Bagal. When the CM responded stating Mr. Bagal's words did not violate any part of Mr. Bagal's oath in his Government's opinion, Mr. Hank decided to withdraw his pleasure for Mr. Bagal's Finance Ministry post. This created a mixed response throughout Adini across public and political experts, journalists, lawyers, politicians alike.

When Mr. Hank was questioned in a press meet that his decision to withdraw pleasure could be 'harsh', he repudiated to the claim and responded with "...You take the oath to uphold the unity and integrity of India... And the person who has taken that oath says publicly that a person from a particular region of the country cannot have an understanding of the educational system of another state of this country. I think that is a violation of that oath, ... the CM did not consider it a violation of the oath and that is why Mr. Bagal is continuing...", that contributed to more uproar.

Governor's response created a bisection of public with one side opining it was in the Governor's right to withdraw his pleasure while the incongruent other opines that Governor could not go beyond his Constitutional Remit as he is merely a figurehead of the state and not a decision maker of the political and official arrangement.

In light of this issue, choose a side and argue in detail whether the Governor's actions entail the risk of overstepping the Constitutional remit (state the reasons clearly). Can the Governor withdraw pleasure at their ease and create intervention into the official ministerial portfolio in spite of the aid and advice

mechanism present in the Constitution? Base your response using any or various provisions of the Constitution, Legislations, Judicial precedents and Parliamentary actions.

P.S.: The Constitution, Laws, and Judicial precedents of Adini are *in pari materia* to the Republic of India.

2. Adini, a large country in terms of population, geographical territory and diverse in culture and demography, that was ruled by a country called Tribain, has just received status of independence. The various freedom fighters of Adini form a consortium where the agenda is to draft a Constitution and setting up a government system. Subsequently, the Republic of Adini ('Adini') would be formed as a democratic country that would follow a parliamentary system of Government. Adini would also boast of a quasi-federal setup of governance, where the Union and States' relationship is balanced and determined by virtue of the Constitution of Adini, wherein it states that "*Adini ... shall be a Union of States*".

The Union as per the Draft Constitution would feature a bicameral legislature setup viz., the People's Chambers and the Council of States. The selection of members to the People's Chambers are by way of general elections. The Constitution makers firmly believe only an independent body free from any political influence can effectively carry out the process of conducting and ensuring free and fair elections for both union and various states' legislative assemblies.

The Drafting Committee wishes to constitutionally empower this independent body by taking full inspiration from and borrowing the provisions of the Constitution of another country with similar population and demography called the 'Republic of India'.

If you would be the legal expert and advisor to this Drafting Committee, advise them on the Indian counterpart of this independent body. Lay emphasis on the;

- i. **Extent of power of this independent body and its composition;**
- ii. **Powers and duties offered by the Constitution of India for their independent body;**
- iii. **Limitations, exemptions, exceptions and other functions of this body;**

Base your response using any or various provisions of the Constitution, Legislations, Judicial precedents and Parliamentary actions of India.

P.S.: The Constitution, Laws, and Judicial precedents of Adini are *in pari materia* to the Republic of India.

3. *"To those who are sentenced forever, there may be no remedy but to apply for bail. Then comes a time where they are absolutely trapped in the confines of a rigorous judicial decision where the confines of walls never open and the air called freedom would become a mere privilege they may no longer access. It is a point where law concludes to entertain their recourse to 'their' justice. However, the Constitution may beg to differ with its titular head's discretion. There is sheer power, hidden inside the book that opens doors without knobs and without breaking them; and can bless them with sunlight to what appears as a never-ending night"*

Identify, substantiate and explain in detail, the Constitutional provision(s) on the pardoning powers of the President of India mentioned in the aforementioned

paragraph. Explicate on various Judicial precedents to support your response and elucidate on the current position of it in India.

4. Mr. Bronze is asked to deliver a lecture on various doctrines available under Part XI of the Indian Constitution at a college and he has absolutely no time to prepare. You being his brother, agree to write him detailed notes on the same without omitting anything, yet keeping the entire information concise.

Explain the various doctrines along with necessary Constitutional provisions (if may apply) and Judicial Precedents present and those that have been used in India.

5. Prof. (Dr.) MP Jain, a celebrated expert of the Indian Constitutional Law, views the concept of Emergency as “... *a very serious matter as it disturbs the normal fabric of the Constitution and adversely affects the rights of the people. Such a proclamation should, therefore, be issued only in exceptional circumstances and not merely to keep an unpopular government from office as happened in June 1975 when an emergency was declared on the ground of internal disturbance without there being adequate justification for the same.*”

Elucidate on various aspects of emergency from its proclamation scenario and powers, Centre's duty to protect the States, different types of Emergencies and their difference and the justiciability of such proclamation. Rely heavily on the provisions of the Constitution and Judicial precedents to Justify Prof. (Dr.) MP Jain's opinion.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

PROPERTY LAW

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. Explain in detail the jurisprudential contours of the concept of Property.
2. Define the transfer of property under the Transfer of Property Act, 1872 and explain what may be transferred and who is competent to transfer under the Transfer of Property Act, 1872, with decided case laws.
3. Distinguish between a lease and a license with the help of decided case laws.
4. Explain the different kinds of mortgages recognized under the Transfer of Property Act, 1872 with the help of illustrations and case laws. Mention the remedies available with the mortgagee in case of non-payment of the mortgage money under each kind of mortgage.
5. Answer the following-
 - a) Hope transfers her properties Sapphire Home, Cave Complex and Vacant Plot to Michela and by the same transaction, she transfers Michela's house to Olive. The transfer deed provides that property Sapphire Home is transferred in lieu of Michela's house. Michela intends to retain her house. Will she lose properties Cave Complex and Vacant Plot as well? Decide with relevant case laws.
 - b) A contract to sell a house is executed between Regina and Mafuza. Mafuza files a suit against Regina for specific performance of the contract of sale. While the suit is pending Regina sells the house to Saniya who does not have notice of

pendency of suit. Suit is decreed in favour of Mafuza. Can the decree be executed against Sainya? Decide with the help of relevant provisions and case laws.

PART – B (4 x 5 = 20 Marks)

Answer all the Questions:

6. Write Short Notes on:

- a. Oral Transfer
 - b. Doctrine of Apportionment
 - c. Sale of Immovable Property
 - d. Charge
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B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

CORPORATE LAWS - II

Time: 2 ½ Hours

Maximum Marks: 50

Instructions to the candidates:

1. Answer all the questions.
2. Maximum marks are mentioned against each question.
3. This is a closed book examination. You may take the Corporate Laws manual or the Bare Act or Rules or Regulations or any of them only to the Exam Hall. No text books, Reference books, class notes etc are allowed during the Exam.

PART – A (50 Marks)

Answer all the Questions:

1. "Directors are described sometimes as agents, sometimes as trustees and sometimes as managing partners. But each of these expressions is used not as exhaustive of their powers and responsibilities but as indicating useful points of view from which they may for the moment and for the particular purpose to be considered". Explain the above statement with appropriate legal reasoning, case laws and illustrations.
2. Please read the facts below and answers questions that follow:

M/s. Kryo Cosmetics Pvt. Ltd is a company incorporated under the Companies Act, 2013 involved in manufacturing and distribution of various cosmetics and carried business throughout India. Recently, the Company was criticized for testing their products on animals and various Animal rights activists protested against the functioning of the Company. Due to these circumstances, the Company's share prices fell substantially and had incurred heavy loss. M/s. Kryo had appointed you as the legal adviser. You are required to advise:

- i. The possibilities of continuing the business of M/s. Kryo Cosmetics Pvt. Ltd.

(10 Marks)

- ii. Advantages and disadvantages of continuing their business.

You are required to support you answer with relevant provisions of Companies Act, 2013 and legal reasoning.

(10 Marks)

3. Write an essay on the nature and scope of liability of the independent directors under the Companies Act, 2013.
 4. Explain the law relating to corporate social responsibility in India.
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B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

CIVIL PROCEDURE CODE

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. *"All decrees are orders while all orders are not decrees"*. Elucidate this statement in the light of at least five instances which fall under Decrees and five instances which are not Decrees.
2. "The sole object of the pleadings is to ascertain the real disputes between the parties, to narrow down the area of conflict and to see whether the two sides differ, to preclude one party from taking the other by surprise and to prevent miscarriage of Justice". Analyse this statement and bring out the significance of pleadings as enshrined in Order VI of the Code of Civil Procedure, 1906.
3. (a) What are the factors that should be taken into account by the court while granting an order of temporary injunction? (5 Marks)
 (b) What are the consequences for breach of injunction? (5 Marks)
4. A person suing in a court of law is bound to pay court fees prescribed at the time of presentation of the Plaint. The provisions contained in Order XXXIII of the Code makes a departure in certain cases but at the same time ensures the fulfillment of the object of the Court Fees Act. Examine this statement by pointing out the functioning of various rules under this order.

5. a) On 30th November, 2008, Mohan took a loan of Rs. 20,000 from Sohan. Mohan paid Rs. 5,000 to Sohan on 31st August, 2011, towards part-payment. After that, Sohan did not receive any amount from Mohan. Subsequently, Sohan instituted a suit for recovery of the dues from Mohan after the expiry of 2 years from the date of last part-payment. Decide the time from when the period of limitation shall be started for the purpose of calculating the limitation period on the issue in question under the Limitation Act, 1963.

(5 Marks)

- b) Limitation period for a particular appeal expires on 02/04/2023. Ramesh Kumar is the appellant and has asked his lawyer to file the appeal. The lawyer could not file the appeal on that date as he was very busy. Whether business of the lawyer would be a sufficient cause for condonation of delay? Elucidate on sufficient cause. Refer to relevant provisions under the Limitation Act, 1963

(5 Marks)

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B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

ENVIRONMENTAL LAW

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. A Public Interest Litigation (PIL) was filed before the court questioning the authority of the National Green Tribunal (NGT) as the NGT Act does not explicitly provide the *Suo motu* power. Critically evaluate the jurisdiction of the NGT referring to the relevant provisions and Schedules of the NGT Act.
2. A group of people from a rural part of a country hunted fruit bats to fulfil their religious ceremony. While they were hunting fruit bats, a few of them hunted rare species of birds and collected the eggs of the birds. Forest officials arrested the hunters for hunting fruit bats, and other birds and stealing of eggs. As an environmental law counsel, comment on how effective is the Wild Life Protection Act to protect the above-mentioned species in India.
3. Considering the Delhi pollution as a tragedy of commons, the Central Government declared a public health crisis in the region of Delhi to control the pollution demanding urgent action by the State Pollution Control Board's authorities. The authorities filed a petition against the Central Government for declaring public health crisis only in Delhi and not the other parts of the country. Comment on the powers and functions of the authorities under the Pollution Control Board and the jurisdiction of the Central Government in the control of air pollution.
4. Explain the unproductive coastal zone management authority and the status of livelihood of coastal residents of different Indian coastal states. Furthermore, trace and

analyse the power of the Central Government to make rules on regulation of Coastal Zone in India.

5. How to internalise the externality in the cases of Bicchri and TN Tanneries water pollution? Elucidate on the State and Central Pollution Control Boards as provided in the Water (Prevention and Control of Pollution) Act, 1974.

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. Compare and comment on the environmental law doctrines in the cases of *M.C. Mehta v. Kamalnath & Ors.* with *Vellore Citizen's Welfare Forum v. Union of India*.
 7. An employee employed in a hazardous chemical manufacturing industry dies in an accident involving hazardous acid. The legal heir and his family members claimed compensation through the court in addition to the Insurance amount from the industry. Are the claims sustainable? Advise the claimants and referring to the relevant provisions of the Public Liability Insurance Act.
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Repeat (Even-Semester) Examinations, June 2023

ELECTION LAW

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. Mr. Rabbi is a law graduate with a determination to actively participate in the elections and to serve the public. However, to be absolutely sure about how he starts, he requires your advice on election symbols and further requests you to explain to him from A to Z about symbols, their necessity, their significance and utility in the public elections in India. He further wonders if the rules about symbols would vary based on different elections in India.

Advise Mr. Rabbi about Election Symbols, their types, grounds of recognition of political parties, and their privilege to access the symbols better. Further advise him about being independent or joining a party with respect to easy access to symbols and the possibilities to explore.

2. You visit a coffee shop nearby a law college and you hear students of the college conduct a public extempore debate on the role of the Election Commission in involving itself into the questions of grievance and law with respect to an election that it conducts. One side of the debate group argues that the Election Commission of India cannot involve themselves as it is only the Court's prerogative and jurisdiction to do the same. The opponent side states Article 329 of the Constitution of India states the Court cannot, because there exists a bar to interference by courts in Electoral matters and that only the Election Commission is discharged with the duty of resolving the in-election conflicts and disputes. This also is an integral part of its duty to promote free and fair election in India. Hearing both the sides, you decide to intervene and introduce your knowledge on elections into the whole narrative of the debate.

Explain the justiciability of disputes and conflicts related to elections and various adjudicating possibilities and stakeholders to resolve such conflicts during a public election conducted by the Election Commission of India. Support your answer with

the help of the Constitution of India, Judicial precedents and other relevant (sub) legislations.

3. How are corrupt practices differentiated from Electoral Offences in India, in the context of elections? List every category of corrupt practices with the help of necessary laws and case precedents. How have they reformed the electoral practices in India? Explain in detail.
4. Ms. Nomie Sheik is a dear friend of yours, who went to junior and high school with you. She hails from a royal family in a Country called Chukland. Post-graduation, she became extremely active in politics and owing to her royal background, she even managed to become the Governor of a State Rolfida of a fully-federal country called Muricca. There as a Governor, she has full-fledged powers to change and reform the voting system for her state and she intends to change the same. Her intention is backed by her concern that the present system of single non-transferrable voting paves way for corruption and manipulates people to be influenced by unwarranted factors that impact their decision to vote. To upkeep the true philosophy of democracy, she wishes to change the voting system for the upcoming election. She is also open to change the organisation of the official membership of her government that may be directly impacted by the new voting system. As she also has a fully experienced legal team and a policy advisory team under her government, as a friend, she also seeks your advice and knowledge of various voting systems and what you may prefer, understanding that she is from a state of a fully federal country.

Advise Ms. Nomie on various voting systems and the form of official positions that are subsequent to such voting systems. You can explore the voting systems in practice or theorized voting systems as well. Analyse carefully and recommend a suitable voting system along with an explanation for appropriateness.

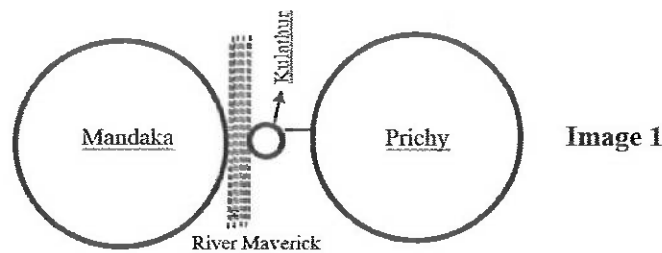
5. *“The ‘Scrutiny of Nominations’ is the most important part of validating the participants of the elections and therefore, require immense duty to care. All the officials involved must work in absolute dexterity towards the procedure and should ensure only the appropriate and correct applications become eligible for the elections. There may be human errors but they should also be corrected in due course of time without subjecting any party with any discriminatory decision.”*

In light of this statement, critically write on the Scrutiny Process of the elections in India, officials imperative for the process, requirements and grounds of rejection and various reasons for rejection. Rely heavily on laws relevant and judicial precedents.

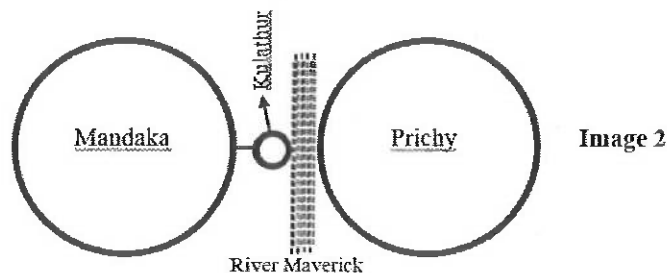
PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. Give an in-depth explanation about Electoral Bonds in India. Mention their uses, demerits and how it is used as an instrument of sourcing donations and garnering funds for elections. Write comprehensively on various criticisms it has received and compare their relevance and bust any myths surrounding it. Further, mention the regulatory angle on the validity of it and use judicial precedents to rely on the current status of the same.
7. In the state of Milta, Kulathur is a village that comprises a cluster of 16 different 'mouzas'¹ where about 7500 people live. Of the 7500, 6234 people possess valid voter ID and their names are officially enrolled into the electoral roll. Kulathur is a mini-island, whose geographical fate was created by the flow of river Maverick, over thousands of years. Kulathur belonged to a Constituency called Ransrigam, which is part of the district called 'Prichy'. The river Maverick flowed through the left side of Kulathur, that provides source of water, agriculture and large livelihood to the people of Kulathur. A map for the understanding of the village's geographical location is given below on 'image 1'.



Over time, due to changes in geography and the course of river Maverick changing its natural path of flow, the new path of Maverick now flows between Kulathur and Prichy as against its flowing path earlier between Kulathur and Mandaka, another district neighboring Prichy. The new course of river and the geographical map is given below on 'image 2'



¹ In Bangladesh, Pakistan and parts of India a 'mouza' or 'mauza' is a type of administrative district, corresponding to a specific land area within which there may be one or more settlements. Before the 20th century, the term referred to a revenue collection unit is a pargana or revenue district.

With the new course of the flow of river Maverick, it became difficult for the State Administration to conduct its administration for Kulathur and its people while it was still part of Prichy. Eventually, by way of a Bill passed in the State Assembly with a full majority, the Legislature officially changed Kulathur under the Mandaka district. With Kulathur now coming under Mandaka district, administration was easier and less expense incurred on the state treasury.

However, regarding elections, Kulathur remained part of Prichy constituency. This resulted in all the formal procedure of elections being under the control of the returning offices in Prichy. With the river's new flowing path, and absence of any direct route to Kulathur from Prichy, it created logistical difficulty for the voters, contesting individuals from Kulathur as well as the election officers in Prichy. Thus, the people of Kulathur requested the Election Commission of India to change Kulathur under Mandaka's constituency and electoral territory.

The Commission rejected their request and stated, the readjustment of the constituency's boundaries is not in its capacity to perform but the Delimitation Commission could determine that. Challenging this rejection, the people moved the High Court of Milta to consider Kulathur's constituency under Mandaka district, and to co-ordinate with the State's reorganization of district boundaries. The HC passed the verdict in the Petitioners' favour and changed Kulathur to Mandaka's constituency, citing ease of administration and electoral matters. Aggreived by this verdict the Election Commission of India wishes to challenge the High Court of Milta's Order.

State your opinion on the validity of the Election Commission of India's decision to appeal. Further, critically analyse the Delimitation's Commission's power, consultation exercise, extent of functions in terms of the Order by the High Court of Milta. Base your response using any or various provisions of the Constitution, Legislations, Judicial precedents and Parliamentary actions of India.

P.S.: Milta is a state in the Country called the Republic of Adini. The Constitution, Laws, and Judicial precedents of the Republic of Adini are *in pari materia* to the Republic of India.

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Repeat (Even-Semester) Examinations, June 2023

FAMILY LAW - I

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. The Supreme Court can invoke its special powers under Article 142 of the Constitution of India, to grant divorce on the ground of 'irretrievable breakdown of marriage'. The power to do 'complete justice' under Article 142 of Constitution of India is not fettered by the doctrine of fault and blame, applicable to petitions for divorce under Section 13(1) (i-a) of the Hindu Marriage Act.

Analyse the theory of Irretrievable breakdown of marriage in the light of the above statement with decided case laws.

2. "If a man and woman are living under the same roof and cohabiting for some years, there will be a presumption under **Section 114 of the Evidence Act** that they live as husband and wife and the children born to them will not be illegitimate."

Explain the legality of live-in relationships in India and state the remedies available to the parties in such relationship.

3. In Muslim law, Talaq-e-biddat is a religious practice that allows a man to divorce his wife instantly by saying the word 'talaq' thrice.

Analyse the constitutional validity of the above practice in the light of the recent legislation with relevant provisions.

4. Mr. Mohan and Ms. Jaanu were working together in an establishment. They liked each other and decided to get married. Mohan was a divorcee and he had mentioned about the same to Ms. Jaanu. Their marriage was solemnized under the Hindu Marriage Act.

After the marriage, since there was some construction work going on in Mohan's apartment, they started living together for a couple of months in a rented apartment. Two months after the wedding they moved into Mohan's apartment and Ms. Jaanu was shocked to see Mohan's first wife in his house. Apparently, his first marriage was not dissolved. Ms. Jaanu left the house right away and filed for maintenance under Sec. 125 of Cr.P.C.

Mohan contended that there was no valid marriage between Ms. Jaanu and him, since his first marriage was still in place and he has no obligation to pay maintenance to Ms. Jaanu. On the other hand, Ms. Jaanu contended and proved before the court that Mohan had shown some fake documents claiming that he had already divorced his first wife and suppressed the subsistence of first marriage. Decide whether Ms. Jaanu is entitled to maintenance under section 125 of Cr.P.C with decided case laws.

5. Paternity is established by way of marriage but in cases where the paternity of a child cannot be proved by way of marriage, Muslim law recognises acknowledgement as a valid method to establish the marriage and a legitimate descent for the motive of inheritance. Explain the conditions and limitations of acknowledgment of paternity under Muslim law.

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. The 21st Law Commission, 2018 submitted in its report that “the Uniform Civil Code is neither necessary nor desirable at this stage”. How far do you agree with the above statement? Also, explain the impact of UCC in modern India.
 7. Examine the scope of Special Marriage Act, 1954 to accord legal recognition to same-sex marriages.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) Degree Programme
Repeat (Even-Semester) Examinations, June 2023
HISTORY – I (History of the Indian Subcontinent)

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. The modern initiative to write Indian History commenced by the colonialists in the eighteenth century. This was not simply a genuine process to understand the Indian past but also included a hidden agenda to strengthen the colonial rule. Do you agree with this statement? Give reasons.
2. All historical interpretations are based on historical facts. Historians use a variety of sources to construct and reconstruct the past. Analyse the various sources for the study of the medieval Indian subcontinent and comment on how reliable they are using examples.
3. “The age of the imperial Guptas, which covers the fourth, fifth and the first half of the sixth centuries of the Christian era has been one of the most favourite areas of investigation by modern historians of ancient India.” The historians who involved in writing the Gupta history highlighted certain aspects of the empire such as its political, social, economy, and literary developments according to their own school of ideology and methodology. With this background analyse the contribution made by both the colonialist and nationalist historians to the construction of the Gupta Empire.
4. The medieval Chola Kingdom of South India is often referred as ‘Imperial Cholas’ by historians. Analyze the factors which facilitate historians to refer the Cholas as Imperial and also discuss the nature of village assemblies under the Cholas.

5. "That the term 'medieval' implies not only a chronological position intermediate between 'ancient' and 'modern' but also a social and cultural situation which is different from 'ancient' or 'classical' on the one hand, and 'modern' on the other, and thus connotes thereby that there were certain values and characteristics which were distinctively 'medieval'... In the light of the above statement analyze the polity, society and economy of the Indian subcontinent under the Mughals.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
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Repeat (Even-Semester) Examinations, June 2023

RESEARCH TOOLS FOR BUSINESS DECISION MAKING

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the questions:

1. From the following data calculate Mode

Marks	No. of students
0-10	5
10-20	15
20-30	25
30-40	15
40-50	3
50-60	4
60-70	3

2. The marks obtained by two students A and B in 12 sets of examination are given below:

Marks obtained by student A	188	178	173	164	172	183	184	185	211	217	232	240
Marks obtained by student B	131	130	130	129	129	120	127	127	130	137	140	142

Perform Coefficient of Variation and find out which of the two marks is more variable? If the consistency of performance is the criterion for awarding the prize, who should get the prize?

3. Calculate co-efficient of correlation by taking deviations from actual mean from the following data.

X	30	32	35	40	48	50	52	55	57	61
Y	1	0	2	5	2	4	6	5	7	8

4. An automobile manufacturing firm is bringing out a new model. In order to map out its advertising campaign, it wants to determine whether the model appeal depends on age group or not. The firm takes a random sample from persons attending a preview of the new model and obtained the results summarized below:

Person who	Age Groups				
	Under 20	20 – 40	40 – 50	50 and over	Total
Liked the car	146	78	48	28	300
Disliked the car	54	52	32	62	200
Total	200	130	80	90	500

Use Chi square test, to find out whether the model appeal and age groups are independent by using Chi Square Test. [Given that the significant value of χ^2 at 5 % level of significance for degree of freedom (3) is 7.81 (Table value)]

5. “Statistics is a body of method for making wise decisions in the face of uncertainty”. Comment on the statement bringing out how clearly does statistics help in business decision making.
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Repeat (Even-Semester) Examinations, June 2023

LAW OF CONTRACTS - I

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. Muraqbad Municipal Corporation announced a scheme for allotment of residential plots for deserving people at a discounted price of Rs.50,000/cent. Ms. Sreedevi who has an annual income below Rs.1,00,000/- applied for a plot of 4 cent. The corporation denied allotment to Ms. Sreedevi since she wanted to make payment by installments. Ms. Sreedevi challenged the denial for her application alleging that the Corporation has breached their promise publically. Analyse the allegation made by Ms. Sreedevi and decide upon the liabilities of Muraqbad Municipal Corporation
2. Ms. Rani, a medical practitioner decided to sell her medical practice (Clinic) due to personal reasons. At the time of negotiations with the buyer, she was earning Rs. 13 Lakhs approximately every year and she conveyed the same to the buyer. Impressed with the income, the buyer agreed to take over the clinic. Subsequently Ms. Rani fell ill and her income from the clinic decreased. At the time of sale, this change was not communicated by Ms. Rani to the buyer. Decide if this contract is valid/ void/ voidable with relevant provisions under the Indian Contract Act and decided case laws.
3. Mr. Faqrudin' estate is sold for arrears of revenue under the provisions of Revenue Recovery Act. As per the Revenue Recovery Act, Mr. Faqrudin is not entitled to purchase the estate directly or indirectly. But engaged into an arrangement with Mr. Sudeep to purchase it and later convey the same to Mr. Faqrudin for the price Mr. Sudeep may pay.

Mr. Sudeep purchased Mr. Faquddin' estate as per their understanding but was not ready to convey it to Mr. Faquddin. Mr. Faquddin wants to claim the property and approached you for advice. Provide your legal advice for Mr. Faquddin.

4. On 20.08. 2021 Raja entered a contract to buy a ship for Rs. 60,00,000/- from B&T Shipbuilders. Later Raja dropped his business plan and broke his promise. Analyse the remedies available for B&T Shipbuilders.
5. Mr. Raj, a government official orders Mr. Somu, a trader to supply certain goods to his office. Mr. Somu supplies them and it was used by Mr. Raj's office. Subsequently it was found out that Mr. Raj does not have the authority to place such order. Will the government be held liable to compensate Mr. Somu or will Mr. Raj be held personally liable? Decide with relevant provisions under the Indian Contract Act and decided case laws.

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. The ratio of Mohori Bibee v Dhurmodas Ghose ((1903) 30 IA 114) restricts the freedom of the younger generation. Critically analyse the statement.
 7. "Where both the parties to an agreement are under a mistake as to a matter of fact essential to the agreement, the agreement is void. However, ignorantia juris non excusat". Explain with relevant provisions & exceptions under the Indian Contract Act along decided case laws.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**B.A. LL.B. (Hons) Degree Programme****Repeat (Even-Semester) Examinations, June 2023****ECONOMICS – III (Law and Economics)****Time: 2 ¾ Hours****Maximum Marks: 70****PART – A (5 x 10 = 50 Marks)****Answer all the Questions:**

1. Do you agree that incorporation of economic principles and analysis influences the development and application of laws and legal systems. Elucidate your response in legal and economic perspective.
2. Evaluate the economic costs and benefits of property rights? How do property rights affect resource exploitation, conservation and sustainable management?
3. Analyze the economic incentives and disincentives for potential plaintiffs and defendants in tort cases, considering factors such as litigation costs, potential damages, and the probability of success. How can these incentives be better aligned to promote efficiency and fairness in resolving disputes?
4. Analyze the economic and legal factors that contribute to transaction costs in contract law, such as information asymmetry, bargaining power imbalances, and enforcement mechanism. How do these costs affect the formation, negotiation and performance of contracts?
5. Evaluate the economic incentives and disincentives that drive individuals to commit crimes, considering the factors such as expected benefits, costs, and perceived risks. How do these incentives vary across different types of crimes?

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. Discuss the economic consequences of the litigation process in tort law, including legal expenses, delays, and uncertainty. How do these factors impact the efficiency of justice for accident victims and defendants?
 7. Analyze the economic rationale behind the legal concept of property rights and its implications for resource allocation, investment, and economic growth. How does the legal framework support and facilitate economic transactions and efficient use of resources?
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
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Repeat (Even-Semester) Examinations, June 2023

LAW OF CRIMES – II (Criminal Procedure Code)

Time: 2 ¼ Hours**Maximum Marks: 70**

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. Dinkur was arrested u/s 302 of IPC by the Officer in-charge of Bhojpur Police station for committing murder of his friend Shanu. His arrest was made on the basis of statements of three eye witnesses. Dinkur was forwarded to the nearest Executive Magistrate within 24 hours as the Judicial Magistrate was not present in the headquarters. The concerned Magistrate remanded him to police custody for a period of 15 days and ordered for further investigations on the matter.

Discuss the validity of such remand order with the help of legal provisions.

2. Mr. Lal, the father of the deceased Mauli, narrated the chain of events in the FIR as his daughter was subjected to cruelty for dowry soon after her marriage. She died within two years of her marriage. The FIR was filed in Patna whereas the offence was committed in Rewa, Uttar Pradesh.

Discuss which court has the jurisdiction to try the case.

3. Rajua, aged 27 years old, committed theft in various places of Village Sonapura. After searching for 5 months, the Police Inspector arrested him in a nearby town. Rajua escaped from the Police Van, while he was being taken to the police station. He tried to run away. In order to prevent him from escaping, the Police Inspector fired immediately at Rajua, in consequence of which he died on the spot.

Discuss the validity of such action by the Police Inspector with the help of legal provisions and landmark case laws.

4. Mr. Amran is a crime reporter associated with 'News 23', one of the leading news channels of Pindia. Mr. Amran had an exclusive interview with Mr. Harjish Majhwa who was allegedly involved in instigating communal violence and committing murder during riots in the city of Badhwa, Pindia in 2018. Mr. Aksar is also a senior crime reporter and works with 'Pindia News', a competitor of 'News 23'. There were

speculations in media that Mr. Aksar had a big lead to connect Mr. Harjish Majhwa to the killings in Badhwa. On 23rd March, 2023, Mr. Aksar was shot dead on the road while he was returning home in his bike. The police lodged an FIR and started investigating the case. The police suspected involvement of Mr. Amran as he had professional rivalry with Mr. Aksar. The police questioned Mr. Amran for his connections with Mr. Harjish Majhwa and interrogated him regarding his involvement in the murder of Mr. Aksar. Mr. Amran is apprehending that he may be arrested by the police and claims that he is being falsely implicated.

In light of the given facts, determine which court should Mr. Amran approach and what legal measures he can take in apprehension of his arrest. Elucidate your answer with the help of landmark case laws.

Laws of Pindia are Pari Materia with that of India.

5. Ms. Boni habitually commits theft and also sells stolen goods in Kanpur. Mr. Mikel, a police inspector got information from a confidential source about the location where the stolen goods are stored. As the location was within the jurisdiction of the police inspector, he along with two constables decided to search the alleged premises. They broke open the door while Ms. Boni was inside. They conducted the search and seized all the goods they suspected to be stolen and arrested Ms. Boni.

In light of the given facts, discuss whether the search and seizure procedure followed by Mr. Mikel is as per the provisions of the Code of Criminal Procedure, 1973?

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. Summons cases are tried with much less formalities than warrant cases and the manner of the trial is less elaborated. Discuss.
7. “For every distinct offence of which any person is accused, there shall be a separate charge and every such charge shall be tried separately.” Explain the given statement and also discuss whether there are any exceptions to it.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

ADMINISTRATIVE LAW

Time: 2 ¾ Hours**Maximum Marks: 70**

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. Though Dicey's concept of rule of law is helpful to have modern constitution ensuring the Liberty, in many areas he misconstrued with French system of Administrative Law Discuss.
2. a) Minimum Wages Act, 1948 empowered the Central Government to exclude any establishment from the purview of the Minimum Wages Act at its discretion. Thereby beedi manufacturing was excluded by the Central Government from the purview of the Act. The employees challenged the power of the Central Government to exclude.
b) Discuss in brief the concept of excessive delegation.
3. a) Arunan studied only eighth standard. He was detained Goondas Act. The grounds for detention was communicated to him in english language which he did not Know. Decide whether he was given opportunity to give proper explanation.
b) Enumerate the importance of Natural Justice to render fair Justice.
4. Joseph is an Under Graduate. He wants to register his name in the employment register. According to the Regulation, everyday the Employment Officer is to register the names of the applicants. But he notified that he would register only on Monday's and Wednesday's. Joseph challenges the notification. Discuss the validity of such notification.
a) Discuss in brief an authority acting mechanically.

5. Explain the origin of Tribunal System and discuss whether it is a suitable mechanism to dispense justice.

PART – B (4 x 5 = 20 Marks)

Answer all the Questions:

Write short notes on the following:

- 1) ADM Jabalpur Vs Shivakanth Sukla
 - 2) E.P. Royappa Vs State Of Tamil Nadu
 - 3) Lokpal
 - 4) Henry VIII Clause
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.Com. LL.B. (Hons) Degree Programme
Repeat (Even-Semester) Examinations, June 2023

FINANCIAL MANAGEMENT

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (50 Marks)

Answer all the questions:

1. Modern Electronics Co. Ltd is considering the purchase of a machine. Two machines A and B are available each costing Rs.50, 000. In comparing the profitability of these machines a discount rate of 10% is to be used. Earnings after taxation are expected to be as follows: (15 Marks)

Year	Machine A Cash inflow Rs.	Machine B Cash Inflow Rs.
1.	15,000	5,000
2.	20,000	15,000
3.	25,000	20,000
4.	15,000	30,000
5.	10,000	20,000

Evaluate the project using:

- Payback period method
 - Net Present Value method
 - Internal rate of return method
2. The Board of Directors of Nanak Engineering Company Private Ltd. request you to prepare a statement showing the Working Capital Requirements for a level of activity of 1,56,000 units of production: (15 Marks)

The following information is available for your calculations:

Particulars	Per Unit Rs.
Raw Materials	90
Direct Labour	40
Overheads	75
Total Cost	205
Profit	60
Selling Price Per Unit	265

Other information:

- a) Raw materials are in stock, on average one month
- b) Materials are in process, on average 2 weeks
- c) Finished goods in stock, on average one month
- d) Credit allowed by suppliers, one month
- e) Time lag in payment from debtors, 2 months
- f) Lag in payment of wages, 1 ½ weeks
- g) Lag in payment of overheads is one month

20% of the output is sold against cash. Cash in hand and at bank is expected to be Rs.60,000. It is to be assumed that production is carried on evenly throughout the year, wages and overheads accrue similarly and a time period of 4 weeks is equivalent to a month.

3. From the following data calculate expected return under CRPM (15 Marks)

91 days T-Bill Return = 6.5%

Bench Mark Return	22	24	23.5	25	24	23	21.50	21	20.5	21
Investment Return	18	22	24	16	21	18	15	22	17	20

4. The following information relates to ABC Ltd:

Paid up equity capital Rs.20,00,000

Earnings of the company Rs.2,00,000

Dividend paid Rs.1,60,000

Price-earnings ratio 12.5

Number of shares outstanding 20,000

You are required to find out whether the company's dividend payout ratio is optimal, using Walter's Model. **(5 Marks)**

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Repeat (Even-Semester) Examinations, June 2023

LABOUR LAW - II

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. The concept of Social Security is not new to the labourers. It is a steadily evolving concept from the Monarch Governments to the Democratic Governments. Trace out the evolution of the concept of Social Security in terms of labourers and workers in India. How does the Indian Constitution guarantee Social Security to the Labourers?

2. Mr. Rajesh aged 56 was working as a technical worker in Kekkar Mekkar Company from the year 1995 for a monthly wage of Rs. 10,000/- as a basic wage and Rs. 5000/- as a dear allowance. He was a trained technician of the machinery in the company. In the Year 2005, he was charged and suspended for 5 months for disciplinary actions. He was proven of the charges and was further suspended for 5 more months. He joined back work after 10 months of the suspension.
 In the Year 2010, he was promoted with an increase in wage as a senior technician with a wage increase. His revised wages are Rs. 15,000/- as basic wage and Rs. 5,000/- as dear allowance. His main work now was to supervise the technicians under him and to sort out the issues which are brought to him. One fine day a technical issue was brought to him by his subordinates. Rajesh identified the issue but couldn't diagnose it as it was not his expertise. He called his other superiors in the meantime he tried to fix the issue. In the process, the machine malfunctioned, and he was severely injured. When taken to hospital the doctors said that he is critical and certified his injuries as a Total Permanent Disablement.
 Rajesh is survived by his wife and son. Mr Rajesh's wife sent a notice of claim to the Owner of Kekkar Mekkar claiming compensation and the gratuity under the Gratuity Act. The Employer denies both the claims of Ms Rajesh. Considering the above facts answer the following question-
 - a) Whether the owner of Kekkar Mekkar liable to pay compensation to Mr Rajesh? Justify your answer with relevant principles, provisions, and case laws.

- b) Assuming the owner of the Kekkar Mekkar is liable how much amount of compensation is he entitled? (Relevant Factor = 132)
 - c) Assuming you are the concerned authority to whom the gratuity claim is made decide the validity of the gratuity claim made by Ms Rajesh on behalf of him. Is Mr Rajesh entitled to the gratuity amount?
 - d) How much of the gratuity amount is to be paid by the Owner of Kekkar Mekkar?
3. Ramesh Works as an unskilled worker at Arushi Pvt. Ltd. The company is involved in the processing of mulberry silk cocoons to the fibres and transports the same to the mills in the nearby cities. Ramesh has been in this employment for the past 10 years. He is employed in the different types of unskilled work in the company. He is paid a sum of Rs.18,000/- monthly for all the work done. On 14.12.2021 when he was cleaning one of the machines, he pressed some of the buttons which caused the complete malfunction of the machine which resulted in damage to the fibres. For this act, Mr Ramesh was fined Rs. 1000 for causing a loss to the production of the company. The fine was deducted from his salary as a one-time measure. On 03.01.2022, he was given an increment as a part of the company's policy and with this, his salary was increased from Rs.18000 to 20000. In the month of May 2022, all the employees were given a customary bonus of Rs. 200. In the month of December 2022 the employees requested a bonus from the employer which they refused to pay.
- Considering the above facts answer the following questions.
- i. Can Arushi Pvt. Ltd be considered a factory under the Factories Act, 1948?
 - ii. Assuming the Arushi Pvt. Ltd as a factory what are the safety and health entitlement, he has under the Factories Act?
 - iii. Is the fine and the deduction of the same from Ramesh's salary valid as per the laws?
 - iv. Can the employer deny the bonus to the employees? How much bonus is Mr Ramesh entitled to as per the facts of the case?
4. Employees' Provident Fund Scheme is a savings as well as acts a retirement benefits. Justify the Statement and explain the eligibility and the benefits an individual can avail from the EPFS.
5. The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 is an Act brought to meet the international standards and the constitutional goal of eradicating the evil act of child labour which also has a lot of loopholes which defeat the whole objectives of the Act. Critically analyse the statement by bringing out the definition of Child and child labour under the Act and important amendments brought in the year 2016.

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. International Labour Organization is an important organisation instrumental in the development and advocating of Social Security for Labourers in the International arena mandating its parties to adhere to the standards set by it. Discuss the important developments taken by the ILO for the welfare of the workers focussing on the Social Security Aspect.
7. Rajeev and his family were living in the Madurai district of Tamil Nadu. They were involved in farming and other agricultural activities. Due to the poor monsoon and yield, they couldn't get the expected harvest and subsequently had to borrow a sum of Rs. 1,00,000/- at the interest rate of 15% from one named Mr Raghav who is a Sardar. He made an arrangement with Rajeev that if he doesn't pay the amount within 6 months then Rajeev and his family must work for him in the place where he asks them to. Rajeev due to poverty agreed to the terms and conditions of Raghav and availed of the loan. After 6 months Rajeev couldn't pay back the money borrowed from him. So, Raghav wanted Rajeev and his family to travel to Bangalore and work at the metro rail construction site where he was acting as a contractor till, he repays the loan amount with interest. Without having any option Rajeev along with his wife and 2 children aged 10 and 7 agreed to work on the construction site.

Based on the above situation answer the following questions:-

1. Identify the different types of workers and legislations involved in this situation.
 2. You are working in an NGO for labour rights. Rajeev approaches you to help him out of the situation as he and his family are being ill-treated by the site supervisor. Identify the issues in the above problem and give suitable solutions. Substantiate your issues with suitable case laws.
 3. What are the rights and entitlements guaranteed to Rajeev under various social welfare legislations?
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023
CLINICAL – II (Drafting, Pleading and Conveyance)

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (3 x 10 = 30 Marks)

Answer all the Questions:

1. Critically Comment on the fundamentals of Pleadings considering its function in a court.
2. Professor Raman is widower and has a son named Mr. Narayan. At the age of 60, Prof. Raman married Ms. Mallika, aged 45 years, who is a Carnatic Singer on 15.06.2023. Prof. Raman was invited by the Harvard School of Law to deliver a lecture on sustainable development. Prof. Raman handed over a briefcase containing some documents, valuables, etc. to his advocate Ms. Subha on leaving to Harvard on 20.06.2023. He died on the air travel. Later, there arose a property dispute between Mr. Narayan and Ms. Mallika. Both of them approached the advocate Ms. Subha claiming possession over the briefcase. The advocate decides to seek an appropriate direction from the Court. Draft an appropriate suit.
3. ABC Pvt. Ltd. is a startup. It engages XYZ Ltd. to develop an application. ABC Pvt. Ltd. wants XYZ Ltd. (the 'Developer') to sign a Non-Disclosure Agreement to protect its proprietary information. The Non-Disclosure Agreement inter alia contains the following clause:

The obligations of the Developer shall be to hold and maintain the Confidential Information in the strictest of confidence at all times and to its agents, employees, representatives, affiliates and any other individual or entity that is on a "need to know" basis. If any such Confidential Information shall reach a third (3rd) party, or become public, all liability will be on the Developer. The Developer shall, without the written approval of the other Party, not publish, copy, or use the Confidential Information for their sole benefit.

XYZ Pvt. Ltd. approaches you and it wants to know in simple language, what are its obligations with respect to confidential information. Read the aforementioned clause and explain XYZ Pvt. Ltd. its obligations, in plain English.

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

4. Justice P.N.Bhagwati quoted that, “*Drafting entrusts a dual responsibility on an advocate*”- Elucidate this Statement in light of fundamental rules of legal drafting.
 5. Malavika’s father wants to gift her a gold chain, worth Rs. 3.5 lakhs, as a graduation present. Draft a suitable Gift Deed, including a provision outlining the tax implications.
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B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

INTERNATIONAL COMMERCIAL ARBITRATION

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. (i) Explain the Commercial nature of Arbitration in International Commercial Arbitration with relevant International Conventions and examples. **(5 marks)**
 (ii) Discuss the relevance and importance of “Submission agreements” in International Commercial Arbitration. **(5 marks)**
2. Discuss the problems surrounding “Multi-party arbitrations” in International Commercial Arbitration and suggest appropriate solutions.
3. The Latin maxim “Nemo iudex in causa sua” is an exception to the Law of Arbitration. Discuss with relevant principles of Law of arbitration and relevant International Conventions.
4. International Arbitration is governed by law of the place in which it is held (Forum or Locus arbitri) as opposed to detaching it from the venue in which it is conducted. Critically analyse the above statement with relevant legal principles and International Conventions.
5. M/s. Blue Bull India Pvt Ltd., invited bids to execute civil, structural works. M/s. Alena Pvt Ltd., is a wholly owned subsidiary of M/s. Blue Bull India Pvt Ltd., The Claimant M/s. Paporji Pvt Ltd., was selected as the successful bidder and the Letter of Award (LoA) was awarded by M/s. Alena Pvt Ltd., Few months after awarding the contract, disputes arose between the parties and M/s. Paporji Pvt Ltd., invoked arbitration. M/s. Blue Bull India Pvt Ltd., contended that it cannot be made a party as only

M/s. Alena Pvt Ltd., awarded the LoA and none of the contract was between M/s. Blue Bull India Pvt Ltd., and the Claimant. You are appointed as the Arbitrator and the parties have requested you to draft the Arbitration award in accordance with Article 31 of the Model Law. The law of arbitration is Arbitration and Conciliation Act, 1996.

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. Discuss the arbitrability of disputes in International Commercial arbitration, relating to :
- (i) Bribery and Corruption (5 marks)
 - (ii) Insolvency (5 marks)
7. Discuss the advantages and disadvantages of ad-hoc arbitration in International Commercial Arbitration with relevant International Conventions and examples.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons) Degree Programmes
Repeat (Even-Semester) Examinations, June 2023

SOCIO ECONOMIC OFFENCES

Time: 2 ¼ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. Clearly bring out the distinction between 'traditional offences' and 'Socio Economic Offences' and critically examine the role of *mens rea* in Socio Economic Offence with the help of landmark cases.
2. "The Immoral Traffic (Prevention) Act, 1956 intends to combat trafficking and sexual exploitation for commercial purposes". Justify the statement with the help of legal provisions under the Act.
3. "Punishment for Offences under Narcotic Drugs and Psychotropic Substance Act views drug offences very seriously" Comment.
4. Mr. Shantunu a Member of Parliament .On his son's First birthday, a Civil Contractor gifted his son one gold necklace. Mr. Shantanu initially denied to receive the gift from the contractor but when the contractor insisted he accepted. In the light of above facts, discuss the criminal liability of Mr. Shantunu if any under Prevention of Corruption (Amendment) Act 2018.
5. Mr. Chand is working in Malaysia as a food delivery boy .Every month he sends Malaysian Ringgit through one Agent to his family in India .Has he committed any offence? Support your answer with proper legal justification if any.

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

Write short notes on the following:

6. Human Trafficking
 7. Product liability under Consumer Protection Act, 2019
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Repeat (Even-Semester) Examinations, June 2023

LAW OF INSURANCE

Time: 2 ½ Hours**Maximum Marks: 50**

PART – A (5 x 10 = 50 Marks)

Answer the following questions in your own words. Use relevant cases and legal principles wherever necessary.

1. Lucky owned a tea factory in Kerala. He sold it to Cha Cha Co. Ltd. in exchange for the shares of the company. Lucky had taken a fire insurance policy on the tea factory in his own name after the sale of the factory. Due to sparks in the furnace of the factory, a fire started and caused a huge loss to Cha Cha Co. Ltd.

Determine the validity of Lucky's insurance contract and explain.

2. Satish is 55 years old and lives with his daughter in Chennai. His daughter wanted him to take a life insurance policy. She went to work and arranged for an insurance agent from the Gotak Life Insurance Company to visit her home and fill the proposal form. Satish cannot read English or Tamil and the agent filled the proposal form on Satish's behalf. Satish conveyed to the agent that he has underwent checkups for his heart ailment and takes medicines regularly. The agent had not filled that in the proposal form. Gotak Life Insurance Co. issued a policy to Satish on regular premium rates.

What are the consequences of the agent's conduct on making a claim on the policy?

3. Lalit Resorts took two property insurance policies with Bell General Insurance Company. Sachin booked a stay in the resort along with few of his friends. There was a local cricket match happening in the adjacent venue. Sachin and his friends went there and threw bombs during the match. Agitated by this, a mob of 200-250 people entered the resort and scuffled with Sachin and his friends and they were arrested by the police. This scuffle caused property damage to Lalit Resorts. Upon investigation it was found

that the room that Sachin and his friends stayed in had live bombs and explosive substances. Lalit Resorts seeks to claim from the insurance policies for the damage sustained. The relevant clause from the insurance policy is provided below.

“V. Riot, Strike and Malicious Damage:

Loss of or visible physical damage or destruction by external violent means directly caused to the property insured but excluding those caused by:

(a) to (c)

(d) burglary, housebreaking, theft, larceny or any such attempt or any omission of any kind of any person of any person (whether or not such act is committed in the course of a disturbance of public peace) in any malicious act.

If the Company alleges that the loss/damage is caused by any malicious act, the burden of proving the contrary shall be upon the insured.”

Decide if there exists a valid claim that can be made by Lalit Resorts.

4. Guru is a 35-year-old man married to Leela. They have a daughter aged 6 years Varsha. Guru takes a life insurance policy on his own life for the benefit of Leela and their daughter and makes an attestation to that effect.

What are the legal consequences of this life insurance policy on Guru, Leela, Varsha and a creditor?

5. The Indian Insurance Industry aims to move towards policyholder-centric governance.

In this regard, identify the legislative measure taken by the Insurance Regulatory and Development Authority of India in pursuance of this aim and analyze the same.

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Repeat (Even-Semester) Examinations, June 2023

MEDIA LAW

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 Marks)

Answer all the questions:

1. The Committee to Protect Journalists has ranked India, on its list of countries with worst records for unsolved journalist murders. The report found a radical increase in coordinated hate campaigns on digital and social media. Elucidate the regulatory framework in India to regulate Indian digital and social media.
2. Dainik Raj, a daily newspaper charged an educational institution an exorbitant amount for the advertisements and when enquired the newspaper company charged twice the GST amount and hence the exorbitant amount. As a legal adviser for the educational institution, advise the client and elaborate on the media tax regime in India.
3. Does RTI play a critical role in good governance? Comment on the role of media in good governance.
4. In 1975, the emergency was announced through All India Radio and immediately the Minister of Information and Broadcasting was replaced. In addition to the curb of freedom of the press, arrests and police torture of the Indian Journalists shook the country. The Indian Government appointed a committee to submit a 'White paper on the misuse of mass media' during the emergency following the end of the emergency in 1977. As a media law counsel, criticise the 'White paper' and compare it with the recent PCI guidelines.
5. In an interview with a counsel following the sexual harassment trial, the identity of the 'METOO' victim was revealed. The victim filed a complaint against the counsel, journalist and the media house where the journalist belong to. Advise the victim on the significant aspects of the right to privacy.

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Repeat (Even-Semester) Examinations, June 2023

HUMAN RIGHTS LAW

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the Questions:

1. “Human Rights are derived from inherent dignity of Human Persons.” There are various theories and ideologies backing the proposition. Discuss the various theories in shaping the Human Rights. Which of this hold relevance in the current period?
2. Good Governance in a country leads to proper protection of people and the vice-versa can lead to people being vulnerable. Critically analyse the link between Good Governance and Human Rights and the concept of Vulnerability.
3. With independent nations being the protectors and the implementors of Human Rights it is very necessary to have a standard being set by the international community for safeguarding them. Explain the Human Rights Standard setting mechanism and bodies of the United Nations.
4. Different Geo-Locations have their own set of standards and mechanisms to protect the Human Rights of their citizens. Elucidate the differences between the various Regional Human Rights Protection Mechanisms.
5. The Covid-19 is one of the recent pandemics which caused several people’s rights and lead to various human rights violations. Comment.

PART – B (2 x 10 = 20 Marks)

Answer all the Questions:

6. International Bill of Rights has an important role to play in international law in upholding Basic Human Rights. Comment on the binding nature of the International Bill of Human Rights and discuss the complaint mechanism and remedies available to individuals on violation of their rights under the international bill of rights.

 7. Institutional Protection Mechanism of Human Rights in India is a well-structured mechanism. Discuss the same and critically analyse the functioning of the institutions in India.
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Repeat (Even-Semester) Examinations, June 2023
ADVANCED COURSE ON TRADEMARK LAW

Time: 2 ¼ Hours

Maximum Marks: 70

PART – A (5 x 14 = 70 Marks)

Answer all the Questions:

1. Critically comment on the following,

“The real shift in modern trademark law then was not one from a consumer focus to a producer focus, or from consumer protection to property. Instead, modern trademark law differs fundamentally from its traditional counterpart in its understanding of what a trademark does and how it adds value..... Modern law, by contrast, sees a trademark as a repository for value and meaning, which may be deployed across a wide range of products and services. In other words, twenty-first-century trademark law amounts to little more than industrial policy intended to increase brand value.” (14 marks)

2. “Naturally, a trademark must be distinctive if it is to serve the function of identifying the origin of goods and thereby avoid confusion, deception, or mistake. If a trademark is to protect purchasers from confusion over what they are purchasing, then the trademark somehow must be recognizable, identifiable, and different from other marks.” In this context critically examine the concept of distinctiveness under the Trademark Act, 1999 in the light of *Abercrombie & Fitch Co. v. Hunting World, Inc.*, 537 F.2d 4 (2nd Cir. 1976). (14 marks)

3. Imagine you are a Trade Mark Examiner employed by the Indian Trade Marks Registry. You have received the following applications to register trademarks. Examine the applications and set out the grounds for any objections you may have to the registration of the proposed marks.

- a. **TM Application 1:** A ‘30 seconds theme song’ is proposed to be used in the events organized by a leading technology-based company.
- b. **TM Application 2:** A ‘strawberry flavor’ used in medicine to mask or impart taste to medications by a Pharma Company

- c. **TM Application 3:** The title of an upcoming new film 'Leo'.
- d. **TM Application 4:** The sound of Darth Vader's breathing for masks and toys.

(Each sub-question carries 3.5 marks)

(14marks)

4. State in brief, the evolution of passing off action in trademarks. How is passing off action different from trademark infringement? Is passing off remedy available to a registered proprietor of the trademark? Critically comment on the permissibility of combined action of trademark infringement and passing off before the Indian Courts.

(14marks)

5. Critically analyze the protection afforded to businesses and individuals against the groundless threat of trademark infringement under the Indian Trademark Act, 1999 in the light of decided cases.

(14 marks)
