



**TAMIL NADU NATIONAL LAW UNIVERSITY**

**QUESTION PAPERS**

**REPEAT EXAMINATIONS**

**(ODD SEMESTER)**

**JANUARY 2018**

Name :

Register No.:

**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**ENGLISH-I / BUSINESS ENGLISH-I**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Part – A (4 X 15 = 60 Marks)**

Answer ALL the following questions not less than four pages.

1. What are the sources of Legal English?
2. File an RTI seeking information about Prime Minister's foreign expenses.  
Also prepare a checklist to be in mind while filing an RTI.
3. Explain the following.
  - a. *Audi alteram partem*
  - b. *Res ipsa loquitur*
  - c. *Respondent superior*
4. Write the advantages of Legal Dictionaries.



**Part – B (10 Marks)**

Answer ALL the following questions:

5. Write the proper meaning for the following legal terms. (5 X 1 = 5 Marks)
  - a. Excommunication
  - b. Fact
  - c. Gift
  - d. Head note
  - e. Immoral
6. Give the right abbreviations for the periodical which are given below:  
(5 X 1 = 5 Marks)
  - a. A.I.R
  - b. C.C.C
  - c. S.C.C
  - d. S.C.R
  - e. Y.L.J

Name : Register No.: 

## TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

## B.A. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

## BANKING LAW

Time: 2¼ Hours

Maximum Marks: 70 Marks

Instructions

- No clarification can be sought during examination. Answer as it is.
- The problem based questions should be preferably answered in the *IRAC Method* by quoting relevant judicial precedents.
- All other questions should be answered by quoting at least two relevant precedents and/or illustrations.
- Bare Acts are not allowed; Electronic gadgets are prohibited.
- You are strictly directed to follow the Question Number as given in the Question Paper.

Answer any "FIVE" of the following (Question No. 1 is Compulsory; Chose any "FOUR" out of the remaining questions):

## 1 Write short notes:

- Tournier vs. National Provincial & Union Bank of England*, [1924] 1 KB 461. (5 Marks)
- RBI is the sole authority for the issue and management of currency in India. (5 Marks)

- Define 'cheque' under the *Negotiable Instruments Act, 1881*. Who are the parties to a 'cheque'? What are the differences between a 'cheque' and a 'bill of exchange'? (15 Marks)

## 3 Write short notes:

- What is 'garnishee order' and where is it applied? Narrate any two situations where the garnishee order will not be applicable. (5 Marks)
- KYC Guidelines; Precautions to be taken by a Banker while opening and operating an account of a Minor. (5 Marks)
- DRT vs. Civil Courts. (5 Marks)

4 Explain the essential elements of a valid 'bill of exchange' with illustrations. Who are the parties to a 'bill of exchange'? Examining the provisions of the *Negotiable Instruments Act, 1881*, distinguish between a 'bill of exchange' and a 'promissory note'. (15 Marks)

5 Briefly explain the various circumstances of dishonour of a negotiable instrument. What are the consequences of a 'cheque being dishonoured for insufficiency of funds' in the account? (15 Marks)

6 What do you understand by the phrase "material alteration"? Explain when material alterations are allowed under the *Negotiable Instruments Act, 1881*. Do the following alterations of a negotiable instrument render the instrument void? (15 Marks)

- The holder of the bearer cheque converts it into account payee cheque.
- A bill was dated 2016, instead of 2017 and subsequently the agent of the drawer corrected the mistake.
- The holder of a bill alters the date of the instrument to accelerate or postpone the time of payment.

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TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

B.Com. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

CORPORATE ACCOUNTING

Time: 2¼ Hours

Maximum Marks: 70 Marks

PART – A (4 X 5 = 20 Marks)

Answer ALL the Questions:

- Explain the followings:
  - Redemption of Debenture out of capital
  - Redemption of Debenture out of Profits
- What is goodwill? How is it generally valued? Explain and illustrate at least three important methods of its valuation.
- For accounting purpose, certain steps are required in case of amalgamation in the nature of purchase or absorption. List out these steps clearly and explain.
- How does a life insurance company ascertain its profit? Explain.

PART – B (4 X 12.5 = 50 Marks)

Answer any FOUR Questions:

- Newcomer Ltd. issued 50,000 shares of Rs.10 each at premium of Rs.2 payable as Rs.3 on application, Rs.4 on allotment (including premium) Rs. 2 on first call and Rs.3 on final call. Applications were received for 80,000 equity shares. 15,000 shares were rejected and rest of applications were allotted on pro-rata basis. All the money due on shares was received except the first and final call on 2,000 shares. all these shares forfeited and reissued for Rs. 8 per share as fully paid up shares. Pass the appropriate journal entries.

6. Mercury & Co., Ltd. is a company with an authorised capital of Rs. 50,00,000 divided into 50,000 equity shares of Rs. 100 each. 2,500 shares were fully paid-up on 31.03.2017. The following are the balances extracted from the books of the company as on 31.03.2017:

	(Rs.)
Stock	50,000
Sales	4,25,000
Purchases	3,00,000
Wages (productive)	70,000
Discount allowed	4,200
Discount received	3,150
Insurance	6,720
Salaries	18,500
Rent	6,000
General expenses	8,950
Profit and Loss Account balance (Cr.)	6,220
Printing and Stationery	2,400
Advertisement	3,800
Bonus	10,500
Debtors	38,700
Creditors	35,200
Plant and Machinery	80,500
Furniture	17,100
Cash and bank	1,34,700
General Reserve	25,000
Loan from managing director	15,700
Bad debts	3,200
Calls-in-arrears	5,000

You are required to prepare profit and loss account for the year ended 31.03.17 and the balance sheet as on that date of the company. The following further information is given: (1) Closing stock, Rs. 1,50,000 (2) Depreciation to be charged on plants, machinery and furniture at 15% and 10% respectively. (3) Outstanding liabilities: wages Rs. 2,200, salary Rs.800 and rent Rs.1,600. (4) Dividend @ 5% on paid-up share capital is to be provided.

7. The following are the Balance Sheets of CPU Ltd. and Keyboard Ltd. as on December 31, 2017

Liabilities	CPU Ltd. Rs.	Keyboard Ltd. Rs	Assets	CPU Ltd. (Rs.)	Keyboard Ltd. (Rs.)
Share capital : Shares of Rs.10	4,50,000	75,000	Fixed assets	3,00,000	1,05,000
General Reserve	1,12,500	30,000	Investments:		
& L Account (1.1.2017)	67,500	11,250	Shares in keyboard Ltd	1,50,000	-
Profit for the year 2017	1,12,500	30,000	Debtors	1,85,500	45,000
Creditors	45,000	15,000	Other current assets	1,52,000	11,250
	<b>7,87,500</b>	<b>1,61,250</b>		<b>7,87,500</b>	<b>1,61,250</b>

Notes: CPU Ltd. purchased on July 1, 2017, 6000 shares in Keyboard Ltd at Rs.25 each.

Prepare a consolidated Balance Sheet as on December 31, 2017.

8. Apple Ltd and Orange Ltd are two companies carrying on business in the same line of activity. Their Balance Sheets as on December 31, 2017 are given below:

Liabilities	Apple Ltd. Rs.	Orange Ltd. Rs	Assets	Apple Ltd. Rs.	Orange Ltd. Rs
Fully paid Equity Shares at Rs.10 each	9,00,000	3,00,000	Land & Building	1,50,000	-
General Reserve	6,00,000	3,00,000	Plant & Machinery	10,50,000	4,50,000
Loan	9,00,000	1,50,000	12 % Investment	1,50,000	-
% Debentures	9,00,000	6,00,000	Stocks	13,50,000	6,00,000
			Sundry Debtors	4,50,000	1,50,000
			Cash at Bank	1,50,000	1,50,000
	<b>33,00,000</b>	<b>13,50,000</b>		<b>33,00,000</b>	<b>13,50,000</b>

The two companies decide to amalgamate into Appora Ltd. the following further information is given.

- All assets and liabilities of the two companies except investments are taken over Appora Ltd.
- Each shares of Orange Ltd is valued @ Rs.25 and shares of Apple Ltd. valued for Rs. 15 for the purpose of amalgamation.
- Shareholders in Apple Ltd. and Orange Ltd are paid off by issuing to them a sufficient number of equity shares of Rs.10 each in Appora Ltd. on fully paid up at par.

Show journal entries to close the books of both the companies

9. Indian Bank Ltd. presents its ledger balances on 31.03. 17

Particulars	Rs.	Rs.
loans	4,00,000.00	
Cash credits	1,00,000.00	
Overdrafts	70,000.00	
Premises	1,00,000.00	
Investments	8,00,000.00	
Salaries	56,000.00	
General Expenses	54,000.00	
Rent, Rates & Taxes	4,600.00	
Director's fees	3,600.00	
Stock of Stationery	17,000.00	
Bills purchased	92,000.00	
Cash in hand	2,00,000.00	
Cash with RBI	1,86,000.00	
Money at Call	1,60,000.00	
Share capital		10,00,000.00
Reserve fund		5,00,000.00
Current A/c.		2,00,000.00
Fixed deposit		2,50,000.00
S.B. Deposit		50,000.00
Cash certificates		50,000.00
Profit/Loss A/c. 01.04.16 (Cr.)		31,200.00
Interest & Discounts		2,56,000.00
Interim Dividend	34,000.00	
Shares in company	1,00,000.00	
Recurring Deposits		40,000.00
	<b>23,77,200.00</b>	<b>23,77,200.00</b>

**Other Information:**

- Interest receivable on investments Rs.16000
- Depreciate premises at 5% on opening balance.

**Prepare Profit & Loss A/c. and Balance Sheet.**

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**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**LAW OF CONTRACTS-II (SPECIAL PRINCIPLES OF CONTRACT)**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART - A (4 X 7 = 28 Marks)**

**Answer FOUR of the following problems. Question No. 1 is Compulsory. Out of the remaining, answer any THREE questions:**

**All questions in this Part are to be answered by applying the relevant legal principles and precedents.**

- Ram guarantees Krishnan for purchases that may be made by Lakshman from him for a period six months and to the extent of Rs.10,000/- Is this a valid contract of guarantee?
- Bala hires a horse from Sunder for one week. But Bala defaults in returning the horse on the due date. The horse dies one day after the expiry of bailment without any fault on the part of Bala. Is Sunder entitled to recover the price of the horse and also damages for the delay from Bala?
- Ramesh employs Kamesh as his agent for selling his Television set. Kamesh was instructed to sell the same for not less than Rs.15,000/-. Kamesh buys the set for himself and hands over Rs.15,000/- to Ramesh, who is also satisfied with the price and does not ask the name of the buyer. Later Ramesh discovers the identity of the buyer a few weeks later after Kamesh has resold the Television set for Rs.20,000/ Can Ramesh claim Rs. 5,000/- from Kamesh?
- Satish agrees to sell to Suresh two motor cars on the terms that the price was to be fixed by Sukesh. Suresh takes delivery of one of the cars immediately. Sukesh refuses to oblige Satish and Suresh and fixes no price. Satish asks for the return of the car already delivered whereas Suresh insists on the delivery of the second car to him for a reasonable price of both cars. Decide the rights of the parties.
- Mala and Kala are partners in a cloth business. Mala orders in firm's name and on the firm's letter-head to be supplied with two bags of wheat at his residence. Is the firm liable to the debt?

**PART - B (4 X 7 = 28 Marks)**

Answer any **FOUR** of the following questions. All the questions in this Part must be in about **400 words**:

6. A contract for indemnity is for the reimbursement of the loss, whereas a contract of guarantee is for the security of a debt or good conduct of an employee. Analyze this statement and point out the nature and extent of surety's liability.
7. The owner of goods can always make a valid pledge. However, in certain cases pledge made by non-owners will also be valid. Explain this statement and bring out the cases in which even non-owners can make a valid pledge.
8. "The law which super adds the liability of an agent does not detract from the liability of the principal". Examine this statement, pointing out the circumstances in which the agent is presumed to be personally liable for the contracts entered into by him on behalf of the principal.
9. In a contract for the sale of goods, there is no implied condition or warranty as to the quality of the goods or their fitness for any particular purpose'. Comment.
10. "The Indian Partnership Act has effectively ensured the registration of firms without making it compulsory". Bring out the significance of this statement as regards registration of firms.

**PART - C (7 X 2 = 14 Marks)**

Answer any **SEVEN** questions from this part. Answers to the questions in this part must be in about **50 words**.

11. (a) Difference between Sale and Bailment
- (b) Substituted Agent
- (c) Agency coupled with interest
- (d) Existing goods
- (e) Resale by an unpaid seller
- (f) Test of partnership
- (g) Incoming partner
- (h) Sale of Goodwill after Dissolution
- (i) Object of Limited Liability Partnership Act

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**INTERNATIONAL TRADE LAW**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Instructions:**

1. No clarification can be sought during examination. Answer as it is.
2. The problem based questions should be preferably answered by citing relevant provisions of law and judicial precedents.
3. All other questions should be answered by citing at least three relevant precedents and/or illustrations.
4. Bare Acts are not allowed; Electronic gadgets are prohibited.
5. You are strictly directed to follow the Question Number as given in the Question Paper.

**PART-A (3 X 6 = 18 Marks)**

Answer any **THREE** of the following in not exceeding **400 words each**.

1. "States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be based on an international consensus.

- Principle 12 of United Nations Convention of Environment and Development, 1992

Analyse this statement:

- a) Whether the United Nations Convention of Environment and Development will make any bindingness amongst the member countries of the World Trade Organisation (WTO). Justify with reasons. (2 Marks)
  - b) Whether the national legislation of the member countries of the WTO may be used as a source for resolving trade and environment controversies? Justify with reasons. (2 Marks)
  - c) What all restrictions are available in the General Agreement on Tariff and Trade for questioning the validity of the unilateral measures of the national government of the member countries of the WTO? (2 Marks)
2. United States of America has banned imports of yellow fin tuna from Mexico on the ground that Mexico boats were permitted to employ harvesting methods that kill dolphins. Examine the validity of the United States of America's decision by referring the relevant provisions of the General Agreement on Tariff and Trade (GATT), 1947.
  3. Comment upon *Reliance Industries Ltd., v. Designated Authority*, 2001 (127) ELT 99.
  4. Comment upon *EC Measures Affecting Asbestos and Asbestos-Containing products*, WT/DS135/R.

**PART-B (4 X 10 = 40 Marks)**

**Answer any FOUR of the following in not exceeding 1000 words each.**

5. Traditional theories of Comparative Advantage and Absolute Advantage are obsolete in the Liberalisation, Privatisation and Globalisation (LPG) in regulating the trade and commerce amongst contracting states of the World Trade Organisation (WTO). Do you agree? Elucidate.
6. Kennedy Round of World Trade Organisation encourages the contracting states to resolve the dispute relating to trade and services only through alternative dispute resolution mechanism. Examine this statement by referring various measures that are adopted in creating various alternative dispute resolution mechanisms.
7. The key concept of sustainability is widely used to resolve trade and environmental controversies by the both in the GATT and WTO era. Do you agree? Examine this statement by referring various judicial decisions before and after the formation of the Dispute Settlement Understanding of the World Trade Organisation (WTO-DSU).

8. National Treatment is the condition precedent in the Bilateral Investment Treaties (BITs) under the World Trade Organisation. Do you agree? Analyse this statement by referring various principles of international law.
9. "Limitation is the condition precedent to resolve the conflict between contracting parties to the Dispute Settlement Understanding of the World Trade Organisation (WTO-DSU)". Do you agree? Examine this statement by referring various provisions of the Agreement on Dispute Settlement of the World Trade Organisation.

**PART-C (4 X 3 = 12 Marks)**

**Answer any FOUR of the following in not exceeding 200 words each.**

10. Heckscher-Ohlin Theory
11. Distinguish Tariff and Quota
12. Covered Agreements of the Marrakesh Agreement
13. International Centre for Settlement of Investment Disputes (ICSID)
14. Anti-Dumping Measures in WTO



Name : Register No.: **TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI****B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**SOCIOLOGY-I [A CRITICAL INTRODUCTION]**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Part – A (20 X 1 = 20 Marks)****Each question carries ONE mark:**

- Name the sociologist who is the champion of Formal or specialist Sociology
- The Formal or specialistic sociology deals with
  - both content and forms of sociology
  - only the form of sociology
  - Only the content
  - patterns of sociology
- The kinship relation that denotes the privileges relationship between an individual and his/her maternal uncle is:
- The book 'What is Sociology' is authored by
  - Max Weber
  - August Comte
  - Alex Inkeles
  - Emile Durkheim
- Social Morphology is the study of
  - Social processes
  - Social action
  - Social forms and structures
  - Social roles
- The book Folkways is authored by?
- If the positive norms are called prescriptive then the negative norms that tell people what they ought not to do is termed as \_\_\_\_\_
- Who authored the book Principles of Sociology?
- Which Sociologist defined sociology as the science of interpretive understanding of social Action?
- Weber termed his approach (or method) of understanding society as \_\_\_\_\_

11. The sociologist who talks about Isolated Nuclear Family is:

- (a) Max Weber (b) Karl Marx  
(c) Talcott Parsons (d) Mac Iver

12. When several clans or sibs combine to constitute a wider grouping, it is called

- (a) Gotra (b) Phratry (c) Lineage (d) Family

13. Families in which have the characteristics of descent, inheritance succession and authority through Mothers/females is called as

14. Name the author of the book "The Golden Bough"

- (a) Max Muller (b) Maclver (c) Malinowski (d) James Frazer

15. The book Culture of Poverty is associated with

- (a) Oscar Wild (b) Max Muller (c) Oscar Lewis (d) Durkheim

16. Who propounded the theory of Animism?

17. Malinowski's work on religion is related with \_\_\_\_\_ community/island

18. Name the book authored by George Peter Murdock which explains the Universality of Family

19. Kibbutzim is a challenge to western pattern parental roles. Name the country in which 4% of the population lives in 240 Kibbutzim –

20. Name the Sociologist with whom the concepts of Sacred and Profane are associated?

**Part – B (5X 10 = 10 Marks)**

**Answer any FIVE of the following questions. Each question carries TEN Marks:**

21. Define Socialization and its four stages?

22. Discuss the conflict theories of C W Mills and Ralph Dahrendorf

23. Explain Weber's Bureaucracy and its characteristics

24. Explain Kibbutzim and how does it challenge the Murdock's theory?

25. Discuss Durkheim's Mechanical and Organic Solidarity with repressive and restitutive laws

26. Discuss theories of Feminism

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Repeat Examinations (Odd-Semester), January 2018

**LAW OF DIRECT TAXATION**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Note:**

Answer each part of the question paper taking into consideration the statutory provisions, principles of law, illustrations and case laws as and when necessary.

**Part – A (4 X 15 = 60 Marks)**

**Answer ALL questions:**

1. Canonical U.S, is a corporation registered in the United States, plans to invest in India. To do this, Canonical forms a shell company in Singapore called Canonical Asia. Canonical Asia, purchases shares of Indian companies. As per the India-Singapore DTAA, profits earned by Singapore companies from dividends are taxable in Singapore and not taxable in India.

TaxinIndia Trust, a NGO, file a case challenging the India-Singapore DTAA. The trust claims that the treaty leads to loss of revenue for the Indian state.

- a. Is the method used by Canonical U.S. tax planning, tax avoidance or tax evasion? Explain the difference between these terms.
- b. What do you think will be the result of this case, given the McDowells, Azaadi Bachao and Vodafone Judgements?

2. Mr. Kishanchand has the following income in the financial year 2016-2017:

- Rs. 40000 per month as Income from Salaries which includes Rs. 5000 as conveyance allowance for business-related travel.
- Rs. 75000 as profits from the business of selling toys.
- Rs. 10000 as winnings from the Lucky-6 lottery.

- Rs. 5000 as profits from selling the shares of R&R Ltd, after holding them for seven months.
- Rs. 3000 as profits from selling shares of R&R Ltd, after holding them for seven years. (Securities Transaction Tax was paid on them.)
- Rs. 2000 on profits on the sale of silver coins passed down by his mother.

Apart from this Kishanchand gives you the following information:

- Kishanchand received a gift of a TV worth Rs. 40000 from his friend on his birthday.
- Kishanchand also tried to start a restaurant. The venture failed because of intense competition, and Kishanchand was forced to wind up the business. By the end of it, he had faced losses of Rs. 200000 in the noodle business.
- Kishanchand also went to Macau, where he played in a casino. He lost 30000 Rs. of his money on the game.
- Kishanchand faced a loss of Rs. 12000 from selling shares of Malimat Ltd, which he held for 30 days.

Calculate the total tax payable by Kishanchand in AY 2017-18 as well as losses carried forward by them.

3. Gable is a renowned gangster in the State of Maharashtra. Most of his income is earned through the illegal sale of smuggled liquor to different bars in Bombay. In March 2017, Gable was caught by the police and the entirety of his smuggled liquor was confiscated by them. In September 2018, the Income Tax department demanded Rs. 10 crores from Gable as tax not paid on profits gained in Financial Year 2016-17.

Gable claimed that he did not have to pay tax because the following deductions were available to him:

- Deduction of Rs. 2 crore being transport charges for the liquor.
- Deduction of Rs. 4 crores paid a refrigerator room bought by him to keep the liquor cool.
- Deduction of Rs. 4 crore being legal fees paid to the lawyer to defend Gable in the criminal case against him.

Decide the tax liability of Gable, putting forward arguments from both Gable and the revenue.

4. The company "Haldirams Mithaiwale Pvt. Ltd" ( hereinafter called as the assessee company) was a company founded in 1950, as a retail sweets and namkeen shop incorporated in Delhi. Its products are exported to several

countries worldwide. The assessing officer in Delhi accepted the returns filed by the assessee Company but had reasons to believe that certain income has escaped assessment. Meanwhile the assessee company realised that certain losses which they had to claim was not filed by them previously and certain deductions which were available to them were not taken.

- Advise the income tax authorities and the assessee company on the legal remedies available to them.
- In the event it is proven that the assessee company has intentionally concealed income, what is the maximum penalty which can be imposed on them.

### PART – B (2 X 5 = 10 Marks)

Write short notes on any TWO of the following:

- Perquisites
- POEM
- Income from Other Sources

Name :

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**POLITICAL SCIENCE-I**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Part – A (2 X 15 = 30 Marks)**

**Answer any TWO of the following questions with a minimum of 600 words for each answer:**

1. Critically examine the Social Contract Theory. How far does it furnish a true explanation of the origin of the State?
2. Explain the important Civil and Political rights of a Citizen.
3. Explain the functions of Judiciary and the conditions which make the Judiciary independent.

**Part – B (5 X 8 = 40 Marks)**

**Answer any FIVE of the following questions with a minimum of 400 words for each answer:**

4. State Austin's theory of Sovereignty and arguments advanced against it.
  5. Define Law. Discuss various kinds and sources of Laws.
  6. What is Socialism and what are the arguments in favour of and against Socialism?
  7. "There should be two chambers for making Laws" – Write the arguments in support of the statement.
  8. What is Unitary Government and what are the merits and demerits of Unitary Government?
  9. What do you mean by Public Opinion and how various agencies influence the opinion of the people on vital issues of the state?
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Name : Register No.: **TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI****B.A. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**COMPANY LAW-I**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Part – A (4 X 7 = 28 Marks)**

**Answer any FOUR of the following problems. Questions in this Part are to be answered by applying the relevant legal principles and precedents:**

1. The Secretary of M/s. Swan & Company Limited issued a share certificate in favour of Ashok, which apparently complied with the company's Articles as it purported to be signed by two Directors and the Secretary and it had a Company's seal in it. In fact the Secretary had forced the signatures of the Directors and affixed the seal of the company. Is the certificate binding on the company?
2. A company was formed to protect the cyclists against the motorists on the public roads. The company sought to alter its objects to protect the motorists also. This alteration was objected to by some of the shareholders and creditors of the company. Is not the objection valid? If not, why?
3. David had applied for shares in a Company on the basis of the Prospectus issued by the company which contained the names of various persons as Directors. But, before the allotment could be made there were changes in the Board of Directors, some Directors having retired. David, therefore, wanted to revoke his application. Can David do so and if so on what grounds?
4. Vishnu applied for shares in M/s. Venus Company limited. An application was made in December 2015. Vishnu had not heard from the company till September 2016, when he received the letter of acceptance. Vishnu refused to take the shares and pay the amount due on them. But the Company filed a suit against him for breach of contract. Is Vishnu liable to pay the amount?
5. A Syndicate incurred Rs. One Lakh in promoting and paying fees and Stamp Duty incidental to the formation of the company. The company was later wound up. Can the Syndicate recover the payments it had made in promoting the company?

Answer any FOUR questions from this Part. Answers to questions in this Part must be in about 400 words:

6. The benefits of 'juristic personality' are extended to the companies formed under the Companies Act. However, the benefits will cease to be extended if there arises abuse of the juristic personality. Elucidate this statement and bring out the circumstances under which the corporate veil is lifted.
7. Doctrine of Indoor Management is intended to provide protection to the investors and hence the rigour of Doctrine of Constructive Notice has been reduced. Explain this statement and bring out the significance of Doctrine of Indoor Management.
8. Prospectus, being an important document issued by the company to the public, the same must be drawn by adhering to the Golden Rule relating to prospectus. Advert to that rule and state the kinds of remedies available for mis-statements in the prospectus.
9. Share capital of a company is sacrosanct in nature and hence the same should not be tampered with unnecessarily. Against the backdrop of this statement point out the procedures specified in Section 66 of the Companies Act, 2013 regarding Reduction of Share Capital.
10. 'The membership of a company is open to any person who is competent to enter into a valid contract'. But the term 'membership' in company law has a specific connotation. Explain the rationale behind this statement while enumerating and detailing out the various modes of acquisition of membership.

**Part – C (7 X 2 = 14 Marks)**

Answer any SEVEN questions from this Part. Answers to questions in this Part must be in about 50 words:

11.
  - i. One Man Company
  - ii. Small company
  - iii. Distinction between Equity Share and Preference Share
  - iv. Shelf Prospectus
  - v. Lien on shares
  - vi. Pre-incorporation contracts
  - vii. Companies with Charitable objects
  - viii. Calls on Shares
  - ix. Reserve Capital

Name :

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**GENDER JUSTICE AND FEMINISM**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Instructions:**

1. No Clarifications to be sought in the Examination Hall.
2. All the questions are compulsory.
3. Answer each part of the question paper taking into consideration studies and reports, principles of law, illustrations and case laws and your own opinion as and when necessary.

**Answer the following questions:**

**1. Consider the following sets of facts: (15 Marks)**

John and Jenny have been married for eight years. They are successful IT professionals and lead a seemingly happy life. In the ninth year of their marriage, Jenny develops an emotional inclination toward one of her colleague, John finds out about this affair and collects evidence for the same. When he has enough evidence, he files a case of adultery under the relevant of IPC provisions, but in India, under the existing provisions, women cannot be prosecuted for adultery. The aggrieved husband wants to seek a legal remedy.

Comment on the facts of the case and suggest a legal remedy drawing instances from legislative and judicial intervention in India. What difference will it bring if the wife in question is not the wife but the husband?

**2. Explain the following propositions: (2 X 7.5 = 15 Marks)**

According to Robert J. Stoller:

- a. "The biological sex of a person has a tendency to augment, though not determine, the appropriate gender identity of that sex. However, a person's gender identity is primarily a result of post-natal psychological influences. These psychological "influences on gender identity, which can completely override the biological fact of a person's sex and result in, for example, the situation of the transsexual".

Explain this phenomenon taking reference from the 'Degendering proposals'

b. *Methods matter because without an understanding of feminist method feminist claims in law will not be perceived as legitimate or correct. Also As feminists articulate their methods they can become more aware of the nature of what they do and thus do it better.* Explain.

3. Whether 2013 Amendment reinforce or dilutes the patriarchal norms to establish the offence of rape? In this regard, explain the concept of consent post 2013 and elucidate the role of Judiciary in promoting Gender Justice.

(15 Marks)

4. Write short notes on the following: (2 X 5 Marks = 10 Marks)

- Domestic relationship v. domestic violence
- Separation of Property Model v. Community of property model

5. The current position on a Hindu women's right to property is backed by an interesting history of a broad spectrum of laws, both customary and formal, and a close study of gender and property rights of women might dispel the misconception which historically surrounds the gender concerns of family laws.

With respect to the above mentioned statement elucidate the concept of Hindu Women's right to property and how far it is for or against the concept of gender justice taking special reference from the concept of separate property of women and rights associated with it. Substantiated your answer with required legislative and judicial interventions.

(15 Marks)

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**INTERNATIONAL ECONOMICS**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Part – A (4 X 10 = 40 Marks)**

Answer ALL the questions with not more than 250 words:

- Theory of absolute advantage and comparative advantage
- Impossible trinity
- Protectionism v. free trade
- IMF and Structural adjustment programme

**Part – B (2 X 15 = 30 Marks)**

Answer ALL the questions with not more than 500 words:

- To achieve social optimum explain and elucidate how the law of demand, law of supply, consumers surplus, producers surplus and elasticity are all used as effective tools.
- Heckscher – Ohlin Theory of International trade.



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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**CONSTITUTIONAL LAW-I**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Instructions:**

- No clarifications to be sought in the examination hall.
- Answer each part of the question paper taking into consideration the statutory provisions, principles of law, illustrations and case laws as and when necessary.

**PART - A (5 X 1 = 5 Marks)**

**(Answer ALL the questions)**

**1. Which one of the following features does not support the federal character of Indian Constitution?**

- |   |                            |
|---|----------------------------|
| (A) Distribution of powers between Centre and State | (B) Independence of Courts |
| (C) Supremacy of the Constitution                   | (D) Single citizenship     |

**2. Which one of the following cases is not related to the doctrine of severability?**

- |  |   |
|--|---|
| (A) A.K. Gopalan V. State of Madras      | (B) Srinivas Theatre v. State of Tamil Nadu |
| (C) Minerva Mills Ltd. V. Union of India | (D) F.N. Balsara v State of Bombay          |

**3. Writ of Mandamus may be issued to**

- |  |                                 |
|--|---------------------------------|
| (A) Compel the judicial or quasi-judicial authorities to act | (B) Compel the authority to act |
| (C) Compel the authority, how to act                         | (D) Compel a private person     |

**4. The State shall make provisions for securing just and humane conditions of work and for maternity relief is found.**

- |  |
|--|
| (A) As a part of the Preamble to the Constitution of India           |
| (B) As a Fundamental Right under Art 21 of the Constitution of India |
| (C) As a Directive Principle of the State Policy                     |
| (D) As a Fundamental Duty of the State                               |



5. Which of the following case relates to the recognition or aid to minority institutions?

- (A) TMA Pai Foundation v/s. State of Karnataka
- (B) D. K. Basu v/s. Union of India
- (C) Vishaka v/s State of Rajasthan
- (D) R. S. Nayak v/s. Antulay

**PART - B (4 X 5 = 20 Marks)**

**(Answer any FOUR questions)**

6. Elucidate the difference between Equality before the law and Equal Protection of the Laws as envisaged under Art. 14 of the Indian Constitution. Answer with the help of a decided case.
7. Explain the difference between Doctrine of Eclipse and Doctrine of Severability.
8. Differentiate between Writ of Certiorari and Prohibition. Answer with the help of a decided case.
9. "Right to Freedom of Speech and Expression includes Right to Information". Discuss with the help of decided case laws.
10. Write a short note on the Privy Purse Case and its relation with Art. 18 of the Indian Constitution.

**PART - C (3 X 10 = 30 Marks)**

**(Answer any THREE questions)**

11. "The Indian Constitution is founded upon bedrock balance between Fundamental Rights and Directive Principles of State Policy". Elucidate the statement by discussing the relative importance of the Fundamental Rights and Directive Principles of State Policy with the help of decided cases.
12. Preamble is the key to open the minds of the framers of the Constitution. Discuss. Can Preamble be amended under Article 368? Answer with the aid of a decided case.
13. "The Indian Republic is secular state, in which protection is given for freedom of conscience, freedom of profession, practice and propagation of religion". Comment on the above statement.
14. Critically comment on the following excerpt from the case *Zee Telefilms Ltd. V. Union of India* (2005) 4 SCC 649:  
"Functions/Duties of a public nature performed by a body not prohibited by law does not make the body "state" for the purpose of Article 12"

**PART - D (1 X 15 = 15 Marks)**

**(Answer any ONE Question)**

15. Discuss the scope of freedom right to trade, profession or occupation as envisaged in the Indian Constitution. Trace the journey of Art. 301 of the Indian Constitution in light of these four decided cases *Atiabari Tea Company Case*; *Khyerbari Tea Company Case*; *The Automobile Transport (Rajasthan) Ltd. Case*; *Jindal Stainless Steel Case (Entry Tax Case)*. [8 + 7 = 15 Marks]

16. "The Constitution of India is neither federal nor purely unitary but is a combination of both". Discuss

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI****B.A. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**POLITICAL SCIENCE-III (INTERNATIONAL RELATIONS)**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Part – A (2 X 15 = 30 Marks)****Answer any TWO of the following with a minimum of 600 words for each answer:**

1. Define Power and discuss the key elements of National Power.
2. What is Realism in International Politics? Explain the main tenets of Political Realism and also explain how this theory was criticised.
3. Define Foreign Policy and discuss various factors which determine the foreign policy of a State.

**Part – B (5 X 8 = 40 Marks)****Answer any FIVE of the following with a minimum of 400 words for each answer:**

4. Define International Relations and discuss the growth of international relations as an autonomous academic discipline within the social science.
  5. What is Cold War? What are the causes of Cold War?
  6. What are the objectives of SAARC and write about the functioning of SAARC.
  7. What are International Laws? Explain the reasons why the countries tend to obey International Laws.
  8. What is North-South Dialogue? What are the differences between North and South which needs to be addressed?
  9. Write about the Nuclear Proliferation during Cold War and in the Post-Cold War era.
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## TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

## B.A. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

## POLITICAL SCIENCE-II (POLITICAL OBLIGATIONS)

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Instructions:**

- It is important that you apply the theories we have read to the questions asked. Therefore, please read the questions carefully before answering. This is not an abstract inquiry and generic answers which do not apply to the problem at hand will **not** be accepted.
- Brevity is important in your answer. Try and answer the question as clearly and as briefly as possible.
- All questions are compulsory.

**PART-A (5 X 5 = 25 Marks)**

1. How would you define the term 'Obligation'? How is it different from the concept of 'Obedience'?
2. What do you think is the primary problem with Hobbes' theory of Political Obligation?
3. What is Joseph Raz's criticism of Wolff's idea of the relationship between authority and autonomy?
4. What is the Marxist conception of Political Obligation?
5. Explain John Rawls' theory of political obligation? Do you agree with this theory? What are its limitations?

**PART-A (3 X 15 = 45 Marks)**

6. The Kingdom of Azeroth is an absolute monarchy ruled by King Varian Wrynn. In the Kingdom, whatever the king commands is law, and is to be followed by his subjects dutifully. Anybody who disobeys a command of the King can be punished with death.

King Wrynn believes that no crimes will occur in Azeroth, if there is a strict curfew imposed on all residents after sunset. Hence, Wrynn commands that all citizens must return to their dwellings before 8:00 o'clock every night, under all circumstances. Any citizen found on the streets after 8:00, will be presumed to be a thief and shot dead.

Anduin is a poor potter who lives in one of the most destitute slums in Azeroth. One day, at 9:00 o'clock his wife becomes extremely ill. A doctor is available in Azeroth, but he lives two blocks away. A desperate Anduin considers whether to leave the house and take his wife to the doctor.

What would you do if you were Anduin? If Anduin disobeys the law, can King Wrynn still be called a "legitimate" authority? Do you think there is a *necessary* connection between "obligation" and "authority"?

7. Menap is a country ruled by an autocratic dictator called Cornelius Snow. It is divided into 12 districts and one capital. The citizens of Panem are forced to mine resources and farm food for the benefits of the capital. As a result, the citizens in the districts are forced to live in poverty and destitution, while the citizens of the capital live a life of luxury and excess.

Bored by his opulent lifestyle, Snow decides to hold a competition amongst the districts. He passes a law in which each district has to send a teenager to the competition. The competition which he calls "Feeder Games" is essentially a forced fight to the death amongst the teenagers from each district. Anybody who does not participate is shot down, and only the last surviving teenager is crowned the winner and allowed to leave alive.

Imagine you were a teenager chosen to represent your district. Do you think you have a *duty* to disobey the law? If yes, how will you *protest* the law? If no, How do you justify obeying the law which is clearly unjust?

8. Upendra Baxi, one of India's leading legal academics, believes that there a "crisis" in the Indian legal system. Do you think that Indians, in general, lack fidelity to the law?

If you think the answer to the questions is yes, what do you think are the factors that are *unique* to India which lead to a dilution in political obligations? Demonstrate your position through three examples from contemporary India.

If you think that the answer to this questions is no, explain your answer with reference to the issue of *custodial torture*.

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## TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

### B.Com. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

### FINANCIAL SERVICES AND MARKETS

Time: 2¼ Hours

Maximum Marks: 70 Marks

#### Part – A (5 X 2 = 10 Marks)

Answer any FIVE of the following questions:

1. What is Government Securities Market?
2. What are Primary securities?
3. Write short notes on
  - i. Rights issue
  - ii. Qualified Institutional Buyers
  - iii. Firm Underwriting
4. What is Special Purpose Vehicle?
5. What is Hire Purchase –Instalment System?
6. Write short notes on
  - i. Consumer Finance
  - ii. Leasing
  - iii. Credit Rating
7. What is Mutual Fund?
8. What is Factoring and Forfeiting?

#### Part – B (4 X 5 = 20 Marks)

Answer any FOUR of the following questions:

9. Explain the characteristics of Financial Services
10. Discuss the reasons for preferring securitized financial instrument
11. Explain the features of Credit Rating
12. Explain the various types of Consumer finance
13. Explain the characteristics of Leasing

Answer any FOUR of the following questions:

14. Discuss the Regulatory Framework of Financial Services
15. Enumerate the classification of Mutual Fund Schemes
16. Explain the various functions of Merchant Banking
17. Distinguish between Factoring and Forfeiting
18. Explain the various options available for investment

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**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**INTELLECTUAL PROPERTY LAW**

Time: 2¾ Hours

Maximum Marks: 70 Marks

**Instructions:**

- a. Bare Acts and electronic gadgets are not allowed.
- b. Answers without the question number shall be marked as zero.
- c. Support your answer with legal provisions and decided cases.

**PART – A (3 X 10 = 30 Marks)**

Answer any THREE of the following:

1. Explain in detail the theories of intellectual property rights and critically analyse the justification for its protection?
2. Explain compulsory licensing under Indian Patents Act, 1970? Discuss the importance of Doha declaration in the light of access to essential medicines?
3. How far the law protects the creative aesthetic expression of an artist? Is the intellectual property of an artist governed by the same norms as commercial property? What is the scope and width of S.57 of the Copyright Act, 1957?
4. Explain the concept of distinctiveness in the trademark? What are the requirements for a trademark to become 'distinctive'? How could distinctiveness be proved?
5. Define Geographical Indications? State the difference between 'Appellations of Origin' and 'Geographical Indications'? Do you think that extending Article 23 (TRIPs) to products other than Wines and Spirits is the need of the hour?

(All the questions are compulsory)

Answer the following:

6. The 'Indian Film Actors Association' (IFAA), organized a live event to celebrate 100 years of Indian Cinema on 25<sup>th</sup> December 2017. 'Moon TV', a popular entertainment channel, entered into a contract with IFAA to broadcast the live event for a consideration of Rs. 10 Crore. On the day of the event, Gopal, an enthusiastic viewer recorded some important moments during the event on his mobile and streamed certain contents 'live' through his Facebook account. A day after the event, Gopal uploaded all the recorded videos of the event on his YouTube account. Moon TV sued Gopal for violation of its broadcasting rights. Gopal contended that he paid Rs. 10000 towards the event entry pass which expressly didn't bar any recording of events inside the hall. Further, he stated that it is a part of social life nowadays to share the joyous moments in one's life with friends and family through online social platforms and therefore pleads innocence. Decide?
7. 'Padmavati' and 'Jodha' are top two leading boutique apparel designer brands in India. Both companies design attractive contemporary ethnic wear – creative fusion fashion. 'Padmavati' (Plaintiff) brought a suit against 'Jodha' (Defendant) seeking an injunction against the defendant from reproducing, printing, publishing, selling or offering etc. prints or garments which are a reproduction of the plaintiff's prints and garments. 'Padmavati' claimed to be the first owner of the copyright in the artistic works related to these garments and also claimed trade secret violation by its ex-employees. However, the Plaintiff's designs were not registered under the Designs Act, 2000 and it had been reproduced more than 50 times by an industrial process. Decide
8. In November 2017, 'Dreamland Films' released an extended version of their new blockbuster movie "Copy Cat" in a silver disc DVD with a special additional footage for about one hour. These versions have new editing, additional special effects and music, and also more scenes and content than the theatrical version. Through a tip-off from an informer at Ritchie street market, Chennai followed up by private investigators, Dreamland discovers that a young man named Rajini and some unknown persons have stored 100 crates of pirated silver disc DVDs in their shops at Ritchie Street. Advise 'Dreamland Films'.

Answer any TWO of the following:

9. Who is a 'performer'? State in brief the rights of a performer under the Copyright Act, 1957?
10. Determine the 'Patent eligibility' of the following:
- A method of agriculture
  - A discovery of living substance in nature
  - A machine for polluting water
  - A computer programme *per se*.
  - A medical method of treating cancer in animals.
11. 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.
- TM Application 1:** The name JUMBO GOLD for mosquito repellants.
  - TM Application 2:** The name DROPOVIT for a drug manufactured by a pharmaceutical company
  - TM Application 3:** The colour RED, by Vodafone India (P) Ltd.
  - TM Application 4:** The Scent of a NUTMEG, by a furniture manufacturer
  - TM Application 5:** A FOUR-NOTE JINGLE by Microsoft that is played when Windows is loaded

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Repeat Examinations (Odd-Semester), January 2018

**SOCIO ECONOMIC OFFENCES**

Time: 2¼ Hours

Maximum Marks: 70 Marks

Answer any **FOUR** from Group-A, **TWO** from Group-B and **FOUR** from Group-C**Group - A (4 X 10 = 40 Marks)**

1. What is the ambit of 'Public Servant' under the Prevention of Corruption Act, 1988? Discuss the powers of Special Judge under Prevention of Corruption Act, 1988.
2. Critically examine Prevention of Corruption Act, 1988 and give your suggestions to improve the existing framework of that legislation.
3. "The Food Adulteration Act, 1954 is the welfare legislation to prevent health hazards by consuming adulterated food" - Comment
4. Critically examine the underlying the policy of The Narcotic Drugs and Psychotropic Substances Act, 1985.
5. What are the powers of the Govt. under Essential Commodities Act, 1955 to Control production, supply and distribution of essential commodities and what are the penalties for violating the order made under those powers?

**Group - B (2 X 7 = 14 Marks)**

6. Mahesh, an owner of a rice whole seller shop in Chennai possessed 5 quintals of rice in his shop. After getting the news about flood he shifted the grains to his house and sold it in very high price after one week. After getting information, the district collector ordered for seized the grain immediately. But at that time, Mahesh pleaded that he took the grain to house to save from flood as his shop situated down to the lane. Discuss the liability of Mahesh if any under Essential Commodity Act.

7. Ajay a Member of Parliament induced Bikram to give 5 Lakhs rupees that he (Ajay) as a MP can influence an IAS officer and by that he can help Bikram to get a job in District Collector's office. Whether Ajay has committed any offence under the Prevention of Corruption Act, 1988? Support your answer with legal principles and case laws.

8. Raj is working in a private corporation. He influences some people by telling that he is working under a leading insurance company, and started collecting huge amount of money from people. He deposited that money in a bank and requested the banker for not disclosing the amount he has deposited. The banker acted as per his request. Discuss the liabilities of both Raj and Banker under Prevention of Money Laundering Act, 2002.

**Group - C (4 X 4 = 16 Marks)**

**Write any FOUR of the following short notes in about 250 words:**

9. Narcotic Control Bureau
10. Punishment under the Transplantation of Human Organs and Tissues Act, 1994
11. Proceeds of crime
12. Prohibition of import export goods
13. Power and function of Lokpal

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**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**CORPORATE LAWS-I**

Time: 2¾ Hours

Maximum Marks: 70 Marks

**Special instructions to the candidates:**

1. Candidates are allowed to carry the following materials only to the examination hall:
  - Bare Acts/Corporate Laws Manual or photocopy of the select pages of Bare Acts/Corporate Laws Manual.
  - Print out of the full text judgments of the any courts or law review/journal articles or photocopy of the same.
  - Photocopies of select chapters of Jurisprudence books.
2. All questions are mandatory.
3. Marks are mentioned against each question or sub-question, as the case may be.
4. Text or reference books, class notes, guides, question and answer books etc or the photocopy of the any or all of these materials are prohibited in the examination hall. In case a student is doubtful about the category to which a given material falls, the candidate concerned shall clarify from the course teacher about the proper category of the material.

**PART I – (4 X 5 = 20 Marks)**

**[Short answer type questions]**

1. Write a short note on nature and extent of personality of body corporate.
2. Write a short note on the eligibility to become member of a producer company.
3. Write a note on subscription clause.
4. Briefly state the significance of "Book Building Process" for existing members of a company, if they are concerned about the dilution of shareholding in the company.



5. Write an essay on law applicable to registration, if any, of charges created by a company.
6. Critically evaluate the binding nature of the Memorandum of Association and Articles of Association.

## PART III – (10 Marks) [Case Comments]

7. Critically comment on *Prem Latha Bhatia v. Union of India and Ors.*, (2006) 134 Comp Cas 92 (Del). Suppose the judgment was overruled by the Supreme Court. Would you advise her to incorporate a one person company? State reasons for your advice.

## PART IV – [Facts Based Questions]

8. SLN Pvt Ltd. was incorporated under the Companies Act, 1956. The company was dealing in supply of industrial acids. The required infrastructure to store the acids were in place. Also, the necessary permissions under the law of the land were obtained by the company. On 13.05.1972, SLN Pvt Ltd has notified Ms Adira regarding information sought for for subscribing to shares of SLN. Securities issued by SLN were held by 2 brothers who are well known in the business circles. However, they both agreed for a good faith partition of family property and securities issued by SLN was agreed to be in the name of one of the brothers. However, this information was not included in the information sent to Adira. Later Adira agreed to take 1000000 shares of INR 100 each. The company was in the process of statutory compliances. SLN was expected to finalise the issue of shares on 25.11.2017. Sudden turn of events resulted in the final family arrangement. The company completed the proposed issue of shares. Adira came to know the developments after the family arrangement was executed. Adira feels that her investment in the company post family arrangement is not promising. She seeks your opinion on legal status of the transaction and the remedies, if any, she has.

- 8.1. **Advice her on the status of the transaction and the further course of legal action she may take in order to exit from the company.**  
(5 Marks)

In the meanwhile, the company suffered losses and the share value fell by 75%. Consequently, Adira suffered losses.

She has filed a suit claiming damages for loss suffered by her. The Company denies its liability.

In view of the above facts, you are required to

- 8.2. frame issues (5 Marks)
- 8.3. prepare written submissions on both sides (5 Marks)
- 8.4. assuming yourself as a judge, decide the matter (5 Marks)

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## TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

## B.Com. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

## BUSINESS ORGANIZATION AND MANAGEMENT

Time: 2¼ Hours

Maximum Marks: 70 Marks

## PART – A (5 X 2 = 10 Marks)

Answer any FIVE of the following questions:

1. Write short notes on
  - (i) Statutory Company
  - (ii) Partner by Estoppel
  - (iii) Government Organizations
2. What is Span of Management?
3. What is Standing or Multiuse plan?
4. Write short notes on
  - (i) Staffing
  - (ii) Controlling
  - (iii) Direction
5. What is Human resource planning?
6. Write short notes on
  - (i) Job Specification
  - (ii) Recruitment
  - (iii) Appraisal counselling
7. What is Management Information System?

**PART - B (4 X 5 = 20 Marks)**

Answer any FOUR of the following questions:

8. Explain the various kinds of Companies
9. Explain the Features of Management
10. Explain the steps involved in Human resource planning
11. Explain the various methods of providing Training to employees
12. Explain the Emerging Human Resource Techniques

**PART - C (4 X 10 = 40 Marks)**

Answer any FOUR of the following questions:

13. Explain the Principles of Management given by Henry Fayol
14. Explain the Challenges for Indian Business in new Millennium
15. Explain the procedure for Selection of Personnel in a business firm
16. Explain the tools of Motivation
17. Explain in detail the legal formalities to be followed for Incorporating a joint stock companies

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**B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**FINANCIAL ACCOUNTING AND PRACTICAL AUDITING**

Time: 2¼ Hours

Maximum Marks: 60 Marks

**PART - A (5 X 12 = 60 Marks)**

Answer any FIVE Questions:

1. What do you mean by dissolution of partnership? Distinguish between dissolution of partnership and dissolution of firm?
2. Explain various Accounting Concepts and Conventions. How are they evolved?
3. Pass the journal entries and prepare important ledger accounts for following transactions of Mr. Vendhan during the month of April, 2017 are as under:

Date	Transactions
April	
1	Business started with cash Rs.2,50,000
1	Goods Purchased from Mr. Marshal Rs.30,000
2	Stationery purchased for cash Rs.2,500
2	Open a Bank account with SBI for Rs.25,000
3	Goods sold to Mr. Keynes Rs.15,000
5	Received a cheque of Rs.14,750 from Mr.Keynes
4	Sold to Goods to Mr.King Rs.10,000
8	Mr.King pays Rs.10,000
10	Purchased goods for Rs.20,000 on credit from Mr. Vicky
14	Insurance paid by cheque Rs.3,000
18	Paid Rent Rs.1000
20	Goods costing Rs.2,500 distributed as samples
24	Purchased office furniture for Rs.20,000
29	Cash withdrawn for household purposes Rs.4,000
30	Interest received cash Rs.1,800
30	Cash sales Rs.23,000
30	Commission paid Rs.4,000 by cheque
30	Telephone bill paid by cheque Rs.3,000
30	Payment of salaries in cash Rs.18,000
30	Cash withdrawn from bank for office use Rs.1,000

4. The following information relates to the Royal Club for the year ended 31.03.2014 and you are required to prepare an Income and Expenditure account for the year and a Balance sheet as on that date.

**Receipt and Payment Account**

Receipt	Rs.	Payments	Rs.
To Balance b/d	9,400	By Salaries & wages	4,800
To Entrance fees	1,200	By Electricity	480
To Subscriptions		By News Papers & Journals	2,100
2012-13 Rs.200		By Fixed Deposit	10,000
2013-14 Rs.14,000		By Furniture	800
2014-15 Rs.300	14,500	By Payment to Creditors	4,000
To Profit from Exhibitions	400	By Balance c/d	4,600
To Locker Rents	800		
To Miscellaneous Income	480		
	26,780		26,780

The assets and Liabilities on 1.4.2013 were: Furniture Rs.1550; Computer Rs.25,000; Consumable Stores Rs.1,350; Creditors Rs.1,200

On 31.03.2014 value of consumable stores was Rs.1,550; Creditors amounted to Rs.1,550; the subscription outstanding was Rs.300; and the interest accrued on fixed deposit Rs.375.

Entrance fees is to be capitalized and depreciation on Furniture 5 % p.a

5. Mr. A Purchased a Van under hire purchase system from Mr.B. According to the terms of the agreement Rs.4,000 was to be paid on signing of the contract. The balance was to be paid in three annual instalments of Rs.4,000. The cash price was Rs.14,900. Interest is chargeable on outstanding balance at 5% per annum. Depreciation has been charged under written down value method at 10% p.a. Pass the necessary journal entries in the books of Mr.A and Mr.B.

6. The following are the balances extracted from the books of Mr. Maran on 31.12.2017

Cash in hand	960	Drawings	15,000
Cash at bank	26,320	Claims received against goods	3,200
Land and Buildings	49,000	Wages	45,600
Plant and Machinery	30,000	Salaries	9,000
Furniture and fittings	3,500	Bad debts provision	4,200
Loose tools	3,000	Sales returns	3,750
Bills Receivable	2,600	Bank charges	430
Purchases	76,500	Fuel and water	1,550
Bad debts	750	Rates and taxes	1,490
Loan to Veer @10%	10,000	Discount (Dr)	300
Sales	1,96,000	Miscellaneous expenses	3,250
Interest from Veer	500	Sundry debtors	77,800
Carriage inward	2,100	Sundry creditors	27,200
Capital	1,95,600	Stock on 31-03-2015	61,200
Fire insurance	1,200	Carriage outwards	1,400

Prepare the Trading and Profit and Loss Account for the year ended 31.03.2015 and a balance sheet as on that date after giving effect to the following adjustments.

- Depreciation to be charged on land and building at 2.5%, on Plant and Machinery at 10% and furniture and fixture at 10%.
- Provision for Bad and Doubtful debts to be made at 5%, for discount at 2%.
- Of the Sundry debtors Rs.800 are bad and should be written off.
- Wages include Rs.500 spent on the installation of new machinery and plant.

Name : Register No.: **TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI****B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**FINANCIAL ACCOUNTING**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART – A (5 X 2 = 10 Marks)****Write a short note on the followings:**

1. Double Entry Book System
2. Journal
3. Average Due Date
4. Non-Trading Organization
5. Partnership

**PART – B (3 X 5 = 15 Marks)****Answer any THREE Questions:**

6. Bring out the Accounting Concept and Conventions and Explain them
7. Distinguish single entry system from double entry system
8. Define Depreciation and Explain various methods of Depreciation
9. When will you apply “Garner Vs Murray Case” Rule – Explain

**PART – C (3 X 15 = 45 Marks)****Answer any THREE Questions:**

10. Journalize the following transactions of M/s New Fashion House and post the entries into the ledger

2017

November

01 Business started with Cash Rs.2,00,000

- 05 Opened a bank account with Indian Bank Rs.45,000
- 10 Goods purchased on credit from M/s Modern House Rs.25, 000
- 15 Purchase office Machines, paid by cheque Rs.35,000
- 17 Sale on goods on credit to M/s King Bros. Rs.25000
- 20 Cash paid to M/s Modern House
- 28 Received a cheque for Rs. 24500 from M/s King Bros and his account has been closed
- 30 Salary Paid in cash Rs.12000
- 30 Cash withdrawn for household expenses Rs.2000
- 30 Purchased goods distributed as free samples Rs.1000
- 30 Commission Received Rs.4000

11. Compile three column cash book of Mr. Wilson from the following transactions:

2017

Aug-

- 1 Mr. Wilson started business with cash Rs.2,00,000
- 2 Deposited into Bank Rs.50,000.
- 4 Cash purchases Rs.5,000.
- 5 Purchases by cheque Rs.6,000.
- 6 Goods sold to Nathan on credit Rs. 5,000.
- 8 Received cheque from Mano Rs.490, Discount allowed Rs.10.
- 10 Paid carriage Rs.1,000.
- 12 Withdrew from Bank for office use Rs.10,000.
- 15 Paid to Sundari Rs.4,960, Discount allowed by her Rs.40.
- 20 Received a cheque for Rs.4950 from Nathan in full settlement of his account, which is deposited into Bank.

12. The trial balances of Mr. Shankar shows the following balances on 31st December 2017. Prepare final accounts:

Debit Balance	Rs.	Credit Balance	Rs.
Purchases	70,000	Capital account	56,000
Sales returns	5,000	Sales	1,50,000
Opening stock	20,000	Purchase returns	4,000
Discount allowed	2,000	Discount received	1,000
Bank charges	500	Sundry creditors	32,000
Salaries	4,500		
Wages	5,000		
Freight inwards	4,000		
Freight outwards	1,000		
Rent, rates and taxes	5,000		
Advertising	6,000		
Cash in hand	1,000		
Plant and machinery	50,000		
Sundry debtors	60,000		
Cash at bank	7,000		
Bad Debts	2,000		
	2,43,000		2,43,000

Adjustments:

1. Closing stock on 31st December 2017 was Rs. 45,000.
2. Increase the bad debts by Rs. 500
3. Provide 5% for doubtful debts
4. Outstanding salary Rs.1,500
5. Prepaid Advertisement Rs.1,500

13. Rose and Jasmine are partners sharing profit and loss in the ratio of 3:2. Their balance sheet as on 31st March 2017 is as under:

Liabilities	Rs.	Assets	Rs.
Capitals:		Land & Buildings	1,20,000
Rose : 90,000		Plant & Machinery	90,000
Jamine : 75,000	1,65,000	Stock	33,000
Profit and Loss a/c	30,000	Sundry Debtors: 15,000	
Sundry creditors	48,000	Less: Prov. 1,000	14,000
Bills payable	50,000	Cash	6,000
		Goodwill	30,000
	2,93,000		2,93,000

They decided to admit Lotus into the partnership with effect from 1<sup>st</sup> April 2017 on the following terms:

- Lotus to bring in Rs.60, 000 as capital for 1/3<sup>rd</sup> share of profits
- Goodwill was valued at Rs.45, 000
- Land was valued at Rs.1, 50,000
- Stock was to be written down by Rs.8, 000
- The provision for doubtful debts was to be increased to Rs.3,000

Prepare revaluation account, capital accounts and the balance sheet of the new firm

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Name :

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## TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

### B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

### INTERNATIONAL COMMERCIAL ARBITRATION

Time: 2¼ Hours

Maximum Marks: 70 Marks

#### 1. State whether the following statements are true or false. Give reasons for the same.

- Power of the Chief Justice under Section 11 of the Arbitration and Conciliation Act is an administrative power.
- The Calcutta High Court in *Tufan Chatterjee v. Ranjan Dhar* held that the Arbitration (Amendment) Act of 2015 has prospective applicability only for arbitration proceedings and not for Court proceedings.
- The concept of 'seat' in international commercial arbitration implies the physical seat i.e. place where the arbitration is convened.
- The second look doctrine as propounded by Courts in U.S. has laid down a conservative approach towards the question of arbitrability.

[4 X 5 Marks]

#### 2. Answer the following questions:

- Decide validity of the following arbitration clause:  
"The parties hereto have submitted to settle their dispute under the Arbitration and Conciliation Act of India, 1996 at Singapore"
- A, an Indian party and B, an English party entered into a contract with an Arbitration Clause (AC) in it. The parties decided London as the seat and the Indian law is the Proper Law of Contract (PLC). Identify the Law Governing Arbitration (LGA) and the Law Governing Arbitration Agreement (LGAA) in this case. Cite relevant case laws in support of your answer.

c) A and B, both Indian parties had a contractual dispute arbitrated and the award was passed in favour of A. A has initiated enforcement proceedings in the Court. Seeing this, B files a fresh civil suit in the Court regarding the same dispute. Will the civil suit filed by B be entertained? Answer using established legal principles.

d) A and B Indian parties who entered into a contract with an Arbitration Clause (AC) in it, duly signed by both the parties. Later, A contends that his signature in the document is forged by B and hence the contract is void and liable to be terminated. In light of established legal principles, decide whether in this case the Arbitration Clause (AC) will also be terminated.

[4 X 6 Marks]

3. State the difference between the following with help of suitable examples.

- Procedural public policy and substantive public policy
- Impartiality of an arbitrator and independence of an arbitrator
- Scope of term 'international' under UNCITRAL Model Law and scope of term 'international' under Indian Arbitration and Conciliation Act, 1996.

[3 X 6 Marks]

4. What do you understand by the minimum court intervention principle? Explain how the principle has led to a change in the interpretation of Section 8 of the Arbitration and Conciliation Act, 1996.

[8 Marks]

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TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

PRINCIPLES OF ECONOMICS / ECONOMICS-I

Time: 2¼ Hours

Maximum Marks: 70 Marks

Part – A (5 X 5 = 25 Marks)

Answer any FIVE:

- Monopoly
- Perfect competition
- Market failure
- Social cost
- Public good
- Internalisation of externalities

Part – B (3 X 15 = 45 Marks)

Answer any THREE:

- Explain prisoner's dilemma in oligopolistic market with an example.
- What is shift in demand curve and movement along the demand curve? Represent graphically with an elaborate example.
- Elucidate why perfect competition is always a price taker.
- Define Gross Domestic Product [GDP] and enumerate the components of GDP.

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI****B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**ADMINISTRATIVE LAW**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Instructions:**

- The question paper comprises of eight questions (10 marks) and out of which seven questions to be answered;
- Question nos: 1 & 8 are compulsory;
- Write the legal provisions, legislations and case laws wherever necessary;
- Each question must be answered in 4 pages/sides each;
- Brevity in answers is highly expected and try not to exceed the given limit;

1. President Ram Nath Kovind **inaugurated the Constitution Day celebration function organised by the Supreme Court in New Delhi** on Sunday and added that it was critical not to disturb the fraternity of **separation of powers** and maintain a "delicate balance" while exploring the relationship between the Judiciary, the Executive and the Legislature as they are all equal- Comment.
2. Elaborate on the reasons for the growth of Administrative Law and also state why France is considered as the pioneer for adoption of administrative law.
3. **Answer the following in not more than 5 lines: (5 X 2 = 10 Marks)**
  - a. Courts and Tribunals
  - b. Article 13(3) of the Constitution of India
  - c. Doctrine of Necessity
  - d. Bentham's Utilitarianism
  - e. Article 323A and 323 B of the Constitution of India
4. **Analyze the case laws:**
  - a. Wednesbury case
  - b. Kanwaljit Singh kakkar v. State of Punjab
  - c. Sampath Kumar v. UOI
  - d. In Re Delhi Laws Act case
  - e. Purtabpore Sugar company Limited v. Cane Commissioner



5. Explain on the controls of delegated legislation with special reference to doctrine of Ultravires.

6. **Promissory estoppel** was developed by an *obiter* statement by Denning J (as he then was) in *Central London Property Trust Ltd v High Trees Ltd* [1947] KB 130. Denning J based the doctrine on the decision in *Hughes v Metropolitan Railway (1876-77) L.R. 2 App. Cas. 439.* - criticize.

7. What is the need to study administrative law and compare it with the need of constitutional law as public law.

8. Whether all types of administrative discretion hinge on judgment and interpretation by public administrators? Is it necessary that administrative discretion should be inherent in all administrative actions?

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B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

FAMILY LAW-I

Time: 2¼ Hours

Maximum Marks: 70 Marks

**NO BARE ACT IS PERMITTED**

**PART - A (5 X 10 = 50 Marks)**

Write short notes on any FIVE of the following (700 words):

1. Concept of 'Marriage' under Hindu Law.
2. What is meant by 'Dower'/'Mahr'?
3. Explain the significance of *Mohammed Ahmed Khan v. Shah Bano Begum, AIR 1985 SC 945.*
4. Explain the grounds under which you can file for divorce under the Indian Divorce Act, 1869.
5. How is the maintenance right under Sec.125 CrPC different from maintenance rights under other personal laws?
6. Explain the different types of guardians existing under the different personal laws.
7. What are the conditions under which a child can be adopted under the provisions of Hindu Adoptions and Maintenance Act (HAMA), 1956?

**PART - B (2 X 10 = 20 Marks)**

Answer any TWO of the following:

8. Misab and Missi were married as per sunni customs and traditions on 18.05.2015. Missi being very brilliant, wanted to pursue her Ph.D. But before she could join the course, she got pregnant and Misab totally objected her studies in concern of their baby and Missi's health. This led to a huge fight between them and eventually, in anger Misab took Missi and left her at her parents' home and

declared Talaq 3 times continuously. He also says, "I will take care of my child after the birth, but we are not going to be together". Both of them are heartbroken and regret the incident. Misab feels very much remorseful and decided to bring his pregnant wife back home. Decide the validity of Talaq before the *Shayara Bano v. UOI, SC, 2017*. Do you think that the validity of Talaq has changed after the case of *Shayara Bano v. UOI, SC, 2017*?

9. Anish and Anitha got married in January 14<sup>th</sup>, 2014 as per Hindu rites and rituals. After few months, fights started happening between both because of Anish's hectic work schedule. Fed up of this, one day after a long fight, Anitha took out her mangalsutra and stormed out of the house saying "I am not coming back". Anish was also totally heartbroken and decided not to speak to Anitha. Both of them lived separately for more than 6 months. Their family also tried for reconciliation but in vain. Hence, Anish decided to sue for divorce for cruelty and desertion under Hindu Marriage Act (HMA), 1955 on 30<sup>th</sup> April, 2015. Decide.

10. Sarah and Joseph are Christians by birth and ardent church goers. They have been married for more than 12 years but could not conceive. After failed attempts of invitro fertilizations, they decided to adopt and approached a NGO called 'Children of God' (COG). They applied for adoption of a girl child who is less than 3 years. After 1 year, they got a 6 month old baby girl. Ecstatic, they take their baby to church to Baptist her and make her their baby in Christian way. Consider yourself as the priest, who has sufficient knowledge of law on adoption and explain to the couple the existing law on adoption under Christian laws.

11. Mrs. Naina Wahab, a mother of two children and aged 29 years, lost her husband tragically in a train accident 2 months back. Her parents-in-law, decided in the goodness of Naina and her kids that she should be married to her eldest brother-in-law who is a widower, aged 40 years and has a child. Naina very reluctantly agrees to the same and the Nikah is solemnized within 5 months of death of her husband as per their Shia customs.

- 1) Decide the validity of the said Nikah.
- 2) What is the status of children, if any born out of this relationship?

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**PROPERTY LAW**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Instructions:**

- a. No clarification can be sought during examination. Answer as it is.
- b. The problem based questions should be preferably answered in the *IRAC Method* by quoting relevant judicial precedents.
- c. All other questions should be answered by quoting at least two relevant precedents and/or illustrations.
- d. Bare Acts are not allowed; Electronic gadgets are prohibited.
- e. You are strictly directed to follow the Question Number as given in the Question Paper.

**Answer any "FIVE" of the following (Question No. 1 is Compulsory; Chose any "FOUR" out of the remaining questions):**

**1 Write short notes on all of the following:**

- 1.1 Kinds of Subrogation. (5 Marks)
- 1.2 Distinguish between Vested Interest and Contingent Interest. (5 Marks)

**2 The Government of Tamil Nadu (hereinafter 'State of TN') and TPJ Paper Products Company Ltd. (hereinafter 'TPJ') entered into a contract for the purpose of felling, cutting, obtaining and removing bamboo from forest areas for a period of 10 years. The contract further provides that after collecting the bamboo, it is the role of 'TPJ' to convert them into paper pulp so that they can be used for manufacturing of paper or for any incidental purposes as directed by the 'State of TN'. The 'State of TN' wants to levy sales tax on 'TPJ', since it considers the bamboo contract to be a sale of movable goods. 'TPJ' resists this claim on the ground that the contract is one relating to transaction of immovable property. Decide the case by quoting the relevant statutory definitions and various judicial precedents.**

**(15 Marks)**

3 Answer the following by critically analysing the law relating to transfer of property to unborn persons:

3.1 Transfer of Property Act applies only to transfer by '*inter vivos*'. However, transfer for the benefit of an '*unborn person*' is an exception to this rule. Explain.

(7 Marks)

3.2 'A' made a gift of her property to 'B', her nephew's daughter for life, and then to 'B's male descendants, if she should have any, absolutely; but if she should have no male descendants, then to 'B's daughters without power of alienation; but if there were no descendants of 'B', male or female, then to her nephew. 'B' died without leaving any issue. Decide the validity of the transaction by critically analysing various provisions of the TP Act relating to transfer to unborn persons.

(8 Marks)

4 Explain the meaning and essential elements of a sale. Distinguish between '*sale*' and '*exchange*'. When registration of a sale is mandatory? Further, elucidate the importance of the principle of '*caveat emptor*' and its exceptions in the case of sale of immovable properties.

(15 Marks)

5 Define the terms '*trust*', '*dominant heritage*' and '*servient heritage*'. List down any three duties and liabilities of a Trustee. Explain the differences between Public Trust and Private Trust with the help of judicial precedents.

(15 Marks)

6 'A' was the owner of the property 'X'. 'A' entered into a contract for sale of 'X' with 'B' for a consideration of Rs. 25 lakhs. Out of the said consideration, 'B' paid an advance amount of Rs. 10 lakhs and it was agreed between the parties that the remaining amount shall be paid within a period of 12 months from the date of the agreement. When 'B' was ready to pay the remaining sale consideration, 'A' refused to transfer 'X' to 'B'. Hence, 'B' filed a suit for specific performance against 'A' [hereinafter '*Original Suit*']. When the matter was pending adjudication, 'A' transferred 'X' to his elder brother 'C' by way of a registered settlement deed. Decide the validity of the transfer and explain whether 'C' can be impleaded as a party in the Original Suit.

(15 Marks)

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TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

PROFESSIONAL ETHICS

Time: 1½ Hours

Maximum Marks: 20 Marks

Instructions:

- No clarifications will be given in the exam hall, answer the question as it is.
- Answer the questions within the prescribed word limit.

PART-A (2 X 10 = 20 Marks)

Answer the following Questions (Min 500-Max 600 words):

- Is it mandatory for an advocate to maintain professional conduct inside and outside the court hall? If yes state your opinion on the necessity of imposing legal sanctions for professional conduct violations.
- State your opinion on advocates right to boycott courts and organize strike.

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TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI

B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course

Repeat Examinations (Odd-Semester), January 2018

ALTERNATE DISPUTE RESOLUTION

Time: 1 Hour

Maximum Marks: 40 Marks

**PART-A (15 X 2 = 30 Marks)**

Select the most appropriate answer:

- The reason why ADR was introduced is-
  - Lack of Judicial Interference
  - Procedural Comfort and easiness in the resolution making
  - Delayed legislative effort
  - All the above
- In mediation, during the caucus/private sessions, the mediators try to ask open ended question for-
  - To make each party better understand about each other
  - To discuss what is good/bad for each party
  - To gain other relevant facts which may help mediator to better understand the parties and solve the dispute
  - It is a mere formality and discretion is given to the mediator to hold it
- Competitive style of Negotiation is usually followed in -
  - Distributive Bargaining
  - Integrative bargaining
  - Interest based bargaining
  - None of the above
- The first LokAdalat was held in the year 1982 in the State of -
  - Gujarat
  - TamilNadu
  - Kerala
  - Maharashtra

5. 'Bargaining from your position is an integral part of Adversarial negotiations'. State whether the statement is True/False?
6. Opening statement is a statement made by mediator in mediation is –  
(a) Convey their difference in opinion.  
(b) To explain the facts of the particular dispute.  
(c) To explain the procedure to be followed in mediation as to how mediation is to be conducted.  
(d) There is no opening statement in Mediation.
7. Expand the terms- BATNA and WATNA. Explain their significance in 200 words.
8. The role of a mediator as per Supreme Court's training manual on Mediation is –  
(a) Facilitative and Evaluative  
(b) Facilitative only  
(c) Evaluative only  
(d) No role for mediator
9. Prakash and Praveen are two friends. They decided to enter into a partnership to start a business. It was decided that Prakash will maintain the accounts and works for 3 days a week. Praveen will work for rest three days in a week and provide for other facilities for the business. Both decided to share the capital as well as loss & profit. However, after 3 months of business, Praveen refused to take up the office charges and stopped coming to office. Prakash decided to speak to Praveen about the same but in vain & finally decided to quit the partnership after 6 months. However, Praveen doesn't want to break the partnership. **Decide which mode of ADR will be good to settle the dispute between them and justify it.**
10. One of the important aspect of negotiation is **communication**. Therefore, if one fails to communicate ones interest-  
(a) The negotiation fails.  
(b) The negotiation continues, but the parties will be dissatisfied with the outcome.  
(c) The negotiation is successful as they will achieve what they want in the end.  
(d) They will resort to judiciary.
11. Explain the difference between Mediation and Conciliation under Indian Laws in 200 words.

12. What is the type of bargaining used in Principled Negotiation?

- (a) Interest based bargaining  
(b) Rights based bargaining  
(c) Interagative bargaining  
(d) No bargaining.

13. What is meant by 'Impasse'?

- (a) It's a situation in the negotiation when parties refuse to talk and sort out their differences.  
(b) It's a starting stage of a conflict.  
(c) It's a situation when parties end up signing the settlement deed.  
(d) None of the above.

14. *Afcons Constructions v. Cherman Varkey, 2010, SC* is a case law which is dealing with the –

- (a) Importance of ADR in Indian legal system.  
(b) Discusses the role of Lawyers in the ADRs.  
(c) Discusses the legal recognition of ADR under the CPC, 1906 and such other statutes.  
(d) All of the above.

15. Brief on various types of ADR mechanisms existing in India in 300 words.

#### PART-B (1 X 10 = 10 Marks)

Answer any ONE of the following (not more than 4 pages):

16. Explain the significance of an arbitration agreement in the process of Arbitration using the relevant provisions under the Arbitration and Conciliation Act, 1996.

[OR]

17. Explain how arbitrators are appointed in an arbitration agreement as prescribed by the Arbitration and Conciliation Act, 1996.

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI****B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**INTERNATIONAL ORGANISATIONS**

Time: 2¾ Hours

Maximum Marks: 70 Marks

**PART - A (3 X 6 = 18 Marks)****Answer any THREE of the following in not exceeding 400 words:**

1.
  - a) *Reparation of Injury Suffered in the Service of the United Nations*, (1949) ICJ Rep. 174.
  - b) Types of Inter Governmental Organisation.
2. Pacific Settlement process of the United Nations Security Council.
3.
  - a) Domestic Jurisdiction
  - b) North Atlantic Treaty Organisation (NATO)
4.
  - a) WTO - DSU
  - b) International Bank for Reconstruction and Development (IBRD)

**PART - B (4 X 10 = 40 Marks)****Answer any FOUR of the following not exceeding 1000 words each:**

5. Point out the organizational structure of the League of Nations. Omission of the member countries of the Organisation is the pivotal reasons for failure of League of Nations. Comment.

6. Representatives of the Members of the United Nations and Officials of the Organisation shall enjoy the privileges and immunities as are necessary for the purpose of independent exercise of their functions in connection with the Organisation – Article 105 of the United Nations Charter.

Examine the immunities and privileges of the Members of the United Nations and its officials. Whether the immunities and privileges are available to the Members of the Specialised Agencies of the United Nations. Comment.

7. The Security Council of the United Nations shall at all times be kept fully informed of activities under taken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security. Examine the relevant provisions of the United Nations Charter.
8. Analyse the organizational structure of the International Committee of the Red Cross (ICRC). How far does the International Criminal Court (ICC) help to punish the offenders of International Law?
9. Critically examine the law making procedure of the specialized agencies. Whether the rule making procedure of the specialized agencies are in strict compliance with the United Nations Charter. Comment.

**PART - C (4 X 3 = 12 Marks)**

Answer any **THREE** of the following not exceeding 200 words each:

10. Inter Governmental Organisation
11. UNITAR
12. United Nations Commission on International Trade Law (UNCITRAL)
13. Organization of the Petroleum Exporting Countries (OPEC)
14. International Commission on Settlement of Investment Disputes (ICSID)

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**B.A. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**ENVIRONMENTAL LAW**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART - A (3 X 6 = 18 Marks)**

Answer any **THREE** of the following in about 500 words with cogent reasons:

1. The Government of Karnataka gave environmental clearance to a biological park in which the general public will be allowed to watch wild life a close residential quarters. Against the decision of the government, PEOPLE WATCH, a student run voluntary organisation filed a petition before the Karnataka High Court challenging the permission granted by the government on the ground that wildlife and habitat would be adversely affected. Is it sustainable? Decide.
2. Aquamarines Private Limited proposed to establish aquaculture in agriculture lands in the State of Telungana. NATURE LOVERS, an NGO objected to this proposal on the ground that the establishment of aquaculture in fertile agricultural lands would affect the ecological fragile in that locality. The Aquamarines defended that there was no law in the state to prevent the establishment of aquaculture lands. Decide.
3. Due to leakage of poisonous gas from a company registered in foreign country and claimed lives of more than 3,500 and 75,000 residents were injured. The Parliament passed a law to take over and pursue all the claims of the victims. An NGO challenged the validity of law on the ground that the Parliament of India has no power to make law for providing compensation. Is it sustainable? State and mention.
  - a. Name of the Case law in which the constitutional validity was challenged
  - b. What are the principles and doctrines are evolved by the Supreme Court in that case?
4. The Indian Railways proposed to lay a new rail route through the East Coast from Chennai to Howrah. PEOPLE FRONT, a student run voluntary organisation in Odisha objected to the new Railway route on the ground that certain parts of Odisha would lead to disturbance of the unique biological eco-system of Mangrove and fish-life. State and Mention.

- a. Whether the objection is sustainable?  
 b. If so, what all the measures the Railways should adopt for executing the proposed work?

**PART – B (4 X 10 = 40 Marks)**

Answer any FOUR of the following in about 1000 words with cogent reasons:

- Define Environment. Public Interest Litigation has extended its helping hand to prevent environmental damage in a large scale by relaxation of *local standi* in India. Analyse this statement by referring relevant judicial decisions relating to water pollution.
- Right to life comprehends right to safe environment, including air quality and safe from noise. Do you agree? Examine this statement by referring various judicial decisions on noise pollution in India.
- Define Sustainable Development. Right to development is not an absolute. Analyse this statement emphasizing "Precautionary Principle and Polluter Pays Principle" it was decided by the Supreme Court of India in *S. Jagannath v. Union of India*
- Define environment. Protection and preservation of environment is the matter of international concern. Have the United Nations institutions played a successful role in environmental sustainability? If not, suggest measures for the successful role in the environmental sustainability.
- Define Environment pollutant under the Environmental (Protection) Act, 1986. Critically examine the procedural measures to be adopted for protecting environment both for present and future generations by the Central Government under Section 3 and Section 25 of the Environmental (Protection) Act, 1986.
- Environmental Pollution are considered an act against the state. Do you agree? Analyse this statement with the help of relevant provisions of Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973 to tackle environmental pollution in India.

**PART – B (3 X 4 = 12 Marks)**

Answer any THREE of the following in about 300 words with cogent reasons:

- a. Doctrine of Parens Patrial  
 b. Mass Tort Action
- Environmental Refugee
- M.C. Mehta v. Kamal Nath
- Environmental Laboratory
- Green Bench

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**LAW OF CRIMES – II (CODE OF CRIMINAL PROCEDURE, PROBATION OF OFFENDERS ACT AND JUVANILE JUSTICE ACT)**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Part – A (6 × 4 = 24 Marks)**

Answer ANY SIX of the following questions:

- Classification of offences
- Cognizable and non-cognizable offence
- Heinous crime
- Withdrawal from prosecution
- Alteration of charge and procedure thereafter
- Case Diary
- Execution of sentences
- Form and Content of Judgment

**Part – B (2 × 15 = 30 Marks)**

Answer ANY TWO of the following questions:

- "Public Prosecutor should not be over enthusiastic about securing the conviction of the accused. He has to act as an agent of Justice" - Explain the Public Prosecutor and their powers under Cr. P.C.
- "The object of providing for maintenance under Sec. 125 Criminal Procedure Code is to prevent starvation and vagrancy in the society which may lead to commission of crime by those who are unable to maintain themselves". Explain the provisions relating to maintenance of Wife and Children under the Code.



11. "A person who has been tried for an offence and convicted or acquitted shall not be liable to be tried for the same offence". Explain.

**Part - C (2 × 8 = 16 Marks)**

Answer ANY TWO of the following questions:

12. Mr. Ramlal was suspected in a case of theft of gold ornaments from a temple where he was employed. Apprehending arrest Mr. Ramlal approached the Chief Judicial Magistrate of the place where the temple is located and the same granted. Discuss the validity of the order.

13. A, an indigent accused has been convicted in a trial in which he was not provided legal aid. He prays for the conviction to be set aside because he could not defend himself properly without the help of any advocate. Will he succeed?

14. Mr. X approaches the magistrate of first class of his local town with a complaint alleging defamation against Mr. Y. It was alleged that the public statements made by Mr. Y in a political meeting is of such a nature that it caused defamation to the National Leader of the Party to which Mr. X belongs. The Magistrate asks you to file a written advice on the legal position as to the cognizance of the case. Advice.

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**LEGAL METHODS**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART - A (10 X 1 = 10 Marks)**

Answer ALL of the following questions from this part:

- Snowball sampling is also called:  
a) Chain sampling  
b) Probability sampling  
c) Random sampling  
d) Stratified sampling
- A passing remark in a judgement which has a persuasive value is called:  
a. *Ratio decidendi*  
b. Dissenting opinion  
c) *Obiter dictum*  
d) *Opinio juris*

Read the name of the judgement below and identify the elements in the following questions:

***Additional District Magistrate, Jabalpur v. S.S. Shukla, AIR 1976 SC 1207***

- Appellant -
- Respondent -
- The cause title -
- Expand AIR -
- The Environmental (Protection) Act 1986 is a \_\_\_\_\_ legislation. (Supreme/Delegated)
- The idea of a 'creative judiciary' is advocated by \_\_\_\_\_ School of jurisprudence.
- This liberal thinker propounded constitutional republics and international organisations but opposed, what in his times was, direct democracy \_\_\_\_\_
- The following reference is cited in the Bluebook style of citation. Identify the error in the citation and write the correct form -

Helen Anderson. *The Freedom to Speak and the Freedom to Listen: The Admissibility of the Criminal Defendant's Taste in Entertainment*, 2005, Or. L. Rev. 899.

**PART - B (3 X 12 = 36 Marks)**

Answer any **THREE** of the following questions (500 words each):

11. "...what Savigny and his followers really were was a school of jurisprudence- a way of looking at the enterprise of making and applying law." Critically analyse the tenets of the school of jurisprudence Savigny belonged to.
12. "The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, alterable when the legislature shall please to alter it. It is emphatically the province and duty of the judicial department to say what the law is. This is the very essence of judicial duty." – John Marshall

In the light of the above statement, explain how judicial precedents can be considered as a primary source of law?

13. 'Legal positivism says that the boundary between law and morality is a strict one. Judges, therefore, cannot impart their moral dimension to determine what law is.' In the light of this statement can you justify the use of popular morality as a valid restriction on the fundamental right guaranteed under Article 21 of the Constitution of India?
14. "The Constitution of India is federal in form but unitary in spirit"- Can you justify this statement? Explain the types of Constitution that you have learnt about in the class.

**PART - C (4 X 6 = 24 Marks)**

Answer any **FOUR** of the following questions (200 words each):

15. Utilitarianism is violative of the rights and interests of the minorities. Critically examine the truth of this statement through *R vs. Dudley & Stephens*.
16. Explain, through examples, the distinction among constitutionalism, constitution and constitutional law.
17. Explain the steps involved in the lifecycle of a legislation.
18. Sometimes the intention of the Legislature is not directly reflected in the law. Which rule(s) of interpretation would you use to infer the objectives of an ambiguous piece of law?
19. Is there any legitimacy to law making in a parliamentary democracy if the operative laws are made by the executive agencies of the government instead of the Parliament?

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**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**LABOUR LAW-I**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Note:**

- a. No clarifications will be given in the exam hall, answer the question as it is.  
b. Answer the questions within the prescribed word limit.

**PART - A (4 X 10 = 40 Marks)**

Answer any **FOUR** Questions (Min 350-Max 500 words):

1. Define Collective Bargaining and discuss about the enforcement of settlement arrived through Collective bargaining in India.
2. Define strike and discuss the legal provisions relating to strike mentioned under the Industrial Disputes Act, 1947.
3. Define an employer and discuss on the necessity of healthy employer employee relationship for maintaining industrial peace.
4. Define Trade Union and Discuss on procedure for registering a Trade Union in India
5. Write about the necessity of Workmen's Compensation Act and discuss the salient features of the workmen's Compensation Act, 1923.

**PART -B (5 X 6 = 30 Marks)**

Answer any **FIVE** Questions (Min 150 words- Max 250 words):

6. Write a short note on ILO
7. Discuss the significance of the Bangalore water supply case.
8. State the difference between lay off and retrenchment
9. Write a short note on occupational diseases
10. Discuss whether Teachers and Professors fall within the ambit of workmen as per section 2(s) of the Industrial Disputes Act, 1947
11. "Trade Unions are established only for the welfare of Labourers in India"  
– Comment.

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI****B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**CIVIL PROCEDURE CODE**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART - A (4 X 10 = 40 Marks)**

**Answer ANY FOUR of the following questions in about 500 words each. The first principles made out are to be substantiated with judicial pronouncements:**

1. A procedural law is always subservient to the substantive law. Nothing can be given by a procedural law what is not sought to be given by a substantive law and nothing can be taken away by the procedural law what is given by the substantive law. Elucidate this statement in the light of procedures adopted from the time of filing a suit till a Decree is obtained from a court of Law.
2. Section 9 of the Code runs as follows: "The Court shall (subject to the provisions contained in the Code) have jurisdiction to try all suits of a civil nature excepting suits of which their cognisance is either expressly or impliedly barred". Against the back drop of this section state and explain the suits which can be entertained and cannot be entertained by courts.
3. Plaint is a pleading of the plaintiff. Being such, the Code specifies that every plaint should contain the particulars as stated in Order VII. Enumerate and explain each of the particulars and bring out the significance of each of the particulars in the light of the various principles set out in the Code.
4. An interpleader suit is a suit in which the real dispute is not between a plaintiff and defendant but between the defendants who interplead against each other. Analyse this statement and bring out the significance of these suits as outlined in Section 88 and under Order XXXV.

5. Section 100 of the Code allows filing of Second Appeal in the High Court, if the High Court is satisfied that 'the case involves a substantial question of law' but not on any other ground. Examine this statement and bring out the significance of Second Appeal as stated in the Code.

**PART - B (6 X 5 = 30 Marks)**

Answer ANY SIX of the following in about 150 words each, citing judicial decisions wherever necessary:

6. a) Jurisdiction and consent
- b) Classes of Decrees
- c) Constructive Res Judicata
- d) Necessary party & Proper party
- e) Pleadings in Writ petitions
- f) Rejection of a plaint
- g) Distinction between Reference and Revision
- h) Constitution of Commercial Courts, Commercial Division & Commercial Appellate Division under Act of 2015

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**B.A. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**HISTORY-II (LEGAL HISTORY)**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**Part - A (8 X 5 = 40 Marks)**

Answer any EIGHT of the following questions:

1. Define Legal History.
2. Write a short note on the evolution of Roman law and its impact on Indian Law.
3. Trace the functions of Admiralty Court in Madras Presidency.
4. List out the merits and demerits of Regulating Act of 1773.
5. State the role of the Law Commission under the Charter Act of 1833.
6. Give an account on Cornwallis' Judicial Plan of 1787.
7. Bring out the provisions of Legal Practitioners Act of 1879.
8. Write a short note on the aims and growth of Legal Education in India.
9. Critically comment on the Government of India Act of 1935.
10. Comment the role of Constituent Assembly in framing Indian Constitution.

**Part - B (3 X 10 = 30 Marks)**

Answer any THREE of the following questions:

11. Describe the contributions of Henry Maine and F.W. Maitland on Legal History.
12. Throw light on the Trial of Raja Nanda Kumar and Patna case.
13. Discuss the constitutional Development between 1935 and 1950.
14. Partition of India improved the social and political conditions of Pakistan. Discuss.

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**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI****B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**HUMAN RESOURCE MANAGEMENT**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART – A (5 X 2 = 10 Marks)****Write a short note on followings:**

1. Human Resource Planning
2. Geocentric Approach
3. Competency Based Training
4. Agency Theory
5. Career Management

**PART – B (4 X 5 = 20 Marks)****Answer any FOUR of the following questions:**

6. Explain the Objectives of Human Resource Management
7. Explain the steps in Interview Process
8. Explain the competencies of Human Resource Manager
9. If you want to implement 360 degree and 720 degree feedback method to appraise your employees' performance, what will you do?
10. What are the Components of Compensation in the well structured organization and explain them.

**PART – C (4 X 10 = 40 Marks)****Answer any FOUR of the following questions:**

11. Explain the Emerging challenges of Human resource Management
12. Explain the steps in Process of Human Resource Planning

13. Explain the various Methods of providing Training to Employees
14. If you were to audit an existing performance appraisal system, what criteria would you use to judge its effectiveness?
15. Suppose you manage a small business with 30 employees. You discover that some employees are motivated by money, while others are motivated by security. For those who want more money you provide merit pay increase in which their income is determined by their productivity. The other employees have a fair salary. What problems might arise?

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**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**LAW OF TORTS**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART - A (4 X 10 = 40 Marks)**

**This part contains five questions out of which you may choose to attempt any FOUR:**

1. Explain the essential elements of a Tort highlighting the maxim *injuria sine damno* through the following passage:  
The plaintiff suffered massive monetary loss due to his unauthorised banquet hall, located in a residential colony, being selectively sealed by a competent authority, in compliance with a resolution passed by government of his political rivals. Decide whether a liability in torts arises in this case.
2. 'A' asks for a lift from a motorist 'B' who, in turn tell 'A' that "I am not a good driver and do not have a driving licence as well. You must hop in at your own risk!". Later, 'B's vehicle collides with a bus due to the defective brakes of the former. 'A' sues 'B' for the physical injuries caused to him in the accident. 'B' takes the defence of *volenti non fit injuria*. Decide the case while examining the legal elements in this situation.
3. The maxim *qui facit per alium facit per se* reminds you of which kind of liability? With the help of the decided cases explain the circumstances under which a master would be held liable for the acts of an independent contractor.
4. Explain through decided cases if a cause of action for private nuisance can arise from public nuisance.
5. What do you understand by toxic torts? Explain any three case laws which have helped in the evolution of remedies against environmental torts, globally.

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**PART - B (5 X 6 = 30 Marks)**

This part contains FIVE sub-parts all of which are COMPULSORY.

6. In not more than 350 words explain the following:

- i. *Damnum sine injuria*
- ii. *Contributory negligence*
- iii. *Respondeat superior*
- iv. Bolam test
- v. The tort of passing off

**TAMIL NADU NATIONAL LAW SCHOOL, TIRUCHIRAPPALLI**

**B.Com. LL.B. (Hons) Degree Course**

Repeat Examinations (Odd-Semester), January 2018

**BUSINESS STATISTICS**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART - A (5 X 2 = 10 Marks)**

Write a short note on followings:

- 1. Business Statistics
- 2. Questionnaire
- 3. Secondary Data
- 4. Sampling
- 5. t-test

**PART - B (4 X 15 = 60 Marks)**

Answer any FOUR of the following questions:

6. Compute the Means, Medians and Modes only from the following data.

Income	0	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000	11000
	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000	11000	12000
No of employees	12	15	19	22	30	56	48	40	30	16	4	2

7. The following are the runs scored by two batsman A and B in ten innings:

A	101	27	0	36	82	45	7	13	65	14
B	97	12	40	96	13	8	85	8	56	15

Who is more consistent batsman? Use Standard Deviation

8. The following data shows the rainfall and production of cotton in a particular season in 10 different villages of a district.

Rainfall(mm)	180	200	230	410	600	550	580	600	250	115
Yield of Cotton(tons)	90	120	130	290	305	300	180	380	70	100

Compute Karl Pearson's co-efficient of correlation

9. A sample survey of public opinion regarding the election of a political party candidate gave the following results. Do you think that the attitude towards election is guided by economic conditions of the voters?

Attitude towards Election	Economic Conditions		Total
	Rich	Poor	
Favourable	400	1400	1800
Un Favourable	800	1000	1800
Total	1200	2400	3600

$$(x^2_{0.05} = 3.84)$$

10. To assess the significance of possible variation in performance in a certain test between the convent schools of a city, a common test was given to a number of students taken at random from the senior fifth class of each of the four schools concerned. The results are given below. Make an analysis of variance of data.

SCHOOLS			
A	B	C	D
8	12	18	13
10	11	12	9
12	9	16	12
8	14	6	16
7	4	8	15

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Repeat Examinations (Odd-Semester), January 2018

**INTERPRETATION OF STATUTES**

Time: 2¼ Hours

Maximum Marks: 70 Marks

**PART – I (4 X 10 = 40 Marks)**

Answer any FOUR of the following in detail:-

1. "Courts can declare the law, they can interpret the law and also they can remove obvious lacunae and fill the gaps but they cannot entrench into the field of legislators properly meant for the legislature". Explain the role and responsibilities of judges during the process of adjudication of claims.
2. State the different parts of a Statute and explain any two external aids of construction with the case laws.
3. 'A' leased out his premises to 'B' for the period of five years and after the expiry of the aforesaid lease, he filed a suit for eviction. In the meanwhile, 'B' sublet the premises to 'C'. Now, 'C' is claiming protection under Section 31(2) of the State Rents, Hotel, and Lodging House Rates Control Act, 1947 which provides that: "All transfers and assignments of interest and sub-letting the premises by tenants, are subject to any contract to the contrary, made unlawful". Decide with the help of judicial decisions.
4. "When there are two conflicting provisions in an Act, which cannot be reconciled with each other, they should be so interpreted that, if possible, effect should be given to both" - Explain the rule with illustrations and judicial precedents.



5. "It is a cardinal principle of construction that every statute is a prima facie prospective unless it is expressly or by necessary implication made to have retrospective operation". Explain the doctrine with the help of decided cases.

**PART - II (5 X 6 = 30 Marks)**

**Write short notes on any FIVE of the following:-**

6. Discuss and illustrate the "Golden Rule" as applied to the Interpretations of Statutes. Also explain, how far this rule is different from the "Literal Rule of Interpretation"?
7. "Generally, the legislators pay little attention to follow grammar English that leaves a plenty of room for interpretation". Explain the absence of 'comma' by referring to judicial decisions.
8. "Preamble is a key to the construction of a statute and should be resorted to unlock the minds of its makers". Discuss the statement with judicial decisions.
9. Explain "non-obstante clause" with the help of judicial decisions.
10. Judicial Restraint and Judicial Activism. Explain and Differentiate with the help of decided cases.
11. Rule of last antecedent – Explain.

