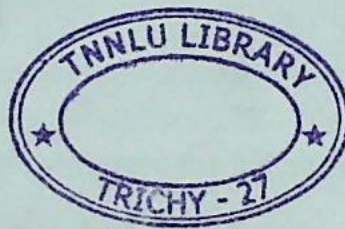


# TAMILNADU NATIONAL LAW UNIVERSITY



## QUESTION PAPERS



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REPEAT (ODD-SEMESTER) EXAMINATIONS,  
JANUARY -2020

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

MEDIA LAW

Time: 2¼ Hours

Maximum Marks: 70

Follow IRAC wherever applicable

**Answer any SEVEN of the following questions (7 X 10 = 70 Marks):**

1. While delivering the *Law Day Lecture* 2018 at Chennai, 'X', a Senior Advocate expressed his concerns over falling standards of the legal fraternity and of the Indian Judiciary. Later, it was published by 'Y' in the editorial of ABC Daily Newspaper. Based on the aforementioned report titled " 'X' Bashes Indian Judiciary - Stirs Row in Legal Circles", 'Z' filed a petition before the High Court alleging that 'X' had denigrated the Indian Judiciary.

**Excerpt** from 'X' *Bashes Indian Judiciary - Stirs Row in Legal Circles* (Editorial, ABC Daily Newspaper)

*"Judges have started disciplining advocates. Judges themselves need disciplining. The Indian Judiciary has failed in its efforts to eradicate corruption. This phenomenon includes receiving monetary benefits for judicial pronouncements rendering blatantly dishonest judgments, kowtowing with political personalities and obviously favouring the Government. Thereby losing all sense of objectivity. The legal community instead of publicly denigrating the judicial system should come forward with the proposed legislation to deal with this issue. At this juncture, it is imperative to set up a Committee to analyse the modalities of bringing about such legislation in the context of the present constitutional framework which provides complete protection to the Judiciary."*

The High Court issued a notice for 'contempt of court' to 'X' and 'Y'. **Decide with the help of relevant provision(s), case law(s), theories of free speech, if any.**

2. With reference to the scope of free speech concerning 'public order' envisioned in Article 19(2) and 'sedition' in Section 124 A, a key question has been how Courts conceptualize the relationship between 'speech and effect'. In this context, attempt the following questions:
- A. Is someone who advocates the use of violence to overthrow the government entitled to protection under Article 19(1)(a)? Discuss. (5 Marks)
- B. Does a harsh criticism of the government amount to an act that undermines the security of the State or disruption of public order? Discuss. (5 Marks)
3. Trends 24\*7, a news channel conducted a sting operation on a Tamil Nadu government school teacher forcing a girl student into prostitution. After the media exposure, the teacher was attacked by a mob and was suspended by the Directorate of Education, Government of Tamil Nadu. Later, the police investigation exposed that there was no truth to the sting operation. The girl student who was allegedly being forced into prostitution was a journalist. The sting operation was stage-managed. The police found no evidence against the teacher to support allegations made by the sting operation of child prostitution. Aggrieved teacher seeks your legal opinion on remedies under existing laws against the fake sting operation conducted by the Trends 24\*7 news channel. Advice.
4. Under its contempt jurisdiction, what is the extent to which courts allow free and fair comments by media while reporting judgments, and what amounts to 'scandalizing of courts'?
5. What is *Paid News*? Critically comment on the report of Parliamentary Standing Committee on Information Technology on the "Issues Related to Paid News" (2013). Analyze the role of the *Press Council of India* and *Election Commission of India* to prevent Paid News.
6. "A citizen has a right to safeguard the privacy of his own, his family, marriage, procreation, motherhood, child-bearing and education among other matters." In this context, critically comment on the privacy of state actors, celebrities and private figures. Whether they are entitled to any degree of control over the representation of their lives in media?
7. "It is the duty of the State to protect the freedom of expression since it is a liberty guaranteed against the State. The State cannot plead its inability to handle the hostile audience problem". In this context critically analyse the 'constitutional dimensions' of *Film Censorship in India*.

8. *Democracy, expects openness, and openness is concomitant of a free society. Sunlight is the best disinfectant* [Per Ahmadi CJ. in *Dinesh Trivedi v Union of India* (1977) 4 SCC 306]. In this context, discuss the significance and necessity of the Right to Information Act, 2005. What are the limitations of the aforementioned Act?

9. **Write short note on the following:**

- a. Freedom of press vis-à-vis parliamentary privileges (5 Marks)
- b. Ethical issues in advertising and role of Advertising Standards Council (5 Marks)

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**ECONOMICS-I (PRINCIPLES OF ECONOMICS)**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (4 X 5 = 20 Marks)**

**Answer any FOUR of the following questions in not more than 300 words each:**

1. Positive Normative Economics
2. Economies and diseconomies of scale
3. Income and cross-price elasticities of demand
4. Prisoners dilemma and Dominant Strategy
5. Real and Nominal GDP
6. Private goods and Common Resources

**PART – B (5 X 10 = 50 Marks)**

**Answer any FIVE of the following questions in not more than 500 words each:**

7. What is an externality. How does it lead to market inefficiency? Explain how a negative externality could be internalized in a market?
8. With the help of appropriate diagram, explain the pricing and output decisions of a monopolist.
9.
  - a) **With the help of diagrams, explain the following:**
    - (i) perfectly inelastic demand (ii) elastic supply.
  - b) Suppose the Indian Railways introduced a 10 percent hike in the passenger fares in July 2019. By August, following the price hike, the number of passengers travelling by rail per day declines from 25,000 to 24,000. Calculate the price elasticity of demand using the midpoint method.
10. With the help of appropriate diagram, explain how an investment incentive affect the market for loanable funds.
11. What is Consumer Price Index? Explain any two drawbacks of using Consumer Price Index as a measure of cost of living.
12. With the help of diagrams, explain the shut down and exit conditions of a firm in the perfectly competitive market.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

FINANCIAL ACCOUNTING AND PRACTICAL AUDITING

Time: 2¼ Hours

Maximum Marks: 60

**PART – A (3 X 5 = 15 Marks)****Answer any THREE from the followings:**

1. Explain various accounting concepts and Conventions.
2. What are the legal provisions will you consider for preparing of accounts for a law office? Explain them.
3. How will you classify the Auditing? Describe them.
4. Briefly describe the purpose and method of preparation of each subsidiary book.

**PART – B (3 X 15 = 45 Marks)****Answer any THREE from the followings:**

5. Journalize the following transactions of Mr. A and Prepare Purchase Account, Sales Account, Cash Account and Bank Account:

		Rs.
2020, Jan 1	Mr. A commenced business with cash	30,000
2	Paid into bank	21,000
3	Purchased goods by cheque	15,000
7	Drew cash from bank for office use	3,000
15	Purchased goods from Mr. B	15,000
16	Cash sales	30,000
18	Paid to Mr. B	14,750
	Discount Received	250
19	Purchased goods for cash	15,000
20	Sold goods to Mr.D	22,000
23	Paid to Mr.R	40,000
25	Received from Mr.D	20,000
26	Bought furniture from Mr.J	5,000
30	Paid salary	2,500
31	Paid rent	500

6. Prepare Trading and Profit and Loss Account and Balance Sheet of Mr. Moon as on 31<sup>st</sup> March 2019.

Particulars	Debit Rs.	Credit Rs.
Moon's Capital		35,000
Furniture	45,000	
Goodwill	20,000	
Machinery and plant	17,000	
Opening stock	18,000	
Bills receivable and payable	4,000	6,000
Sundry debtors and creditors	16,000	24,000
Purchases and sales	80,000	1,89,000
Returns	1,000	2,000
Carriage outwards	500	
Freight, duty etc	1,200	
Manufacturing wages	22,800	
Factory expenses	6,000	
Salaries	24,000	
Commission	2,500	
Discount		9,000
Stationery and printing	4,500	
Bad Debts	1,800	
Cash in hand	700	
	<b>2,65,000</b>	<b>2,65,000</b>

**Additional Information:**

- Closing stock was valued at Rs.70,000
  - Depreciate Machinery and Plant at 5 per cent p.a and 2 per cent on Furniture
  - Salary amounting to Rs. 2000 and Commission amounting to Rs.500 are outstanding
  - Bad debts increased to Rs. 2,200 and create a provision for doubtful debts at 5%
7. The following is the Receipts and Payments Account of the Bluemountain Club in respect of the year ending 31<sup>st</sup> March, 2019:

Receipts	Rs.	Payments	Rs.
To Balance b/d	2,050	By Salaries	4,16
To Subscription		By Rates and Taxes	1,20
For 17-18Rs.80		By Stationery	80
For 18-19 Rs.4,220		By Telephone	20
For 19-20 Rs.160	4,460	By Investments in Govt. Securities	2,50
To Profit on Sports Meet	2,850	By Sundry Expenses	1,85
To Interest on Investment	2,000	By balance c/d	90
To Sundry Receipts	250		
	<b>11,610</b>		<b>11,610</b>

**The following additional facts are ascertained:**

- In 2017-18 subscription received in advance amounting to Rs.200 for current year and Rs.180 were due on 31<sup>st</sup> March, 2019 for 2018-19.
  - On March 31<sup>st</sup>, 2018, the Building stood in the books at Rs.20,000 and it is required to write off depreciation at 5%. Investments at 31<sup>st</sup> March, 2018 were Rs.40,000.
- You are required to prepare Income and Expenditure account for the year ended 31<sup>st</sup> Mach, 2019 and a Balance sheet as at that date.**
8. Following is the Balance sheet of X and Y, who shares profits and losses in the ratio of 4:1 as at 31.12.2019:

**Balance Sheet, as on 31.12.2019**

Liabilities	Rs.	Assets	Rs.
Sundry Creditors	8,000	Bank	20,000
Bank Overdraft	6,000	Debtors	17,000
X's Wife Loan	8,000	Less: Provision	(2,000) 15,000
Y's Loan	3,000	Stock	15,000
Investment Fluctuation Fund	5,000	Investments	25,000
Capital		Buildings	25,000
X	50,000	Goodwill	10,000
Y	40,000	Profit and Loss A/c	10,000
	<b>1,20,000</b>		<b>1,20,000</b>

The firm was dissolved on the above date and the following arrangements were decided upon:

- X agreed to pay off his wife's loan
- Debtors of Rs.5,000 proved bad
- Stock Realised for Rs.9,000
- Other assets realised: Investment 20% less, and Goodwill at 60%
- Buildings were auctioned for Rs.30,000 and auctioneer's commission amounted to Rs.1,000
- One of the creditors for Rs.5,000 was paid only Rs.3,000
- Realization expenses amounted to Rs.2,000

**Prepare Realization A/c, Partner's Capital A/c and Bank A/c.**

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**INTERPRETATION OF STATUTES**

Time: 2¾ Hours

Maximum Marks: 70

**PART – A (4 X 10 = 40 Marks)**

**Answer any FOUR of the following questions. Cite Legal Provisions and Judicial Decisions wherever necessary:**

1. Explain the Golden rule of interpretation and differentiate it from literal interpretation.
2. Critically analyse Mischief rule of interpretation.
3. Enumerate and explain internal aids of interpretation of statutes.
4. Explain the general principles of interpretation of statutes.
5. Discuss the rule laid down in Heydon's case.
6. Define Statute and mention the various components of a Statute.

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

**Answer any SIX of the following questions. Cite Legal Provisions and Judicial Decisions wherever necessary:**

7. Pith and Substance
8. Judicial Restraint
9. Prospective Overruling
10. Difference between Interpretation and Construction
11. Ejusdem Generis
12. Non-obstante Clause
13. Rule of Noscitur a Sociis
14. Doctrine of Severability

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**ECONOMICS – II (INDIAN ECONOMY)**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (10 Marks)**

**Answer any ONE of the following in not more than 400 words:**

1. Explain Foreign Exchange and Trade Balance. Differentiate between Depreciation and Devaluation of a Currency.
2. Differentiate between GDP, GNP and NDP and Per Capita Income.

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

**Answer any FOUR of the following in not more than 800 words each:**

3. Critically evaluate the Green Revolution Strategy of India.
4. Explain the problem of Food Security in India, critically evaluating the role of PDS.
5. Explain the major methods of credit control adopted by the Reserve Bank of India.
6. What is Inflation? What are the two major causes of inflation? What are the effects of Inflation on the Redistribution of Income and Wealth?
7. What do you understand by the term 'Public Finance'? What are the major components of Revenue Receipts and Revenue Expenditure for a Government?



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**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**HEALTH CARE LAWS**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (5 X 4 = 20 Marks)**

**Answer any FIVE of the following questions:**

1. WHO
2. Helsinki Declaration
3. Confidentiality of Medical Records
4. No Duty Rule
5. Informed Consent
6. Access to Medical Records

**PART – B (3 X 10 = 30 Marks)**

**Answer any THREE of the following questions:**

7. Tortious liability for Medical Negligence.
8. Prosecution of doctors for medical negligence under Indian Criminal Law.
9. Sanctity of life under Indian Law in context of Modern Medical Technology.
10. Right to health care as a Constitutional Right in India. Refer Case Law.

**PART – C (4 X 5 = 20 Marks)**

**Write short answers on the following:**

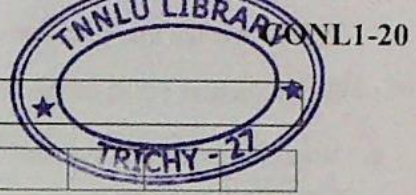
11. Social Security Schemes for Health Care.
12. Circumstances in which duty to treat terminates.
13. Write a note on Drugs and Cosmetics Act, 1940.
14. Write note on National Ethical Guidelines for Biomedical and Health Research Involving Human Participants (2017) issued by ICMR.

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**CONSTITUTIONAL LAW-I**

Time: 2¾ Hours

Maximum Marks: 70

**Answer any SEVEN of the following questions: (7 X 10 = 70 Marks)**

1. Examine the features of the Constitution of India in the context of the Independence struggle.
2. Does Part I of the Constitution confer on India the right to cede and acquire territory? Answer in light of the judgment of *In Re Berubari Union*.
3. Muni is a political activist who has been very critical of the government's policies on refugee law. At a public rally Muni stands in the middle of the ground and exclaims "Run this government out of power! Reject Government!" "Reject Government" then becomes a mainstream rally cry – with the youth of the country assembling before police stations and public corporations and offices chanting the slogan.

At the time, Muni is scheduled to give a lecture at Hartford University, and has booked her tickets to fly there. On the eve of her flight, the Passport Authority impounds her passport under Section 10(3) of the Passports Authority Act 1987. The section reads as follows:

10(3) A passport may be impounded if the passport authority deems it necessary so to do in the interests of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country, or in the interests of the general public;

(4) There is no requirement of a hearing prior to the impounding of the passport.

Muni challenged Section 10(3) as unconstitutional and violative of Article 21 and argued that the section deprived her of her personal liberty without procedure that was just fair and reasonable as she was given no hearing. The State, who had also pressed sedition charges against Muni stated that the exercise of the power was in public interest and that it was not violative of 21 because the Passport's Authority had followed the procedure given in the Act.

**The Court has been called upon to decide**

1. Whether this is a fit case for a charge of sedition to be brought and

2. What is the interpretation of the phrase 'procedure established by law' in Article 21
3. Is Section 10(3) of the Act constitutional or not?
4. What is Constitutionalism? Why is it necessary for a Constitution to account for Constitutionalism?
5. Examine with examples of your choosing, any four ways to interpret the Constitution.
6. How was the Constituent Assembly of India formed? Can you question the representative character and legitimacy of the Assembly?
7. How is the State defined under Article 12 of the Constitution? With reference to relevant case law, examine whether the definition should be broad or narrow.

8. Write Short Notes on any TWO:

1. Citizenship in the Indian Constitution
  2. Consequential Seniority
  3. Right against Self Incrimination
9. The country of Indiana has been at war with its neighbour Parina for many years and desires to empower its armed forces even further than they have. In 1985, the war between the two countries intensifies with exchange of fire on a nearly daily basis.

In the meantime, over the last few decades, more and more women have begun to enlist in the armed forces, with women having reached high ranks in the army. However, the Ministry of Defence and the Parliament enacted a law – The Armed Forces Ranks Act 2000. The Statement of Objects and Reasons of the enactment stated 'whereby it is necessary to repose power in the Armed Forces for the defense of the nation and create effective hierarchies for proper issuance and following of orders'.

Under Section 3 of the Act "rank holders" and "commanding officers", posts which essentially allow their holders to lead soldiers in battle, are only to be given to men. Women are therefore, explicitly excluded by the Act from holding ranks which will enable them to lead soldiers into battle. The women in the army challenge the constitutionality of the act in the Supreme Court on the grounds of Article 14 and 15 of the Constitution.

The State defends the Act on the basis that women are biologically weaker and not viewed by men as having the authority to command troops. Appointing women to commanding posts will adversely affect the armed forces to execute orders and resultantly affect their ability to defend the country. It is therefore, reasonable classification under the Constitution.

As the Supreme Court decide whether the Act is constitutional or not in the light of the Right to Equality.

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**PUBLIC INTERNATIONAL LAW**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (3 X 12 = 36 Marks)**

**Answer any THREE in detail:**

1. Until recent times, International Law consisted for the most part of customary rules. These rules evolved after a long historical process culminating in their recognition by the international community. They later proved their importance by being a part of codified international law such as Statutes, treaties, rules and other regulations. Discuss the importance of customary international law with decided cases.
2. Oppenheim's definition of International law has its own importance even today. Due to the widening scope of International law every day, there is always a need for a change in the perception of International law. How did various definitions by different authors of international address the issue?
3. Rome Statute of the International Criminal Court established permanent *International Criminal Court* to try individuals for the most serious offences of global concern, such as genocide, war crimes and crimes against humanity. Why do you think there was a requirement of establishment of ICC, when ICJ already existed? On the other hand, the disputes in the International Criminal Law were also addressed by Ad-hoc tribunals. How is ICC different from other Ad-hoc tribunals? Explain with relevant cases.
4. What was the requirement for the development of "Law of Sea"? Explain the contribution of UNCLOS, giving special mention about UNCLOS III.

**PART – B (2 X 7 = 14 Marks)**

**Short note: (Any TWO):**

5. In International Law, the concept of State Territory is unique. Though for a state to exist a territory is one of the required elements, the geographical boundary of the territory changes due to various reasons. Explain various *modes of acquisition and loss of State Territory*.
6. What are the requisites for an entity to become a 'Subject' of International Law? State and explain various *Subjects* in the modern international Law.
7. The year 1969 could be marked as a period in which there was a shift from Customary International law to statutory laws. The Vienna Convention on the Law of Treaties, 1969 has its own importance in it. Explain the Salient features of Vienna Convention on the Law of Treaties, 1969.

**PART – C (4 X 5 = 20 Marks)**

**Case Comment: (Any FOUR):**

8. Asylum Case (*Columbia v. Peru*), ICJ Rep. 1950.
9. Anglo-Norwegian Fisheries Case (*United Kingdom v. Norway*), ICJ Rep. 1951.
10. Lotus Case (*France v. Turkey*), PCIJ, Ser. A, No. 10 (1927).
11. Right of Passage over Indian Territory (Merits) (*Portugal v. India*), ICJ Rep. 1960
12. North Sea Continental Shelf Cases, ICJ Rep. 1969.

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**CLINICAL – III (PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM)**

Time: **2 Hours**

Maximum Marks: **30**

**Answer ALL the questions:**

1. Write short notes on any **TWO** of the following: **(2 X 5 = 10 Marks)**
- (a) Duties of an Advocate towards his / her Opponent and Colleagues.  
(b) Action for Contempt of Court outside the Court.  
(c) Contingency fee in India.
2. **Discuss the facts, issues and judgment in any TWO of the following:**  
**(2 X 5 = 10 Marks)**
- (a) *An Advocate v. Bar Council of India*, 1989 Supp (2) SCC 25.  
(b) *V. C. Rangadurai v. D. Gopalan*, 1979 SCC (1) 308.  
(c) *Ex-Capt. Harish Uppal v. Union of India*, (2003) 2 SCC 45.
3. What are some crucial aspects that a good Advocate should keep in mind during an initial client interview? What should be the ideal structure of such interview? Is it necessary that legal advice be given in the first meeting itself? Elaborate with example. **(10 Marks)**

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REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

LABOUR LAW-I

Time: 2¼ Hours

Maximum Marks: 70

PART-A (4 X 5 = 20 Marks)

Write notes any FOUR on the followings:

1. Collective Bargaining
2. Doctrine of Notional Extension
3. Gherao
4. Awards under the Industrial Disputes Act
5. Pre-requisites of Lay-Off under the Industrial Disputes Act, 1947

PART-B (4 X 10 = 40 Marks)

Answer any FOUR of the following questions:

6. Critically discuss the non-adjudicatory machineries for settlement of disputes under the Industrial Disputes Act, 1947.
7. In the light of *Bangalore Water supply judgment* (1978) discuss the position *Solicitor firms* and *Hospitals* under Section 2 (j) of the Act. Also, comment on the dissent received by the Bangalore water judgement taking reference of leading judgements in the context.
8. Critically discuss the role of certifying Officer under the Employment (Standing Orders) Act, 1946. Discuss in this regard the role of the certifying officer in judging the fairness of the draft standing orders with the help of three relevant cases.
9. Critically analyse the subject of disablement under the Employees' Compensation Act, 1923 with the help of relevant cases.
10. Discuss the immunities provided to a registered Trade Union under the Trade Unions Act, 1926 with relevant case laws.

**PART- C (10 Marks)**

**Answer the following question (Compulsory):**

11. Rahithna is the third largest circulating newspapers in the State of Indigo. Mr. X, an Employee, was working in Rahithna, Cubec, one of the States in Indigo. He was terminated of his services for claiming wages of a Full-time employee by the Cubec branch. The said dispute between the Management and Mr. X was not supported by any of the Employees Union of Rahithna nor the group of Employees working with Mr. X. Aggrieved by the management, Mr. X decided to go for a hunger strike in front of the branch office and demanded that the dispute be referred to an industrial tribunal.

The said dispute was later supported by a Trade Union named Cubec Union of Journalists of which Mr. X was a member of. The Union is the largest Association of Journalists in Cubec. It is a registered Trade Union, the membership of which is open to all the persons who depend for their livelihood upon the practice of the profession of journalism, including press photographers, artists, cartoonist and free-lance writers. The Union therefore, supported Mr. X and demanded together that the dispute should be referred to the Industrial Tribunal for adjudication.

In the light of the given proposition, examine the validity of the dispute in the theory of espousal of the dispute and the expression "any person" found in the definition of Industrial Disputes Act, 1947. Support your answer with relevant case laws.

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**CORPORATE ACCOUNTING**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (5 X 6 = 30 Marks)**

**Answer any FIVE from the followings:**

1. Explain Redemption of debentures out of capital and out of profits methods.
2. What do you mean by "profit prior to incorporation"? How is it calculated and treated in the books of account of the company?
3. Define-Goodwill. Under what circumstances does it arise? Explain and illustrate the different methods of calculating goodwill.
4. Critically examine various methods of valuing of shares.
5. Point out the main features of Accounts of 'General Insurance Companies'. What statutory books are required to be maintained by a General Insurance Company under the Insurance Act?
6. Explain the methods of accounting for amalgamation as per Accounting Standard 14.

**PART – B (4 X 10 = 40 Marks)**

**Answer any FOUR from the followings:**

7. X Ltd issued for public subscription 20,000 equity shares of Rs.10 each at a premium of Rs. 2 per share payable as Rs. 2 per share on application; Rs.5 per share (including premium) on allotment; Rs.2 per share on first call; Rs.3 per share on final call.

Applications for 30,000 shares were received. Allotment was made pro-rata to the applicants for 24,000 shares. The remaining applications were being refused. Money overpaid on application was utilized towards sums due on allotment.

Mr. Y to whom 800 shares were allotted, failed to pay the final call money. These shares were forfeited after the second call was made. All these forfeited shares were reissued to Mr.W as fully paid up at Rs. 8 per share. Give the necessary journal entries to record the above transactions and prepare important ledger accounts.

8. Success & Co. Ltd. is a company with an authorised capital of Rs. 5,00,000 divided into 5,000 equity shares of Rs. 100 each. 2,500 shares were fully paid up on 31.03.2019. The following are the balances extracted from the books of the company as on 31.03.2019:

	(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 31.03.19 and the balance sheet as on that date of the company. The following further information is given: (1) Closing stock, Rs. 91,500 (2) Depreciation to be charged on plants, machinery and furniture at 15% and 10% respectively. (3) Outstanding liabilities: wages Rs. 5,200, salary Rs.1,200 and rent Rs.600. (4) Dividend @ 5% on paid-up share capital is to be provided.

9. M Ltd. and N Ltd. agreed to amalgamate on the basis of the following Balance sheet as on 31.12.2019:

Liabilities	M Ltd. Rs.	N Ltd. Rs.	Assets	M Ltd. Rs.	N Ltd. Rs.
<b>Shares Capital:</b>			Goodwill	30,000	-
Shares of Rs. 25 each	75,000	50,000	Fixed assets	31,500	38,800
Profit & Loss A/c	7,500	2,500	Stock	15,000	12,000
Creditors	3,500	3,500	Debtors	8,000	5,200
Reserve Fund	-	2,500	Bank balance	1,500	2,500
	<b>86,000</b>	<b>58,500</b>		<b>86,000</b>	<b>58,500</b>

- a) The assets and liabilities are to be taken over by a new company formed called 'Q' Ltd. at book value.
- b) Q Limited's capital consisting of 10,000 equity shares of Rs.10 each and 10,000, 9% preference shares of Rs.10 each.
- c) Q Ltd issued the equity shares equally to the two vendor companies and for the balance of purchase consideration preference shares were issued. Show the journal entries in the books of M and N Ltd.

10. The following are the Balance sheet of Red Ltd and white Ltd as on 31.3.2019:

**Balance Sheet**

Liabilities	Red Ltd. Rs.	White Ltd. Rs.	Assets	Red Ltd. Rs.	White Ltd. Rs.
<b>Shares Capital:</b>			Fixed Assets	1,95,000	70,000
Shares of Rs.10	2,00,000	50,000	<b>Investments:</b>		
General reserve	50,000	20,000	Shares in White Ltd	60,000	-
&L A/c (1.4.2018)	30,000	7,500	Debtors	35,000	25,000
Profit for the year 2018-19	50,000	20,000	Other current assets	60,000	12,500
Creditors	20,000	10,000			
	<b>3,50,000</b>	<b>1,07,500</b>		<b>3,50,000</b>	<b>1,07,500</b>

**Additional Information:**

- Red Ltd. purchased on October 1, 2018 4,000 shares in white Ltd. at Rs. 15 each.
- Creditors of White Ltd include Rs.5, 000 due to Red Ltd.

**Prepare a consolidated Balance sheet as on 31.3.2019.**

11. From the following balances extracted from the books of Nidhi Bank Ltd. prepare Profit & Loss A/c. & Balance Sheet as at 31.03.17.

	Debit	Credit
Share capital		150000
General Reserve		61500
Profit & Loss A/c.		60000
Money at call and short notice	22500	
Deposits		889500
Cash in hand	30000	
Cash with RBI	45000	
Borrowings		90000
Bills Payable		24000
Deposits		10500
Investments	96000	
Buildings	68400	
Balance with other banks	57000	
Cash credits	795000	
Interest on deposits and borrowings	118500	
Bills purchased	180000	
Discount on bills		15000
Commission and Brokerage		13500
Interest on loans		175500
Income from investments		8700
Salary and other expenses	72000	
Audit fees	5100	
Postage, printing & stationery	6300	
Depreciation on Assets	2400	
	<b>14,98,200</b>	<b>14,98,200</b>

**Other Information:**

- Provide Rs.10000 for rebate on bills discounted.
- Bills for collection Rs.150000 and endorsement Rs.140000.

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

LAW OF TORTS

Time: 2¼ Hours

Maximum Marks: 70

PART – A (5 X 10 = 50 Marks)

Answer any FIVE of the followings:

- Explain in detail the essential elements which constitutes a tort of defamation. Further, distinguish between 'libel' and 'slander' with the help of case laws and illustrations.
- Shruthian Chemicals Ltd. is engaged in the business of manufacturing and supply of hazardous and inherently dangerous chemicals. The manufacturing unit is situated in the sea shore. One day, because of Tsunami, toxic chemicals were leaked and the exposure to toxic gases caused the death of few individuals in and around the sea shore area. In light of this factual matrix, discuss the concept of no-fault liability. Further, explain whether the 'rule of absolute liability' laid down in the case of *M.C. Mehta v. Union of India* will be applicable to the current facts. Can Shruthian Chemicals Ltd. invoke the defence of 'act of god' or 'inevitable accident'?
- Answer briefly whether the following situations are *injuria sine damnum* or *damnum sine injuria*. In doing so, mention the relevant case law(s) and the reasons for your response.

(A) Shaan wants the company next door to buy her house. The Company, that manufacturers fertilizers, refuses to do so. In order to cut off their water supply, which is essential to their business, she digs a well on her land and diverts the entire supply to her land. As a result, the Company ends up suffering loses as they are not able to produce as much as before.

(B) Prema is stopped from entering the voting booth by an election officer. The officer's reason is that Prema matches the description of an individual who is on the watchlist of persons who have the expertise tamper with the electronic voting machines. Prema is thus denied his vote. His candidate loses the election by 1 vote.



(C) Sum and Ru get together to open a Garba ground next to one that Munnu and Oj had been operating for years. As a result, Munnu and Oj lose many participants and resultantly lose their profit. In two years' time, Mun and Oj are forced to shut down their Garba ground and sue Sum and Ru for the damage.

4. What is vicarious liability? Explain the tests to determine the master servant relationship using caselaw and illustrations.

5. Which of the following statements about the nature of Law of Torts are correct? Substantiate your answer with cogent reasons:

(A) The fundamental objective of tort law is to monetarily compensate the victim for the injury he/she has suffered.

(B) Law of Torts is uncodified in India.

(C) The intention of the tortfeasor is not an important consideration while deciding a tortious claim.

6. Examine whether negligence has occurred in the following situations:

(A) 'Y' obtained permission to set up a cricket practice ground next to a busy road. 'X', a batsman hits a six which crosses the enclosure boundaries and hits 'M' on the head. 'M' sues 'X' and 'Y' for damages.

(B) A manhole has been uncovered by the corporation. The corporation surrounds the manhole with orange traffic cones and paraffin lamps in the night. A young boy chasing a puppy down the street comes close to the lamps and knocks it over into the manhole which causes an explosion. Is the corporation liable?

(C) A pregnant lady 'N', who is also a doctor, is walking down the street. Some distance off, a car crash takes place. On hearing the commotion, she rushes to the spot. However, the violent crash scene causes her to go into shock. Can 'N' recover for damages?

7. What is Trespass? Examine the overlap between Trespass and Nuisance.

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

Answer any FOUR questions briefly:

8. *Res Ipsa Loquitur*

9. Contributory Negligence

10. Absolute Liability

11. Volenti Non-Fit Injuria as a Defence

12. Qualified Privilege

LCON2-20

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**LAW OF CONTRACTS-II**

Time: 2¾ Hours

Maximum Marks: 70

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

**Question No. 1 is Compulsory. Out of the remaining, answer any THREE questions by applying the relevant legal principles and precedents:**

1. Ruthran agrees to lend Rs.10,000/- to Gopal on 1<sup>st</sup> March and Rishimukan guarantees repayment. Ruthran pays Rs.10,000/- to Gopal on 1<sup>st</sup> January. Is Rishimukan discharged from liability?

2. Ramesh bails a barrel of Cape flour worth Rs.500/- to Mukesh. Mukesh, without the consent of Ramesh, mixes the flour with the country flour of his own, worth Rs.200/- a barrel. What remedy is available to Ramesh?

3. Radha directs Mala, her agent, to buy a certain house for her. Mala tells Radha that it cannot be bought and buys the house for herself. Radha comes to know of this later. State the remedy available for Radha.

4. Krishnan agrees to sell Mohan all the milk that his cow may yield during the existing year. State the nature of the sale transaction and the kind of goods agreed to be sold.

5. Yogesh sells to Aditya 100 bags of cement which are stored in a godown. Yogesh hands over to Aditya the key of the godown. State if goods have been delivered or not.

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

**Answer any FOUR questions from this part, must be in about 400 words each:**

6. Though a surety is a favoured debtor he is also freed from his obligation under a contract of guarantee. Explain this statement and state the circumstances under which a surety is freed from liability.

7. A contract of bailment has certain intrinsic features, without which bailment does not arise. Clarify this statement and state if consideration is necessary to create a contract of bailment.

8. Agency, as a business concept, is said to arise out of a contract Elucidate this statement and bring out the various modes of creation of Agency.
9. 'NEMO DAT QUOD NON HABET' remains to be the basic principle in a contract of Sale of Goods. Is this principle absolute or governed by exceptions also?
10. The Partnership Act, 1932 recognises a minor to the extent of himself being admitted to the benefits of a firm. Against this backdrop, relate the legal position of a minor who is so admitted, both during his minority and as well after that minor becoming a major.

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

Answer any SEVEN questions from this part, must be in about 50 words each

- 11.
- Continuing guarantee
  - Meaning of Pledge
  - Rights of an Indemnity holder when sued
  - Substituted Agent
  - Disclosed Principal
  - Specific goods
  - Registration of Firms
  - Compulsory dissolution of a firm
  - Object of an LLP

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**BUSINESS STATISTICS**

Time: 2¼ Hours

Maximum Marks: 70

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

Answer any FIVE of the following questions:

- What is Statistical Survey?
- Write short notes on:
  - Secondary Data
  - Arithmetic Mean
- What is Sampling?
- What is Time Series?
- What do you mean by Hypothesis?
- Write short notes on:
  - Index Numbers
  - ANOVA
- What is Chi Square Test?

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

Answer any FOUR of the following questions:

- Distinguish between Correlation and Regression.
- The following table gives the marks obtained by 10 students in an examination. Calculate the Mean marks:

S. No	1	2	3	4	5	6	7	8	9	10
Marks	33	35	44	34	41	45	39	46	38	47

- From the following data of marks scored by 6 students in statistics locate the Median marks:

S. No.	1	2	3	4	5	6
Marks scored	5	8	9	10	11	12

11. From the following data calculate Mode:

S. No.	1	2	3	4	5	6	7	8	9	10
Marks	34	36	45	40	27	65	45	48	62	25

12. Calculate Standard Deviation from Actual Mean:

X	14	22	9	15	20	17	12	11
---	----	----	---	----	----	----	----	----

13. Draw a Trend line by the method of semi averages:

Year	2001	2002	2003	2004	2005	2006	2007
Production	90	110	130	150	100	150	200

PART – C (4 X 10 = 40 Marks)

Answer any FOUR of the following questions:

14. Explain the different types of classification of statistical data.

15. Calculate the Semi Inter Quartile Range, Quartile Deviation and Coefficient of Quartile Deviation from the following data:

Wages (Rs.)	30-32	32-34	34-36	36-38	38-40	40-42	42-44
No. of Labourers	12	18	16	14	12	8	6

16. The following table shows the daily income and expenditure on food of 9 families. Obtain Regression Equation for these data by least squares:

Income (Rs.)	1	5	3	2	1	1	7	3
Expenditure (Rs.)	6	1	0	0	1	2	1	5

17. Calculate Karl Pearsons Coefficient of correlation from the following data and interpret the value:

X	5	7	3	1	9	12	8	3
Y	8	9	5	4	9	13	7	9

18. 1000 students at college level are graded according to their I.Q and economic conditions. Use Chi square test to find out whether there is any association between economic conditions and the level of I.Q.:

Economic Conditions	I.Q			Total
	High	Medium	Low	
Rich	160	300	140	600
Poor	140	100	160	400
Total	300	400	300	1000

Use Chi- Square Test. [ Given that the significant value of Chi square at 5 % level of significance for 2 degree of freedom is 5.99 (Table Value)]

19. To study the performance of four salesmen during the festivals - Diwali, Ramzan and Christmas, the number of units of Refrigerators sold are given below:

Festival	Salesman				Total
	A	B	C	D	
Diwali	50	48	52	46	196
Ramzan	32	31	34	39	136
Christmas	39	36	33	32	140
Total	121	115	119	117	472

Use ANOVA and answer the following:

- Do the salesmen significantly differ in performance?
- Is there significant difference in the sales between the festival

[Given that the significant value of F at 5 % level of significance for (3,6) degree of freedom is 4.76 and for (2,6) degree of freedom is 5.14 (Table Value)]

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

LAW OF EVIDENCE

Time: 2¼ Hours

Maximum Marks: 70

**Instructions:**

1. Cite relevant Section(s), Clause(s), Explanation(s), Illustration(s), Case Law(s), if any.
2. Follow IRAC Method Wherever Applicable.

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

Answer any FOUR of the following questions:

1.
  - A. What is meant by **Refreshing Memory**? (7½ Marks)
  - B. Discuss the **Admissibility of Digital Evidence** under the Indian Evidence Act, 1872. (7½ Marks)
2.
  - A. Explain the **Relevancy of Character in Civil Cases**. (7½ Marks)
  - B. Discuss the **Competency of Judges and Magistrates to act as Witnesses**. (7½ Marks)
3.
  - A. Distinguish between **Presumption of Law** and **Presumption of Fact**? (7½ Marks)
  - B. A is a widow of B. Two months after the death of B, she married C. Five months after the marriage, a daughter C is born to A. Who is the **Legitimate Father of C**? Decide. (7½ Marks)
4.
  - A. What are the **Facts that Need Not be Proved** under the Indian Evidence Act, 1872? (7½ Marks)
  - B. Discuss the **Burden of Proof as to Ownership** under the Indian Evidence Act, 1872? (7½ Marks)

5. A. What is meant by **Secondary Evidence**? Under **What Circumstances** Can it be **Admitted** under the Indian Evidence Act? (7½ Marks)
- B. What are **Patent** and **Latent Ambiguities**? (7½ Marks)

**PART – B (10 Marks)**

**Answer the following question:**

6. 'A', the petitioner successfully completed his Higher Secondary Examination and he also received the mark statements from 'XYZ' School affirming that he had passed the course. Based on this confirming declaration by 'XYZ' School, 'A' appeared for CLAT–2017 and got admitted for B.A. LL.B. Course at 'ABC' Law University. Two years passed by and while 'A' was in Third year, he received a notice from 'XYZ' School indicating that 'A' had not cleared his Higher Secondary Examination and his mark statement is thereby invalid. Now 'A' wants to file a suit against 'XYZ' School challenging the notice. Advise 'A'.

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**BUSINESS ORGANIZATION AND MANAGEMENT**

Time: 2¾ Hours

Maximum Marks: 70

**PART – A (5 X 2 = 10 Marks)**

**Answer any FIVE of the following questions:**

**1. Write short notes on:**

- (i) Business System
- (ii) Span of Management
- (iii) Government Organizations

2. Define Management and state any two characteristics of Management.

3. What is Standing or Multiuse Plan?

**4. Write short notes on:**

- (i) Staffing
- (ii) Coordination
- (iii) Direction

5. What is Statutory Company?

**6. Write short notes on:**

- (i) Job Description
- (ii) In-Basket Training
- (iii) Placement and Induction

7. Write any two features of Human Resource Management.

**PART – B (4 X 5 = 20 Marks)**

**Answer any FOUR of the following questions:**

- 8. Bring out in detail the essential features of an Ideal form of organization.
- 9. Discuss in detail the Basic Functions of Management.
- 10. Explain the changing concepts of Business.

11. Discuss the essential features of Sound System of Control.  
12. Explain the various methods of providing Training to Employees.

**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. Elaborate in detail the Objectives of Business.  
15. Enumerate the Functions of Human Resource Management.  
16. Outline in detail the different Methods of Performance Appraisal.  
17. Explain in detail the various forms of Ownership Organization.

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

**LAW OF CRIMES - I (INDIAN PENAL CODE)**

Time: 2¼ Hours

Maximum Marks: 70

**Instruction: Support your answers with relevant provisions and cases**

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

Answer any THREE of the following:

1. Examine the provisions related to unlawful homicide under the Indian Penal Code (IPC), 1860.
2. Explain the offence of rape and its aggravated forms under the IPC, 1860. Discuss how the law relating to sexual offences has evolved over the past few decades in India.
3. Explain the law relating to abetment of an offence under the IPC, 1860. Distinguish between abetment by conspiracy and the offence of criminal conspiracy.
4. Critically analyse the general defense of insanity to negate criminal liability under the IPC, 1860. Do you suggest any reform in the provisions of the IPC regarding the insanity plea?
5. What are strict liability offences? Discuss in light of the provisions of the IPC, 1860 and landmark cases.

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

Answer any TWO of the following:

6. Siam and his wife were travelling by car in a highway when they were stopped by three men 'A', 'B' and 'C'. They asked Siam and his wife to get down from the car and thereafter 'A' and 'B' pointed guns at Siam and his wife and asked

them to hand over all cash and valuables to 'C'. In order to protect their life, Siam and his wife complied with the demands of 'A', 'B' and 'C' and handed over Rs 20,000 and a gold ring and chain. Thereafter 'A', 'B' and 'C' fled away from the place.

**In light of the above facts, explain whether any offence under the IPC has been committed by 'A', 'B' and 'C'.**

7. Riam and Runi were college friends and went to a sea beach for their summer holidays. On the second day of their trip, while they were at the beach, a tsunami struck the coast and caused heavy damage. Riam and Runi were cast away to a secluded area with no one around. Both of them were injured and had no access to food. After three days, Riam started losing hope of being found and killed Runi who was very weak by that time to feed upon her body. On the fifth day, Riam was rescued by the paramilitary troops. Riam is now being prosecuted for murder of Runi under the Indian Penal Code, 1860.

**In light of the above facts, explain whether Riam can be held liable for murder under the IPC, 1860.**

8. Rakhi was a seventeen-year-old girl who was in love with Bhola, a nineteen-year-old boy. Rakhi's parents disapproved of her relationship with Bhola and prevented her from meeting him. Rakhi was upset about it and decided on her own to run away from her house to be with Bhola. Thereafter Bhola and Rakhi shifted to a different city to start a new life together. Meanwhile, Rakhi's parents lodged an FIR against Bhola for enticing their minor daughter and taking her away.

**In light of the above facts, do you think Bhola is liable for any offence under the IPC, 1860?**

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

9. Write short notes on any FIVE of the following:

- Theft and Extortion
- Criminal Breach of Trust
- Theories of Punishment
- Wrongful Confinement and Wrongful Restraint
- Acid Attack
- Hurt and Grievous Hurt
- Actus Reus

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**ADVANCE COURSE ON PATENT LAW**

Time: 2¼ Hours

Maximum Marks: 70

**Instructions:**

- Bare Acts and electronic gadgets are not allowed.
- Quote relevant cases and statutory provisions wherever necessary.
- Use IRAC method for solving problem-based questions.
- Answers without the question number shall be marked as zero.

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

**Answer any THREE of the following in not less than 800 words:**

- Whether patent is a monopoly? State in brief the development of patent law under the Venetian, British, American and Indian legal system.
- Do morality and public policy have a role to play in the patent system? Critically discuss with reference, in particular, to biotechnological inventions and the relevant UK, EU and Indian jurisprudence and legislation
- State in brief the patent 'working requirement' under the Indian Patent Act, 1970? Whether the Indian Patent Act requires patents to be 'locally worked'? What are the consequences of 'non-working' of an Indian patent?
- Is patent 'territorial' in nature? How to file patent applications internationally? Explain in detail the treaties concerning international patent filing system.
- Critically examine the doctrine of 'willful infringement' under U.S. Patent Law and analyse whether 'Patent Infringement should be treated as criminal conduct' amid the growing global trend of 'efficient infringement' of patents in spite of the present remedies under the Indian Patent Act, 1970 in the light of Article 61 of TRIPS Agreement?

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

**Answer ALL the questions:**

- Alwin, a scientist invented a new material named as 'Rubberised Asphalt Concrete' (hereinafter RAC) which is claimed as an alternative to conventional asphalt and concrete roads used for a public purpose. The claimed invention has high durability, lesser maintenance and resistant to automobile fuel spillage and

extreme weather. The process of laying the road with the claimed invention is greener than the conventional one. To prove his claims, he has no other choice but to conduct the experiments with the claimed invention on public roads. The nature of experiments he conducted so far compels him to conduct it on a public road and that too very often. After successful trial results, he filed for a patent before the Indian Patent Office. At this juncture, Shyam a civil engineer by profession, who resides in the same locality where Aswin conducted the experiments in public road alleged that the invention lacks novelty and filed a pre-grant opposition against Aswin's patent application on the ground that the claimed invention is anticipated by prior use in public. Decide.

7. Mike India Limited' (hereinafter Mike) is a distributor of shoes in India marketed under the brand 'Tricker'. M/s SportsFlex, an international reputed company in manufacturing shoes having its headquarters in Germany is the owner of the brand 'Trickers'. The insole of the 'Tricker' shoe was patented in Germany. Through PCT the said patent application was filed in India and it is pending. Mike issued a legal notice to 'Beta India Private Limited' an Indian shoe manufacturing company who manufacture shoes under the tradename 'beta' claiming that the shoes manufactured under the tradename 'Beta' are infringing the patent of 'Tricker' shoes especially the configuration of 'five pressure point'. Beta states that, their shoes are manufactured with 'Six pressure point' of superior quality and points out that, PCT application for 'Tricker' claims only the material and thickness of the insole and doesn't claim anything on configuration of pressure points. Following which, Mike has given an advertisement in a newspaper as to their patent on 'five pressure points' with a general warning to infringers. Aggrieved by the activities of Mike India Limited, Beta seeks your legal opinion. Advise

8. Azhagan, a final year engineering student from Trichy invented a device equipped with inbuilt sensors and camera named as 'Drive Watch' which can warn drivers of approaching obstacles and stop the four-wheeler vehicle if the driver doesn't respond. Distracted driving is one of the lead cause for major road accidents in India. There are different types of distractions. Visual distraction occurs when a driver takes his or her eyes off of the road. Manual distraction involves a driver letting go of the wheel with either hand. Cognitive distraction occurs when a driver's mind is no longer focused on driving, whether or not the road is still in view. Anyone of these modes of distraction increases a driver's risk of crashing a car. This invention monitors all different modes of distraction of a driver during the travel. If detected for distraction then it warns the driver with an alarm and demands his/her immediate response. Any failure to respond within the limited time frame by the driver leads to automatic slowdown of the vehicle engine and the device safely parks the vehicle on a

location identified through its sensors. Azhagan successfully obtains patent from India and other countries. M/s. Mia Motors, an MNC manufactures consumer vehicles shown interest to buy the patented invention from Azhagan to use it for their vehicles globally. M/s. Mia Motors approach you for drafting a deed for 'Assignment of Patent'. Draft a suitable 'Patent Assignment' Deed.

### PART – C (2 X 5 = 10 Marks)

Answer any TWO of the following:

9. Discuss the procedure for restoration of lapsed patents.
10. Write a note on TRIPS Flexibilities under Indian Patent Act, 1970.
11. State in brief the 'Patent Opposition' procedure in India.
12. Critically examine the patentability of software in India.



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**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**CIVIL PROCEDURE CODE**

Time: 2¾ Hours

Maximum Marks: 70

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

**Answer any FOUR of the following questions. The first principles made out are to be substantiated with judicial pronouncements:**

1. A dispute between the parties is said to reach finality in the form of a Decree from the Court of I instance, subject to further remedies being available and which are also subject to limitations. Bring out the significance of this statement based on the steps to be pursued after a Decree has been passed by a Court of Law.
2. "All decrees are Orders while all Orders are not". Elucidate this statement in the light of at least five instances which fall under Decrees and five instances which are not Decrees.
3. Enumerate and explain the kinds of jurisdiction in relation to Territorial, Pecuniary and Subject-matter and also point out limits of each one of these kinds in relation to the Courts established in the Districts.
4. The concept of *Res Judicata* takes within its fold matters in issue which are of two kinds. After enumeration of these two kinds, bring out in detail matters which are 'collaterally and incidentally in issue.
5. Payment of court-fees is a pre-condition for taking recourse to a Court of Law. However, the Code permits an 'indigent person to file a suit without payment of court-fees This remains to be only a limited privilege to safeguard his otherwise substantive rights involved in a dispute Analyse this statement in the light of the special provisions available in the Code in this regard.
6. The Code permits a I appeal as a matter of course and restricts a II appeal. State and explain the reasons for this approach as envisaged in the Code of Civil Procedure, 1908.

Answer any SIX of the following questions. Cite judicial decisions wherever necessary:

7. Distinction between Reference and Review
8. *Mesne profits*
9. Necessary party and proper party
10. Garnishee order
11. Forum shopping
12. Meaning of 'Commercial Dispute' under the Commercial Courts Act, 2015
13. Joinder of causes of action
14. Classes of Decrees

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

HISTORY-III (LEGAL HISTORY OF TAMIL NADU)

Time: 2¼ Hours

Maximum Marks: 70

PART – A (5 X 3 = 15 Marks)

Answer ALL the questions:

Write very short answers of the following:

1. Ideas of K.M. Panikar.
2. Define Silappathikaram.
3. Nature of judgeship in Sangam Age.
4. Name the foreign travellers and historians who gives vivid information on Vijayanagar Empire.
5. Role of Gaonkaria towards settling disputes in Goa.

PART – B (7 X 5 = 35 Marks)

Answer any SEVEN of the following questions in 100 words each:

6. Write a note on literary sources on Ancient South India.
7. List out the eight type of courts in *Sangam* Age.
8. Point out the eight qualities of Judges and members of *Avaiyam*.
9. Examine the role of *Nagarathar* as a land lord in ancient *Thamilakam*.
10. Define *Kulus* and *Avayam*.
11. Give an account on the role of Sovereign Council on administration of Justice in Pondicherry.
12. Write a critical note on the punishment imposed by French *Choultry* court.
13. Distinguish French Judicial system in Pondicherry and English Judicial system at Madras in 18<sup>th</sup> century.

**PART – C (2 X 10 = 20 Marks)**

**Answer any TWO of the following questions in detail:**

14. Trace the contributions of South Indian Historiographers towards the construction of Ancient History.
15. Describe the concept and judicial administration during the Cheraman's (Cheras) reign.
16. Through light on the court of justice and judicial procedures under the Vijayanagar Empire.

CRPC2-20

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**LAW OF CRIMES-II (CRIMINAL PROCEDURE CODE)**

Time: 2¼ Hours

Maximum Marks: 70

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

**Answer any FIVE of the following questions:**

1. Explain the circumstances under which bail can be granted and cannot be granted u/s 437 of Cr.PC 1973.
2. "For every distinct offence of which any person is accused there shall be a separate charge and every charge shall be tried separately". Examine.
3. "Summons cases are tried with much less formalities than warrant cases and the manner of the trial is less elaborate". Examine.
4. "Appeal from acquittal is not recognized by any civilized country." Examine how far this statement is applicable in India.
5. Explain the provisions pertaining to Plea Bargaining in India. Critically examine the viability of Plea Bargaining in the Indian Context.
6. Elaborate upon the rights of the accused person as provided under the Code of Criminal Procedure, 1973.

**PART – B (5 X 6 = 30 Marks)**

**Answer any FIVE of the following:**

7. Arjun, Mahesh and Damodar committed the offence of robbery within the jurisdiction of the court of Trichy, after 1 month the part of the property involved is recovered both at Dindigul and Madurai. Decide the place of court where the offence can be tried?
8. Madhav was arrested u/s 302 of IPC by Officer-in-Charge of Ramji Nagar Police station. His arrest was held on the basis of three eye witnesses. He was forwarded to the nearest Executive Magistrate within 24 hours. The concerned Magistrate remanded him to police custody for a period of 15 days and ordered for further investigation on the matter. Discuss the validity of such order with the help of legal provisions.

9. A murder case was tried in the court of Assistant Session Judge of Madurai. After the charges were framed, the accused pleaded guilty and the Assistant Session Judge awarded him life imprisonment and record the reason for that. Is the procedure followed by the Assistant Session Judge is legally valid? Decide.
10. During the investigation of a case, Anuj's statement is recorded under Section 161. At the trial, Anuj is not examined as a prosecution witness but the accused examines him in his defence. In his cross examination by the State, the prosecutor wants to contradict Anuj by reference to his said statement recorded under Sec. 161. The defence objects to it. Decide the objection.
11. Guru, a notorious dacoit, committed a robbery with murder. While Guru was in police custody, he was taken by a Magistrate who did not disclose his identity for a stroll and asked a number of questions about the robbery. When they came back, the Magistrate recorded them in the form of a confessional statement, signed and sent it to the trial judge. In light of the above facts, decide whether the recording of confessional statement is in accordance with the Code of Criminal Procedure, 1973.
12. Roseline went to the police station to lodge an FIR for an offence of robbery which took place at her house. The police recorded the information in the station diary but did not lodge an FIR. After two days, when Roseline went to inquire, she found out that till then no FIR was lodged nor any action taken. What remedy does Roseline have in this situation?

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**HUMAN RESOURCE MANAGEMENT**

Time: 2¼ Hours

Maximum Marks: 70

**Answer any SEVEN from the followings (7 X 10 = 70 Marks):**

1. Elaborate some of the main challenges which might be faced by the Human Resource Managers in future in the management of people in Business and Industry.
2. Explain in detail the concept of Human Resource Planning. Examine the need and importance of Human Resource Planning.
3. What is Job Analysis? What information is provided by it? Explain the Process, Purposes and Uses of Job Analysis.
4. Discuss the external sources of recruitment that are commonly used by the big enterprises. Also evaluate the merits and demerits of external sources of recruitment.
5. Describe in detail the process of Performance Appraisal.
6. What do you understand by Job Evaluation? What are its objects? Discuss the various methods of Job Evaluation. Also evaluate which method is the best one?
7. Explain the various Methods of providing Training to Employees.
8. Suppose you manage a IT business with 600 employees, you identify that some philosophy for compensation for your organization. How will you analyse the pros and cons of the each identified philosophy for compensation?
9. Critically analyse the wage policy in India.

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**SOCIOLOGY-I / SOCIOLOGY (A CRITICAL INTRODUCTION)**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (20 X 1 = 20 Marks)**

**Answer the following questions. Each question carries one mark:**

1. Naturism was propounded by \_\_\_\_\_.
2. Durkheim studied \_\_\_\_\_ tribes of Australia to understand Religion.
3. Name the Caste of Sri Lanka that that has the customary occupational rights of cultivation of Cinnamon.
4. The practice of keeping a Bonsai plant or the idol of laughing Buddha at home is an example of \_\_\_\_\_.
5. The Nature of Society in Metaphysical Stage is \_\_\_\_\_.
6. The author of the book Folkways is \_\_\_\_\_.
7. Who placed Political Sciences at the top of the Hierarchy of Sciences Pyramid?
8. Maclver defined society as \_\_\_\_\_.
9. The lineage or descent of family traced through mother, or females as head of household is known as \_\_\_\_\_.
10. Give an example of primary group in process of socialization.
11. Max Weber's major work on analysis of religion and economy is \_\_\_\_\_.
12. Latent and Manifest functions in sociology was put forth by \_\_\_\_\_.
13. The Sociologist who gave the concept of sacred and profane in religion is \_\_\_\_\_.
14. The two types of social statuses are \_\_\_\_\_.
15. Name the three Interlocking hierarchies of the American society according C.W Mills.
16. Karl Marx borrowed the concept of dialectical historicism from the German Philosopher \_\_\_\_\_.

17. The two important reformers of Christianity of 15<sup>th</sup> and 16<sup>th</sup> century Europe, who established the order of Protestantism, are:
18. The two characterizes of a community are:
19. Fatalistic suicides are commonly observed among \_\_\_\_\_
20. Give an example of Anomic Suicide.

**PART – B (5 X 10 = 50 Marks)**

Answer the following with appropriate examples. Each Question carries ten marks:

21. Discuss Karl Marx's mode of production and social structure in history of classes
22. Define Cooperation and its types.
23. Define Conflict and its types.
24. Discuss C.H Cooley's and Freud's theories of Socialization and also the stages.
25. Discuss the types of Suicides described by Emile Durkheim.

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**INTELLECTUAL PROPERTY LAW**

Time: 2¾ Hours

Maximum Marks: 70

**PART – A (3 X 10 = 30 Marks)**

Answer ANY THREE of the following questions:

1. State in brief the objectives and principles of the TRIPS agreement? Does the TRIPS Agreement require all member states to provide identical protection of intellectual property?
2. Examine the evolution of India's patent 'working requirement' and critically analyse the role of 'working requirement' in compulsory licensing under the light of *Bayer Corporation v. Union of India* (Writ Petition No. 1323 of 2013, decision of the Bombay High Court) and *AstraZeneca v. Lee Pharma* (C.L.A No. 1 of 2015, Indian Patent Office decision dated January 19, 2016).

**3. Read the following Statement and answer the questions,**

“To secure copyright for the product, it was necessary that the labour, skill and capital should have been expended sufficiently to impart to the product some quality or character which the raw material did not possess, and which differentiated the product from the raw material”

- a. Explain in detail the concept of originality in copyright?
- b. What are the standards followed by courts to find out originality?
- c. What is the level of originality required to attract copyright protection?

**4. Read the following paragraph and answer the questions,**

“When a mark is recognized as a well-known mark, the range of protection is very broad, extending to dissimilar goods and services. Hence, such protection often gives rise to the criticism that the owners of well-known marks are reaping where they have not sown. Without the assistance of a set of objective parameters, it would, therefore, be arbitrary or impossible to reach a conclusion that a particular mark is a well-known mark. Even with a set of well-established parameters for well-known marks, the courts might have to take into account other considerations to reach a decision...”

- a. What is a Well Known Trade Mark? (2 Marks)
  - b. State in brief the criteria for holding a trademark as a Well Known Trade Mark? (3 Marks)
  - c. Critically analyse the above-said statement in the light of Daimler Benz v. Hybo Hindustan, AIR 1994 Delhi 239? (5 Marks)
5. Explain in detail the criteria for registration of a variety and critically analyse the rights of farmer and breeder under the Protection of Plant Varieties and Farmers' Rights Act, 2001?

**PART – B (2 X 5 = 10 Marks)**

Answer ANY TWO of the following:

6. Critically examine the impact of anti-circumvention law on fair dealing doctrine with special reference to S.65A of Indian Copyright Act, 1957?
7. Critically examine the 'database protection' under Indian laws.
8. What is piracy of design? What remedies are available against the piracy of copyright in design?
9. Write a short note on
  - a. Trafficking of Trademarks
  - b. Difference between Geographical Indications and Appellation of Origin

**PART – C (3 X 10 = 30 Marks)**

Answer ANY THREE of the following:

10. Zaheer Abbas filed a patent application on **advanced cricket bowling machine** named '**Cheetah**' which is highly versatile in delivering different kinds of bowling in precise line and length. He claimed that his bowling machine will be very useful for both amateur and professional cricketers who can use it as part of their regular practice for fine-tuning of batting without the necessity of bowlers. The main usage of this invention is to provide consistent batting practice for different cross-sections of the players, such as professional cricketers, amateur cricketers, women cricketers and junior cricketers. The invention will assist in improving the natural talent of the batsman. It will be of much use at school, club and junior level where the standards of bowling are less consistent. He also claimed that his invention is more advanced from other bowling machines in the market on following parameters, i.e. accuracy, portability and technology. Decide the patentability of '**Cheetah**'.

11. 'Jigarthanda Films' produced a film named 'Gang 43' directed by 'Naren Subburaj' and 'Simha' a popular actor known for playing serious roles engaged as the male lead in that film. During the editing of the film, 'Simha' has been portrayed differently from what has been narrated to him during the shooting. Instead of playing as a dangerous gangster in the movie he got portrayed as a comical gangster. Aggrieved by the act of the director, Simha complained to film producer who replied that, "once been paid, the producer is the owner of the performance. 'Simha' seeks your legal opinion as to a violation of his 'personality' in the profession. Advice

12. The 'Indian Film Actors Association' (IFAA), organized a live event to celebrate 100 years of Indian Cinema on 25<sup>th</sup> January 2020. '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?

13. 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 of any objections you may have to the registration of the proposed marks.

- a. TM Application 1: VIBER,  
by a taxi service.
- b. TM Application 2: MS DHONI,  
by Mahendra Singh Dhoni, a sportsman
- c. TM Application 3: The colour YELLOW,  
for a telecommunications company
- d. TM Application 4: The smell of FRESHLY CUT GRASS,  
emanating from tennis balls
- e. TM Application 5: A tagline 'I AM WHAT I AM',  
by a shoe manufacturer

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**ADVANCE COURSE ON COPYRIGHT LAW**

Time: 2¾ Hours

Maximum Marks: 70

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

**Answer any FOUR of the following questions:**

1. "Uniform International Copyright protection is a myth or a reality". Analyse the possibility of granting Uniform International Copyright protection.
2. Who is a performer? What are the right available to a performer?
3. State the difference between authorship and ownership and mention whether an author is always the owner of a copyrightable work?
4. What is peer to peer networking? Whether sharing of Copyrighted works through peer to peer networking can be considered as Copyright infringement?
5. State whether Registration of Copyright is mandatory in India? If so, mention the works for which Copyright is granted in India.
6. Write about the Copyright violations in Music Industry.

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

**Answer any FIVE of the following questions:**

7. State the tests of originality and discuss in detail about the doctrine of "Sweat of the brow" and its applicability in India.
8. Define Moral rights and analyse why Moral rights are considered as a special right?
9. Who is an author? State the rights available to an author and analyse whether a sculptor can be considered as creator / author in India?
10. What is online Copyright violation mention any four online copyright violations in detail.



11. "Right to education in India is curtailed, because copyright hinders the availability of study materials to students" – Elucidate.
12. What is copyright infringement? Discuss whether fair dealing is an exception to Copyright infringement?
13. What is a Copyright society? Discuss the role of Copyright societies in protecting the rights of the Copyright holder?
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**B.A. LL.B. (Hons) Degree Programme**

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**POLITICAL SCIENCE –I (POLITICAL THEORY AND ORGANIZATIONS)**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (4 X 10 = 40 Marks)**

**Answer any FOUR of the following questions. Answer to each question should not be less than 400 words:**

1. Define State and discuss its Constituent Elements.
2. Define Sovereignty and Discuss the Characteristics and Types of Sovereignty.
3. Explain various Types of Laws and Sources of Laws.
4. Critically examine the basic Principles of Karl Marx.
5. Explain various Types of Executive and Functions of Executive

**PART – B (2 X 15 = 30 Marks)**

**Answer any TWO of the following questions. Answer to each question should not be less than 600 words:**

6. Critically examine the Social Contract Theory of Origin of State.
  7. Write about the Essential Features of a Federal Form of Government and the Merits and Demerits of a Federal form of government.
  8. 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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B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

## ELECTION LAW

Time: 2¾ Hours

Maximum Marks: 70

Instructions

- a. All Questions are compulsory. All the questions should be answered by quoting relevant legislative provisions and at least two relevant judicial precedents. The problem-based questions should be preferably answered in the *IRAC Method*.
- b. Bare Acts are not allowed; Electronic gadgets are prohibited.
- c. You are strictly directed to follow the Question Number as given in the Question Paper.

## PART – A (3 X 14 = 42 Marks)

Answer ALL the questions:

1. Define and distinguish 'corrupt practices' and 'electoral offences'. Explain in detail any 2 types of 'corrupt practices' mentioned under the *Representation of the People Act, 1951* with the help of judicial precedents.
2. Explain the scope of Anti-Defection law as given under X Schedule to the Indian Constitution? By analysing *Kihoto Hollohan* case, discuss whether the X Schedule violates the right to freedom of speech and expression of elected representatives guaranteed under Article 19(1)(a) of the Constitution?
3. Shahjahanabad is one of the States in the Indian Union. In 2019, when *All Peoples Party (APP)* came to power in the State of Shahjahanabad, it appointed its 20 Member of Legislative Assemblies (MLAs) as *Parliamentary Secretaries (PS)*. The *Opposition Parties (OP)* called for disqualification of these MLAs by the Governor of Shahjahanabad under Article 191 of the Indian Constitution on the ground that holding the post of PS is akin to holding an office of profit.

When the Governor sought for the opinion of the *Election Commission of India (ECI)* under Article 192 of the Constitution, the ECI opined that the 20 MLAs have incurred disqualification by holding the post of PS. When the matter was pending consideration before the Governor, the APP Government passed the

Shahjahanabad Member of Legislative Assembly (Removal of Disqualification) Amendment Act, 2019 (hereinafter, 'Removal of Disqualification Act, 2019') to exclude Parliamentary Secretaries from the ambit of office of profit. The Opposition Parties have now approached the High Court of Shahjahanabad to disqualify the 20 MLAs for holding office of profit by challenging the constitutionality of the Removal of Disqualification Act, 2019. Decide.

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

**Write Critical Legal Notes:**

4. Define 'election symbol'. Why do only recognised political parties are allotted reserved election symbols by the Election Commission?
5. "To ensure free and fair elections, the Election Commission has to act in an impartial manner and it should be free from external influences." Comment.
6. Delimitation in India.
7. Right to Vote – Whether fundamental, constitutional or statutory right? Examine.

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**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**LAND LAWS**

Time: 2¾ Hours

Maximum Marks: 70

**PART – A (2 X 10 = 20 Marks)**

**Write notes on any TWO of the following questions:**

1. Highlight and explain four major differences between Act of 1894 and the present Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation And Resettlement Act, 2013.
2. Explain 'Standard Acre' in the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.
3. Briefly describe *Mahalwari* system of land tenure in the context of British land revenue system.

**PART – B (2 X 15 = 30 Marks)**

**Answer any TWO of the following questions:**

4. What in your opinion necessitated the introduction of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017? What were the short comings of the earlier Act?
5. What is the background and purposes of the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971?
6. The Commissionerate of Land Reforms of TN claim the following "[t]he Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 ... was enacted with a view to reduce the disparity in the ownership of the agricultural land and concentration of such land with certain persons and to distribute such land among the landless poor...". Evaluate the Act in the light of the above statement and critically analyse the impact of Sections 37 A and 37 B.

**PART – C (20 Marks)**

Answer any TWO of the following questions:

7. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation And Resettlement Act, 2013 is said to be drafted taking into consideration largely the interests of the ousted land holders. However, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Bill 2015, passed by the Lok Sabha on March 10, 2015, it is argued to have negatively impacted the objectives of the 2013 Act. Critically evaluate the previous statements.
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**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**INTERNATIONAL ECONOMICS**

Time: 2¾ Hours

Maximum Marks: 70

**PART – A (1 X 10 = 10 Marks)**

Answer any ONE of the following questions in not exceeding 200 words:

1. National Income Identity in an open economy.
2. The balance of payments accounts of a country.

**PART – B (4 X 15 = 60 Marks)**

Answer any FOUR of the following questions in not exceeding 500 words each:

3. Explain the Ricardian model of comparative advantage.
  4. Explain the Hecksher- Ohlin model of trade.
  5. Explain the Standard Trade model.
  6. Explain the costs and benefits of the imposition of tariff on consumers, producers and the government for an importing country.
  7. What is import-substituting industrialization? Explain the arguments in favour and against infant industry protection.
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**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**GENDER JUSTICE AND FEMINISM**

Time: 2¼ Hours

Maximum Marks: 70

**Answer any SEVEN of the following Questions (7 X 10 = 70 Marks):**

1. Critically comment on 'Women in Modern India' with special reference to the encounter done in the case of a 26 years old vet burnt alive in Hyderabad and the confirmation of the death sentence by the Supreme Court in the gruesome Nirbhaya gang-rape case.
2. What are the salient features of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal), Act, 2013?
3. **Explain the following:**
  - a. CEDAW on Gender Justice (5 Marks)
  - b. Rape laws and Adultery in the Indian Penal Code, 1860. (5 Marks)
4. Recruitment Commission of Malaysia has published a notification on the recruitment of Law Officers in Army and Navy. Wherein, the notification mandated,

*Applications are invited from 'UNMARRIED FEMALE CANDIDATES - NOT MORE THAN 27 YEARS AND MARRIED MALE CANDIDATES - NOT MORE THAN 35 YEARS' .....*

Decide with case laws and the laws are in *pari materia* with Indian laws.

5. What do you understand on the 'Gender Justice' in *NAVTEJ SINGHJ JOHAR* case and the concept of 'Third Gender' in the *NALSA* Judgement?
6. Do we (men and women) really feel the burden in the patriarchal society? If so, justify with significant cases.
7. What are the rights provided to women under Medical Termination of Pregnancy Act, 1971 and PC & PNDT Act, 1994 with special reference to *Sabu Mathew George* case?

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**  
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**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**FAMILY LAW-II**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (4 X 10 = 40 Marks)**

**Answer any FOUR questions in detail:**

1. Explain the general principles of inheritance under Muslim law. Compare and contrast the same under Shia law and Sunni law.
2. Discuss the essentials and formalities which constitute a valid gift under Christian law.
3. Who can be a Karta in a Hindu Joint Family? What are the powers of Karta?
4. What are the characteristic features of a Wakf? Explain the different kinds of Wakf.
5. Examine the status of Live-in-relationship in India. Discuss the legitimacy and inheritance rights of children born out of such relationship. Cite relevant legal provisions and decided cases wherever necessary.

**PART – B (3 X 10 = 30 Marks)**

**Answer any THREE from the following:**

6. X, a Sunni Muslim died leaving behind mother M, father F, spouse W, a son S, a daughter D and a widow and son of a predeceased son PSW and PSS. Discuss who will get the property and the quantum of their shares? when
  - a. X is a male
  - b. X is a female
7. A Hindu male X died leaving behind his mother, widow, a daughter and a son. Who among these will be entitled to a share through intestate succession? and what will be their respective shares? when
  - a. X dies before 2005
  - b. X dies after 2005

8. Critically analyse 'Gender Protective' and 'Gender Corrective' labour laws?

9. "Feminist issues are obviously human issues as human issues invariably turn out to have a feminist dimension." Critically analyse the concept of feminism with reference to the above statement.

8. Calculate the shares under the following situations after the death of a Christian male:

- Leaves behind his widow alone
- Leaves behind his widow and a son
- Leaves behind his mother and pre-deceased brother's son.
- Leaves behind his widow, father and brother.

9. A Shia Muslim dies leaving behind some members of his family. Discuss their respective shares under the following circumstances:

- When he leaves behind his father, mother, widow, a daughter and a son's daughter
- When he leaves behind his father, mother, widow and a son.

TABLE OF SHARES—Sunni Law

(1) Sharers	(2) Normal Share		(3) Conditions under which the normal share is inherited	(4) This column sets out— (A) Shares of Sharers Nos. 3, 4, 5, 8 and 12 as varied by special circumstances; (B) Conditions under which Sharers Nos. 1, 2, 7, 8, 11 and 12 succeed as Residuarys.
	of one	of two or more collectively (b)		
1. FATHER	1/6	..	When there is a child or child of a son h.l.s.	[When there is no child or child of a son h.l.s. the father inherits as a residuary: see Tab. of Res., No. 3.]
2. TRUE GRANDFATHER [sec 62, cl. (a)].	1/6	..	When there is a child or child of a son h.l.s. and no father or nearer true grandfather	[When there is no child or child of a son h.l.s., the Tr. G.F. inherits as a residuary, provided there is no father or nearer Tr. G.F.: see Tab. of Res., No. 4]
3. HUSBAND	1/4	..	When there is a child or child of a son h.l.s.	1/2 when no child or child of a son h.l.s.
4. WIFE (c)	1/8	1/8	When there is a child or child of a son h.l.s.	1/4 when no child or child of a son h.l.s.
5. MOTHER	1/6	..	(a) When there is a child or child of a son h.l.s., or (b) when there are two or more brothers or sisters, or even one brother and one sister, whether full consanguine or uterine.	1/3, when no child or child of a son h.l.s., and not more than one brother or sister (if any); but if there is also a wife or husband and the father, then only 1/3 of what remains after deducting the wife's or husband's share
6. TRUE GRANDMOTHER [sec 62, cl. (c)].	1/6	1/6	A. Maternal—when no mother, and no nearer true grandmother either paternal or maternal. B. Paternal—when no mother, no father, no nearer true grandmother either paternal or maternal, and no intermediate true grandfather.	
7. DAUGHTER	1/2	2/3	When no son.	[With the son she becomes a residuary: see Tab. of Res., No. 1.]
8. SON'S DAUGHTER h.l.s. [sec 62, cl. (f)]. <i>e.g.</i>	1/2	2/3	When no (1) son, (2) daughter, (3) higher son's son, (4) higher son's daughter, or (5) equal son's son. (d)	When there is only one daughter, or higher son's daughter but no (1) son, (2) higher son's son, or (3) equal son's son, the daughter or higher son's daughter will take 1/2 and the son's daughter h.l.s. (whether one or more) will take 1/6, i.e., 2/3—1/2] [With an equal son's son she becomes a residuary: see Tab. of Res., No. 2].
(i) Son's Daughter	1/2	2/3	When no (1) son, (2) daughter, or (3) son's son.	When there is only one daughter the son's daughter (whether one or more) will take 1/6, if there be no son or son's son. (With the son's son she becomes a residuary: see Tab. of Res., No. 2).
(ii) Son's Son's Daughter	1/2	2/3	When no (1) son, (2) daughter, (3) son's son, (4) son's daughter, or (5) son's son's son.	When there is only one daughter or son's daughter, the son's son's daughter (whether one or more) will take 1/6, if there be no (1) son, (2) son's son or (3) son's son's son. [With the son's son's son she becomes residuary: see Tab. of Res., No. 2.]
9. UTERINE BROTHER 10. or SISTER	1/6	1/3	When no (1) child, (2) child of a son h.l.s., (3) father of (4) true grandfather.	
11. FULL SISTER	1/2	2/3	When no (1) child, (2) child of a son h.l.s., (3) father, (4) true grandfather, or (5) full brother.	[With the full brother she becomes a residuary: see Tab. of Res., No. 5.]
12. CONSANGUINE SISTER	1/2	2/3	When no (1) child, (2) child of a son h.l.s., (3) father, (4) true grandfather, (5) full brother, (6) full sister, or (7) consanguine brother.	But if there is only one full sister and she succeeds as a sharer, the consanguine sister (whether one or more) will take 1/6, provided she is not otherwise excluded from inheritance. [With the consanguine brother she becomes a residuary: see Tab. of Res., No. 7.]

(b) The collective share is always divided equally among those to whom it is allotted

(c) A Mahomedan can have as many as four wives at a time.

(d) If there be a son's son and a son's son's daughter, the former is a higher son's son in relation to the latter. If there be a son's son and a son's daughter the former is a lower son's son in relation to the latter. And if there be a son's son and son's daughter or a son's son's daughter, the former is in equal son's son in relation to the latter, both being equally removed from the deceased.

8. Calculate the shares under the following situations after the death of a Christian male:

- Leaves behind his widow alone
- Leaves behind his widow and a son
- Leaves behind his mother and pre-deceased brother's son.
- Leaves behind his widow, father and brother.

9. A Shia Muslim dies leaving behind some members of his family. Discuss their respective shares under the following circumstances:

- When he leaves behind his father, mother, widow, a daughter and a son's daughter
- When he leaves behind his father, mother, widow and a son.

TABLE OF SHARES—Sunni Law

66A

(1) Sharers	(2) Normal Share		(3) Conditions under which the normal share is inherited	(4) This column sets out— (A) Shares of Sharers Nos. 3, 4, 5, 8 and 12 as varied by special circumstances; (B) Conditions under which Sharers Nos. 1, 2, 7, 8, 11 and 12 succeed as Residuaries
	of one	of two or more collectively (b)		
1. FATHER	1/6	..	When there is a child or child of a son h.l.s.	[When there is no child or child of a son h.l.s., the father inherits as a residuary: see Tab. of Res., No. 3.]
2. TRUE GRANDFATHER [sec 62 cl. (a)].	1/6	..	When there is a child or child of a son h.l.s. and no father or nearer true grandfather	[When there is no child or child of a son h.l.s., the Tr. G.F. inherits as a residuary, provided there is no father or nearer Tr. G.F. see Tab. of Res., No. 4]
3. HUSBAND	1/4	..	When there is a child or child of a son h.l.s.	1/2 when no child or child of a son h.l.s.
4. WIFE (c)	1/8	1/8	When there is a child or child of a son h.l.s.	1/4 when no child or child of a son h.l.s.
5. MOTHER	1/6	..	(a) When there is a child or child of a son h.l.s., or (b) when there are two or more brothers or sisters, or even one brother and one sister, whether full consanguine or uterine.	1/3, when no child or child of a son h.l.s., and not more than one brother or sister (if any); but if there is also a wife or husband and the father, then only 1/3 of what remains after deducting the wife's or husband's share
6. TRUE GRANDMOTHER [sec 62, cl. (c)].	1/6	1/6	A. Maternal—when no mother, and no nearer true grandmother either paternal or maternal. B. Paternal—when no mother, no father, no nearer true grandmother either paternal or maternal, and no intermediate true grandfather.	
7. DAUGHTER	1/2	2/3	When no son.	[With the son she becomes a residuary: see Tab. of Res., No. 1.]
8. SON'S DAUGHTER h.l.s. [sec 62, cl. (f)].  e.g.	1/2	2/3	When no (1) son, (2) daughter, (3) higher son's son, (4) higher son's daughter, or (5) equal son's son. (d)	When there is only one daughter, or higher son's daughter but no (1) son, (2) higher son's son, or (3) equal son's son, the daughter or higher son's daughter will take 1/2 and the son's daughter h.l.s. (whether one or more) will take 1/6, i.e., 2/3—1/2 [With an equal son's son she becomes a residuary: see Tab. of Res., No. 2]
(i) Son's Daughter	1/2	2/3	When no (1) son, (2) daughter, or (3) son's son.	When there is only one daughter the son's daughter (whether one or more) will take 1/6, if there be no son or son's son. (With the son's son, she becomes a residuary: see Tab. of Res., No. 2).
(ii) Son's Son's Daughter	1/2	2/3	When no (1) son, (2) daughter, (3) son's son, (4) son's daughter, or (5) son's son's son.	When there is only one daughter or son's daughter, the son's son's daughter (whether one or more) will take 1/6, if there be no (1) son, (2) son's son or (3) son's son's son. [With the son's son's son she becomes residuary: see Tab. of Res., No. 2.]
9. UTERINE BROTHER or SISTER	1/6	1/3	When no (1) child, (2) child of a son h.l.s., (3) father of (4) true grandfather.	
11. FULL SISTER	1/2	2/3	When no (1) child, (2) child of a son h.l.s., (3) father (4) true grandfather, or (5) full brother.	[With the full brother she becomes a residuary: see Tab. of Res., No. 5.]
12. CONSANGUINE SISTER	1/2	2/3	When no (1) child, (2) child of a son h.l.s., (3) father, (4) true grandfather, (5) full brother, (6) full sister, or (7) consanguine brother.	But if there is only one full sister and she succeeds as a sharer, the consanguine sister (whether one or more) will take 1/6, provided she is not otherwise excluded from inheritance. [With the consanguine brother she becomes a residuary: see Tab. of Res., No. 7.]

(b) The collective share is always divided equally among those to whom it is allotted.

(c) A Mahomedan can have as many as four wives at a time.

(d) If there be a son's son and a son's son's daughter, the former is a higher son's son in relation to the latter. If there be a son's son and a son's daughter the former is a lower son's son in relation to the latter. And if there be a son's son and son's daughter or a son's son's daughter, the former is in equal son's son in relation to the latter, both being equally removed from the deceased.



TABLE OF SHARERS—SHIA LAW [§90]

(Baillie, II, 271-276, 381.)

Sharers	Normal share		Conditions under which the share is inherited	Share as varied by special circumstances
	of one	of two or more collectively		
1. Husband	1/4	..	When there is a lineal descendant.	1/2 when no such descendant.
2. Wife	1/8	1/8	When there is a lineal descendant.	1/4 when no such descendant
3. Father <sup>2</sup>	1/6	..	When there is a lineal descendant	[If there be no lineal descendant, the father inherits as a residuary.]
4. Mother	1/6	..	(a) When there is a lineal descendant; or (b) When there are two or more full or consanguine brothers, or one such brother and two such sisters, or four such sisters, with the father.	1/3 in other cases

Sharers	Normal share		Conditions under which the share is inherited	Share as varied by special circumstances
	of one	of two or more collectively		
5. Daughter	1/2	2/3	When no son	[With the son she takes as a residuary.]
6. Uterine brother	1/6	1/3	When no parent, or lineal descendant. (see §88)	
7. of sister				
8. Full sister	1/2	2/3	When no parent, or lineal descendant, or full brother, or father's father. (see §88, 101)	[The full sister takes as a residuary, with the full brother and also with the father's father. (see §101)]
9. Con-sanguine sister	1/2	2/3	When no parent, or lineal descendant, or full brother or sister, or consanguine brother or father's father. (see §88, 101)	[The consanguine sister takes as a residuary with the consanguine brother and also with the father's father. (see §101.)]

Note.—The descendants h.l.s. of sharers are also sharers. (§90)

Name :

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

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

Time: 2¾ Hours

Maximum Marks: 70

- I. Answer any FIVE of the following: [5 X 2 = 10 Marks (50-80 Words)]**
- Explain Semnatic barrier in communication.
  - Explain the role of "Feed Back "in communication.
  - "The meanings of a text are the 'production' or 'creation' of the individual reader". Explain.
  - Describe the functions of "Conflict" in narration.
  - What is polemical form of writing?
  - Give the features of "Kafkaesque".
  - What is "Hamartia"?
- II. Write a short note on any TWO of the following: [2 X 5 = 10 (300-400 Words)]**
- Law and Literature
  - Legal Fiction
  - Legal writing and Imagination
  - Violation of classical unity in modern texts.
- III. Describe the Court Scene in Shakespeare's *The Merchant of Venice*. [10 Marks (500-750 words)]**
- IV. Read the passage carefully and answer the questions follow: [5 X 2 = 10 Marks]**

In reaction to a rigid, over refined classical curriculum, some educational philosophers have swung sharply to an espousal of "life experience" as the sole source of learning. Using their narrow interpretation of John Dewey's theories for support and spouting such phrases as "Teach the child, not the subject," they demand an end to rigorous study and insist that only through doing can learning take place. While not all adherents to this philosophy would totally eliminate the study of great books, the gradual subordination of literature in the school curriculum reflects their influence.

What is the purpose of literature? Why read if life alone is to be our teacher? James Joyce tells us that the artist reveals the human condition by re-creating life out of life; Aristotle, that art presents universal truths because its form is taken from nature. Thus, consciously or otherwise, great writers extend our understanding of ourselves and our world. We can soar with them to the heights of aspiration or plummet with them to the depths of despair. How much wider is the understanding we gain from reading than from viewing life through the keyhole of our individual experience.

This function of literature, the enlarging of our life sphere, is of major importance in itself. Additionally, however, literature suggests solutions to social problems. The overweening ambitions of political leaders—and their sneering contempt for the law—did not appear for the first time in the writings of Bernstein and Woodward. The problems and behavior of the guilt-ridden did not await the appearance of the bearded psychoanalysts of the nineteenth century.

Federal Judge Learned Hand wrote, "I venture to believe that it is as important to a judge called upon to pass on a question of constitutional law, to have at least a bowing acquaintance with Thucydides, Gibbon, and Carlyle, with Homer, Dante, Shakespeare, and Milton, with Montaigne and Rabelais, with Plato, Bacon, Hume, and Kant, as with the books which have been specifically written on the subject. For in such matters everything turns upon the spirit in which he approaches the questions before him."

How do we overcome our dissenter? We must start with the field of agreement: the belief that education should serve to improve the individual and society. We must persuade our dissenters that the voices of human experience stretch our human faculties and open us to learning. We must convince them of the unity of life and art. We must prove to them that far from being separate, literature is that part of life that illumines life.

a) **It can be inferred from the passage that the author considers those who believe in "life experience" as the sole source of learning" to be**

- 1) Practical
- 2) Progressive
- 3) Misguided
- 4) Inflexible
- 5) Ignorant

b) **Based on the information in the passage, with which of the following statements about education would John Dewey be most likely to agree?**

- 1) Education should be a continuous reconstruction of living experience, with the child the center of concern.
- 2) Education is the imparting of knowledge, not the drawing out of what is already in the child.
- 3) Though rigid, the classical curriculum has served us well for centuries and should be restored
- 4) The purpose of education is to correct the inequalities brought about by the rise of civilization.
- 5) Children should be taught only the skills and knowledge they need to get ahead.

c) **The author implies that children who learn exclusively by doing are likely to**

- 1) be good problem solvers but poor judges
- 2) be more guilt-ridden than those who learn both by doing and reading
- 3) have below-average reading skills
- 4) have a myopic view of themselves and the world
- 5) believe that art has nothing to do with life

d) **Which of the following best describes the organization of the third paragraph of the passage?**

- 1) An idea is reiterated, a new idea is introduced, and two supporting examples are given.
- 2) The preceding paragraph is summarized and conclusions are drawn
- 3) A new idea is introduced, the idea is qualified, and the implications of the idea are analyzed
- 4) The main idea of the preceding paragraph is restated, and evidence is given to support it
- 5) Two functions of literature are identified, and an example of each is given.

e) **It can be inferred from the passage that the author makes which of the following assumptions about his readers?**

- 1) They believe that schools should reflect society.
- 2) They believe that the subject, not the child, should be taught.
- 3) They favor a return to the classical curriculum
- 4) They share his view that the study of great books is essential to education.
- 5) They believe that only through reading can learning take place.

V. **Describe the character Joseph K in *The Trial* with the features of Modernism. [5 Marks (300-400 Words)]**

VI. Write an argumentative essay on "Law in Literature and Law as Literature" [10 Marks (500-750 Words)]

VII. Describe Atticus Finch as an ideal lawyer in Harper Lee's *To Kill a Mockingbird*. [15 Marks (750-1000 Words)]

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI  
B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

INTERNATIONAL TRADE LAW

Time: 2¼ Hours

PART - A (4 X 13 = 52 Marks)

Maximum Marks: 70

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

1. Critically examine various theories of international trade law and their relevance in the Liberalisation, Privatisation and Globalisation (LPG) era.
2. "Formation of the World Trade Organisation (WTO) is not a single day event". Do you agree? Examine this statement by referring various rounds of the WTO.
3. What do you mean Most Favour Nation (MFN)? Point out its significance by referring relevant provisions of the General Agreement on Tariffs and Trade (GATT).
4. (A) Comment upon Solar Panel Case, WT/DS456/AB/R, 2016 (7 Marks)  
(B) Comment upon Shrimp Turtle Case, WT/DS58/23, 2001 (6 Marks)
5. Explain in detail about the procedure followed in the World Trade Organisation Dispute Settlement Body (WTO-DSB) by referring relevant provisions of the Agreement Establishing WTO-DSB.
6. (A) Write a detail note on functions of the Committee on Trade and Environment. (7 Marks)  
(B) Write a detail note on working of International Centre for Settlement of Investment Dispute (ICSID). (6 Marks)

PART - B (6 X 3 = 18 Marks)

Answer any SIX of the following in not exceeding 100 words each:

7.
  - (a) Product Life Cycle Theory
  - (b) New International Economic Order (NIEO)
  - (c) National Treatment in international trade
  - (d) Comment upon Reliance Industries Case
  - (e) Security Exceptions in GATT
  - (f) Covered Agreements
  - (g) Distinguish Tariff and Quota
  - (h) Salient features of North Atlantic Free Trade Agreement (NAFTA)

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

CYBER LAW

Time: 2¼ Hours

Maximum Marks: 70

PART – A (4 X 5 = 20 Marks)

Answer any FOUR of the following questions:

1. "Right to access internet is a fundamental in India" – Do you agree? Examine.
2. Explain the advantages and disadvantages of internet?
3. What is a digital signature? Mention the importance of digital signature in the digital age.
4. Discuss the impact of social media on Individuals and write about the concept of Individuation.
5. State whether accessing, viewing, storing and sharing of pornographic content is a punishable crime in India?
6. What is ICANN state the role of ICANN in regulating cyber space?

PART – B (5 X 10 = 50 Marks)

Answer any FIVE of the following questions:

7. Explain the role of Computer and Internet in our daily life and analyse its impact on the Human behaviour.
8. Define E commerce and Explain in detail about the different types of E-Commerce. Discuss on the draft National E-Commerce policy of India.
9. What is EUGDPR? Mention the similarities between EUGDPR and the proposed Personal Data protection Bill, 2019.
10. Critically examine the various theories used to conclude the cyber jurisdiction.
11. Who is an intermediary? Analyse the doctrine of safe harbour protection and its applicability in India.

12. "Right to personal data protection is a fundamental right in India"- Explain the position in India before and after the Justice *K.S Puttuswamy (Retd.) & Anr. v. Union of India*, 2017 10 SEC 1.

13. Write about the cyber-crimes committed against the Individuals in the society.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

ADMINISTRATIVE LAW

Time: 2¼ Hours

Maximum Marks: 70

Answer any SEVEN of the following Questions (7 X 10 = 70 Marks):

1. Rajasthan State Government has initiated land acquisition proceedings in order to construct a bridge for public welfare. The Government authorities dispossessed the properties of the public without any prior notice. The rightful dwellers protested against the Government. The authorities opined overriding public interest. Decide.
2. Explain in detail on administrative adjudication with relevance to Articles 323A and 323B.
3. What are the exceptions to the Rule of Natural Justice?
4. Analyse the following:
  - a. *In Re the Delhi Laws Act*, 1912, 1951 SCR 747 (5 Marks)
  - b. *Associated Provincial Picture Houses Ltd., v. Wednesbury Corporation* [1948] 1 KB 223 CA (5 Marks)
5. Critically examine the control and safeguard against the delegated legislation?
6. Examine the pros and cons of the Lokpal and Lokayukthas Act, 2013?
7. Analyse the following:
  - a. The Minister of Information Technology sub-delegated his powers to his subordinates without any authority provided in the parent Act. Decide the validity of sub-delegation. (5 Marks)
  - b. *Droit administratif* and its relevance in India. (5 Marks)
8. Analyse the differences between Constitutional Law and Administrative Law.
9. How do you classify the Administrative Rule-making or delegated legislation?

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**  
**B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme**  
**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**  
**INTERNATIONAL COMMERCIAL ARBITRATION**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (5 X 4 = 20 Marks)**

1. Write a short note on any FIVE:

- What do you understand by Place of an arbitral award made, briefly explain the scope and nature of an award, essential features?
- Requirements of a valid Agreement, what are the defects in clauses of an Arbitration agreement.
- What are the reliefs and remedies against arbitral award in court of law?
- Briefly discuss the Recognition and enforcement of foreign arbitral awards in India.
- What are the Interim Measures available under Article 9 of the Model Law and Common Law System?
- Discuss in brief *Bhatia International Case* and its impact over Indian arbitration

**PART – B (5 X 10 = 50 Marks)**

Answer any FIVE of the following questions:

- Examine the grounds of setting aside an Award made by an arbitral Tribunal?
- Discuss the application and significance of judicial doctrine *kompetenz kompetenz* in International arbitration.
- Discuss the significance of Seat of Arbitration in international commercial arbitration. How it can affect the enforcement of an award. Also discuss the relevant Cases.
- Who are parties to an Arbitration Agreement? Discuss the status of joinder of third parties to an arbitration agreement and different theory regarding it.

6. What were the achievements of the New York Convention, and the principle features that distinguished it from other Conventions?
7. Evaluate the significance of the *BALCO v. KAISER (I)* (Civ App 3678 of 2007 (6 September 2012)), along with the relevant articles of International Conventions and Indian Laws and its effect on previous judgements.

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**HISTORY-II (LEGAL HISTORY)**

Time: 2¾ Hours

Maximum Marks: 70

**PART – A (10 X 2 = 20 Marks)**

**Write a short note of the following:**

1. Importance of Legal History on budding Advocates
2. Selden Society
3. Ascentia Daws Case
4. Court of Judicature
5. Charter of 1726
6. Charter of 1774
7. Legal Practitioners (Women) Act of 1923
8. Privy Council
9. Federal Court
10. Preamble

**PART – B (8 X 5 = 40 Marks)**

**Answer any EIGHT of the following questions not less than 100 words each:**

11. Give an account on the features of Roman Law.
12. List out the objectives and importance of Charter of 1600.
13. State the importance of the Jurisdiction of Admiralty Court.
14. Examine the different jurisdictions of Supreme Court of Calcutta.
15. Whether Raja Nandhakumar murder was judicial murder? Justify.
16. Write a short note on Legal Education in India before and after Independence.
17. Explain the role of Cabinet Mission to frame Indian Constitution.
18. Examine the defects of Minto-Morley Reforms of 1909.
19. Indian Constitution is not a borrowed Constitution. Justify.
20. Trace the importance of Directive Principles of State Policy (DPSP).



**PART – C (1 X 10 = 10 Marks)**

**Answer any ONE of the following questions in detail:**

21. Throw light on the contributions of F.W. Maitland with a special reference to Selden Society.
22. Describe how far the Judicial plans of Cornwallis and William Bentinck facilitated Indian Jurists.
23. Discuss the constitutional development in India between 1935 and 1950.

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

**REPEAT EXAMINATION (ODD-SEMESTER), JANUARY 2020**

**HUMAN RIGHTS LAW**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (5 X 4 = 20 Marks)**

**Answer any FIVE of the following questions:**

1. State Action Doctrine
2. Subordination of king to dharma
3. Monism and Dualism
4. Ombudsman
5. Cultural Relativism and Margin of Appreciation
6. National Sovereignty and International Human Rights
7. Social Contract Theory and Human Rights

**PART – B (3 X 10 = 30 Marks)**

**Answer any THREE of the following questions:**

8. Critically Evaluate the Structure and Functions of the European Court of Human Rights.
9. Write an essay on the Composition, Power and Function of the National Human Rights Commission.
10. Critically evaluate the Judicial activism and the role played by it in protecting human rights in India.
11. Examine how the International human rights norms are incorporated into Indian Legal system-refer to the role of courts in this regard.

**PART – C (4 X 5 = 20 Marks)**

**Write Short Answers on the following:**

12. Universal Declaration of Human Rights
13. Human Rights Council
14. Protection of SC & ST under Indian Constitution
15. Third Generation Human Rights

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**FAMILY LAW -I**

Time: 2¼ Hours

Maximum Marks: 70

**PART – A (2 X 7 = 14 Marks)**

**Answer any TWO of the following questions:**

1. Explain “persons who may be adopted” according to Hindu Adoptions and Maintenance Act, 1956.
2. Explain void and voidable marriage according to Hindu Marriage Act, 1955.
3. Explain the salient features of Special Marriage Act, 1954.

**PART – B (3 X 12 = 36 Marks)**

**Answer any THREE in detail:**

4. Who is a “Guardian” according to The Hindu Minority and Guardianship Act, 1956? Who can be called as “Natural guardian of a Hindu Minor” and for a “Adopted Son”? Also explain his powers under the statute.
5. In India, personal laws differ in different religion. Within a particular religion, there is further difference based on territorial/regional divisions. In general, it can be stated that “Personal laws in India are based on religion and to be more specific it is based on different Schools in different religion”. Critically comment on Schools of Law under Hindu Law. State its salient features.
6. Explain the concept of Maintenance under the Muslim Law with relevant cases. Also explain in brief, maintenance under the Criminal Procedure Code, 1973.
7. Critically comment on the evolution and the sources of Hindu Law in India.

**PART – C (2 X 10 = 20 Marks)**

**Case Comment (Any TWO):**

8. *Lily Thomas v. Union of India*, AIR 2000 SC 1650
9. *Mr. X v. Hospital Z*, (1998) 8 SCC 296
10. *Daniel Latiefi v. Union of India*, (2001) 7 SCC 74

Name :

INO-20

Register No.:


TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

LAW OF INTERNATIONAL ORGANISATIONS

Time: 2¼ Hours

Maximum Marks: 70

Answer any SEVEN of the following questions (7 X 10 = 70 Marks):

1. What are the different types of voting systems employed by intergovernmental organizations and how do these voting systems impact efficiency of institutional law making within these organizations? Critically analyse a new voting system – quadratic voting – that has been proposed recently, is being actively debated across the world and has invited huge criticism from scholars and practitioners.
2. Why do international organizations enjoy near absolute immunity before other international, regional and domestic forums? What sources may provide the framework outlining the legal nature of immunity enjoyed by international organizations? To what extent does the immunity granted to international organizations impinge upon the individual's right to a remedy under international law?
3. Why has it become absolutely necessary in the 21<sup>st</sup> century to secure the accountability of inter-governmental organizations? Briefly outline the various kinds of accountability in international law and the principle aims and the processes of securing accountability of international organizations. What role can the municipal courts in respective states possibly play in pitching the accountability gap to secure the accountability of inter-governmental organizations?
4. Write a short note on the following cases. Do highlight the principle legal issues in these cases and what jurisprudence did the court employ to arrive at the
  - a) Reparation for Injuries Suffered in the Service of the United Nations (*Advisory Opinion of 11 April 1949*).
  - b) Certain Expenses of the United Nations (*Advisory Opinion of 20 July 1962*).

5. Briefly describe as to what extent the international legal system possesses constitutional features. How the constitutional doctrine in public international law scholarship tries to put public international law on a constitutional foundation? What are the principle arguments for and against putting public international law on a constitutional foundation?
6. The ever-expanding body of public international law is encroaching upon private international law and prevalent municipal law in respective nation-states. Because legalization of public international law principally aims to safeguard and advance the rights of international community, to what extent the growing publicness of public international law impinges upon the rights of private parties?
- 7.
- Distinguish Inter Governmental Organisation (IGO) and Non-Governmental Organisation (NGO).
  - Reparation of Injury Suffered in the Service of the United Nations*, (1949) ICJ Rep.174.
- 8.
- International Bank for Reconstruction and Development (IBRD)
  - Permanent Court of Arbitration.

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Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI  
 B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme  
 REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020  
 CORPORATE FINANCE LAW

Time: 2¼ Hours

Maximum Marks: 70

**Instruction:**

Please note that this examination shall be an open book examination. Bare Act(s), Rules, Regulations, By-Laws, Corporate Laws Manual, SEBI Manual, Full text of the case laws are allowed in the Examination Hall. No books are allowed.

**Answer ALL the questions:**

- Read the following facts carefully and answer questions below (in not more than 1000 words each):

Sahara India Real Estate Corporation Limited (SIRECL) and Sahara Housing Investment Corporation Limited (SHICL) (hereinafter referred to as 'Saharas' for short) were ordered by the Supreme Court to refund monies collected in the form OFCDs from public for non-compliance of market regulations as applicable at that time. Now Saharas are of the opinion that they will refund monies to those who request for refund. But in order to retain investments in the Co., they want to approach the Securities and Exchange Board of India with a plan of action to comply with applicable laws. However, Saharas seek your advice, if they can approach SEBI for post facto approval of the issue of above referred to OFCDs.

If you are of the opinion that Saharas can go to SEBI, what all steps should be taken by Saharas in order to seek approval from SEBI to continue with the already completed issue of OFCDs?

(15 Marks)

AND

If you are of the opinion that Saharas cannot approach SEBI under the present laws, assuming yourself as a Law Officer of SEBI, suggest modification in the applicable laws to SEBI for its internal consideration so that a situation like the above could be effectively addressed by SEBI. In writing the suggestions, do consider the dual role of SEBI to protect the investors and to promote securities markets.

(10 Marks)

2. Lawtech Pvt. Ltd., a company registered under the Companies Act, 2013, had five shareholders as promoters. Each of them had subscribed to 10 lakh equity shares of INR 10 each. Lawtech intends to seek additional equity finance of INR 10 crores. This capital is intended for expansion in new geographical markets. Three of the existing shareholders do not want to cease as promoters. Further, they do not want dilution of their holdings either. But IPO would result in dilution of the holdings by these members. So, Lawtech and these members request you to suggest an appropriate way to issue the fresh shares that will address the concerns, if any, of both the willing and unwilling existing shareholders. Advice.

(10 Marks)

3. Briefly describe the rules and regulations applicable for listing of securities in a stock exchange.

(12½ Marks)

4. Write an essay on disclosure requirements for private placement of securities in India.

(12½ Marks)

5. Write short notes on the following:

a) Automatic crystallisation

(5 Marks)

b) Issue of Indian Depository Receipts

(5 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

BANKING LAW

Time: 2¾ Hours

Maximum Marks: 70

I. Answer ALL the questions: (3 X 15 = 45 Marks)

- 1 Explain in detail 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?
- 2 Define the term banker and customer. Explain the relationship of a Banker and Customer in the following cases:
  - 2.1 As Debtor & Creditor and vice versa;
  - 2.2 Banker as a Trustee.
3. The establishment of Debt Recovery Tribunal (DRT) and Debt Recovery Appellate Tribunal (DRAT) under the Recovery of Debts due to Banks and Financial Institutions Act, 1993 is a welcome step towards streamlining procedures and helps in expeditious disposal of recovery cases. Despite its establishment, the rising percentage of non-performing assets, where borrowers default on repaying loans to banks has reached alarming levels. In this context, discuss the performance of Debt Recovery Tribunals in its legal and administrative sense.

II. Write short notes on ALL the following questions: (5 X 5 = 25 Marks)

4. Why is RBI known as a Lender of Last Resort?
5. Nationalisation of Banks.
6. Holder in Due Course.
7. What is garnishee order and where is it applied?
8. Endorsements.

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**LEGAL METHODS**

Time: 2¾ Hours

Maximum Marks: 70

**Answer any SEVEN of the following questions (7 X 10 = 70 Marks):**

1. How did Foster, J. approach the situation of the speluncean explorers? Can it be applied to current judicial scenario in India? Explain (10 Marks)
2. Differentiate following with examples: (10 Marks)
  - a) Truepenny, J's opinion and Handy, J's opinion
  - b) Primary and secondary sources of law
3. In recent years, the Supreme Court of India has overturned many customary practices holding them as violative of our constitutional values. In the light of this statement, comment on custom as a primary source of law. Feel free to use examples indigenous to your communities. (10 Marks)
4.
  - a) Write a short note on *Ratio Decidendi* and *Obiter Dicta* (5 Marks)
  - b) Differentiate between Substantive and Procedural Law (5 Marks)
5. Is judicial activism violative of the doctrine of separation of powers? Explain by referring relevant Judicial Decisions. (10 Marks)
6. Explain, in detail, the lifecycle of legislation. (10 Marks)
7. Write a brief comment on the development of law in the Romano-Germanic legal system. How would you distinguish it from the Common Law System? (10 Marks)
8. Layout the hierarchy of courts in the Indian legal system bringing out the distinctions Between them based on their territorial, pecuniary and subject-matter jurisdiction. (10 Marks)

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**LAW OF INDIRECT TAXATION**

Time: 2¾ Hours

Maximum Marks: 70

**PART – A (5 X 10 = 50 Marks)**

**Answer ALL the questions:**

- State briefly whether the following service under the Finance Act, 1994 relating to service tax are taxable service with justified answers (assume as below the transaction held before implementation of Goods Service Tax in India):
  - Service provided in the State of Punjab by a person having a place of business in the State of Jammu and Kashmir.
  - Service provided from India for use outside India.
  - Service provided from outside India and received in India by Individual otherwise than for the purpose of use in business or commerce.
  - Service provided to an Export Oriented Unit.
- Explain the merits and demerits of pre and post indirect tax regime in India.
- XYZ Ltd. is a manufacturer of Overhead Power Transmission Line Hardware and Accessories. The Co., has entered into two separate contracts with M/s Power Grid Corporation of India – one for supply of materials at ex-factory price (hereinafter referred to as “the First Contract”), and the other for supply of allied services like transportation, insurance, loading/unloading etc. for delivery of materials at the contractor’s site (hereinafter referred to as “the Second Contract”). The two contracts are linked by a cross fall breach clause that specifies that breach of one contract will be deemed to be a breach of the other contract. As per the Co., since they are not a Goods Transport Agency, for the Second Contract they arrange for the supply and delivery of materials through various other suppliers of these services. The Contractor is charged for these services at a pre-fixed rate, irrespective of the actual cost incurred. However, the Contractor is unwilling to bear the cost of GST on such services provided to them by the Co., through various Service Suppliers. Give your opinion regarding the taxability of these services supplied by them.

4. What are the procedures following in the course of import and export and how the customs authority issuing the import and export manifest under the Custom Act, 1962?
5. What is meant by Anti-dumping duty and explain the significance of Article-VI of Anti-dumping agreement under World Trade Organization?

**PART – B (4 X 5 = 20 Marks)**

Answer ALL the questions:

6. Distinguish between the composite supply and mixed supply. Explain in the context of Central Goods Service Tax Act, 2017.
7. Explain input tax credit and who cannot claim input tax credit in indirect tax?
8. What is difference between the inter-state and intra state supply?
9. Write short notes on any two of the following:
- Deemed manufacture
  - Destination principle
  - Work contract

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**PROPERTY LAW**

Time: 2¼ Hours

Maximum Marks: 70

**Instructions:**

- No Bare Act or study materials are allowed.
- Support your answers with relevant legal provisions, case laws and/or illustrations wherever necessary.

**PART – A (4 X 10 = 40 Marks)**

Answer any FOUR of the following questions:

- Explain the concept of Immovable Property and the Doctrine of Fixtures with the help of statutory provisions and cases.
- What are the rights and liabilities of lessor and lessee? Distinguish between Lease and License.
- Explain the difference between Sale and Contract for Sale. What are the essentials of a valid sale? Can execution of a Power of Attorney transfer title?
- Explain the kinds of mortgages. What do you understand by the right of redemption of the mortgagor and right of foreclosure of the mortgagee? Can the right of redemption be taken away by agreement between the parties?
- What do you understand by *Spes Successionis*? Distinguish between *Spes Successionis* and *Doctrine of Feeding the Grant the Estoppel*.

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

6. Write Short Notes on any FOUR of the following:

- Doctrine of Notice
- Part Performance
- Transfer by Ostensible Owner
- Requisites of Valid Gift
- Actionable Claim
- Vested and Contingent Interest



Answer any ONE of the following questions:

7. On 1<sup>st</sup> April 2001, Zola executed a registered gift deed transferring a plot of land inherited by her from her paternal grandfather in favour of her minor son Sulu aged 16 years and daughter Dora aged 6 years. The gift deed was duly attested by two witnesses, one of them being Fufu, the father of the children. As per the gift deed, both the children were to get half and half share of the property transferred but Zola retained the power of management of the plot of land and right over the income arising from the property during her lifetime. On 2<sup>nd</sup> May 2018, Zola cancelled the gift deed executed on 1<sup>st</sup> April 2001 and executed a will bequeathing the same property in entirety to D.

In light of above facts, answer the following:

- What are the requisites of a valid gift? Is the gift made by Z in favour of her minor children valid? Explain with the help of cases. (7 Marks)
- What is the validity of the cancellation deed and the will executed by Z? Under what circumstances does a gift become revocable? (3 Marks)

8.

a) Arin and Brian file a suit for partition of the half share each in their family property. The partition deed provides Arin and Brian the right of pre-emption against each other. Brian decides to sell property allotted to him at partition and therefore offers Arin to exercise his right as per the deed. As Arin does not exercise the right, the property is sold to Cady. Arin also sells his property to Derek. Cady further sells the property to Eric. Derek sues Cady and Eric. If Cady and Eric were aware of the terms of the original partition deed, can the right of pre-emption be enforced against them?

(5 Marks)

b) 'X' borrowed Rs 20 Lakhs from 'A' and Rs 30 Lakhs from 'B'. 'X' was supposed to return the amount within 3 years. He had secured the debt with two of his fields. He did not return the money after 3 years and in order to take the property out of reach of the creditors, he sold the fields to 'C' who was aware of the debts. What actions can 'A' and 'B' take against the said transfer?

(5 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

POLITICAL SCIENCE - III (INTERNATIONAL RELATIONS)

Time: 2¼ Hours

Maximum Marks: 70

PART - A (4 X 10 = 40 Marks)

Answer any FOUR of the following questions. Answer to each question should not be less than 400 words:

- Define International Relations and discuss the growth of international relations as an autonomous academic discipline within the social sciences.
- What is Collective Security and how collective security system worked under the League of Nations and United Nations Organization?
- Explain the Causes of the Cold War or how Cold War was evolved?
- What is Foreign Policy? What are the important Determinants of the foreign policy of a state?
- What is NIEO? What are the efforts of the U.N.O. towards the achievement of NIEO?

PART - B (2 X 15 = 30 Marks)

Answer any TWO of the following questions. Answer to each question should not be less than 600 words:

- Define National Power and discuss the various Elements of National Power.
- Discuss the problem of Core, Semi-Periphery and Periphery. Give Examples.
- What is an International Law and what are the Sources of International Law? Discuss the reasons why the countries tend to obey International Law.

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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**

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

**REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020**

**FINANCIAL SERVICES AND MARKETS**

Time: 2¾ Hours

Maximum Marks: 70

**PART - A (5 X 3 = 15 Marks)**

**Answer any FIVE of the following questions:**

1. Write any two objectives of Financial Services.
2. Write any three needs for Investment.
3. Write an three features of Secondary Market.
4. **Write short notes on**
  - (i) Securitisation
  - (ii) Hire Purchase Instalment System
  - (iii) Credit Rating
5. What is Underwriting of Securities?
6. What is Book – Building?
7. What is Consumer Finance?
8. What is Merchant Banking?

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

**Answer any TWO of the following questions:**

9. Explain the classification of Financial Services.
10. Explain the role of SEBI in Primary Market.
11. Distinguish between Depository and Bank.
12. Explain the functions of Stock Exchange.
13. Explain the features of Venture Capital.

Answer any THREE of the following questions:

14. Explain the classification of Financial Market.
15. Explain the various classification of Mutual Fund schemes.
16. Distinguish between Factoring and Forfaiting.
17. Explain the various types of Leasing.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI  
B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme

REPEAT EXAMINATIONS (ODD-SEMESTER), JANUARY 2020

LAW OF DIRECT TAXATION

Time: 2¼ Hours

Maximum Marks: 70

PART – A (4 X 10 = 40 Marks)

Answer any FOUR from the followings: Question No.1 is compulsory.

1. Mr. Yoda, a salaried employee furnishes the following details for the FY 2019-20.
 

a. Basic salary	6,00,000
b. Dearness allowance	3,20,000
c. Commission	50,000
d. Entertainment allowance	7,500
e. Medical expense reimbursed by employer	21,000
f. Professional tax (of this 50% paid by employer)	7,000
g. Health insurance premium paid by the employer	9,000
h. Gift voucher given by employer on his birthday	12,000
i. Life Insurance premium of Yoda paid by employer	34,000
j. Laptop provided for use at home. Actual cost of laptop to the employer	30,000
k. Employer owns a Tata Nano car, which was provided to Mr. Yoda both for official and personal use. No driver was provided (Engine cubic capacity less than 1.6 ltrs)	
l. Annual credit card fees paid by the employer	2,000

Usage details not available. Card has been used both for official and personal use.

Compute the income chargeable under the head salaries for the AY 2020-21.

2. Mr. Tony entered into an agreement with Mr. Paul to sell his residential house located at Tiruchirappalli on 16.08.18 for Rs.80,00,000.

The sale proceeds were to be paid in the following manner:

- i) 20% through account payee bank draft on the date of agreement.
- ii) 60% on the date of the possession of the property.
- iii) Balance after the completion of the registration of the title of the property.

Mr. Paul was handed over the possession of the property on 15.12.18 and the registration process was completed on 14.01.19. He paid the sale proceeds and as per the sale agreement. The value determined by the stamp duty authority on 16.08.18 was Rs.90,00,000 whereas on 14.01.19 it was Rs,91,50,000

Mr. Tony had acquired the property on 1.04.2004 for Rs.20,00,000.

Mr. Tony purchased another residential property for Rs.35,00,000 on 20.03.19

Financial Yr	Cost Inflation Index	Financial Yr	Cost Inflation Index
2001-02	100	2010-11	167
2002-03	105	2011-12	184
2003-04	109	2012-13	200
2004-05	113	2013-14	220
2005-06	117	2014-15	240
2006-07	122	2015-16	254
2007-08	129	2016-17	264
2008-09	137	2017-18	272
2009-10	148	2018-19	280

Compute the income chargeable under Capital Gains for AY 19-20.

3. Mr. Barnes carries on his own business. For the year ending 31-3-2019, his Trading/Profit & loss account was as follows:

Expense	Rs.	Income	Rs.
Opening stock	20,000	Sales	2,89,000
Purchases	1,09,000	Closing stock	52,000
Salaries	6,000	Interest on Jay Co. Ltd	
Rent	11,000	Debentures	2,000
Bonus	3,000	Dividend from UTI	2,000
Printing & Postage, stationery	4,000	Discount received	12,000
Miscellaneous expenses	4,000	Race winning (Gross)	12,000
Advertisement expense	22,000		
Drawings	12,000		
LIC Premium	5,000		
Car expenses :			
Driver's Salary	6,000		
Petrol & repair	12,000		
Property tax	4,000		
Medical expense of son with Disability at Apollo hospital	3,000		
Cost of NSC (VIII series)	3,000		
Net Profit	1,45,000		
	<u>3,69,000</u>		<u>3,69,000</u>

**Other information:**

- (i) Advertisement expenses included cost of 20 gift packs of Rs.1100 each presented to esteemed customers on occasion of Diwali.
- (ii) Assume: Taxes deducted at source on dividends and debentures are 'Nil'
- (iii) The car was used both for business and personal purposes. 2/3rd is for business purposes.
- (iv) The property tax of Rs. 4,000 was in respect of his self occupied house whose rental value is Rs.18,000.

Compute Gross Total Income and Total Income of Mr. Barnes for assessment year 2019-20 showing the incomes under various heads.

- 4. Explain the provisions relating to Transfer pricing under the Income Tax Act, 1961.
- 5. Explain the various kinds of assessment procedure under the Income Tax Act, 1961 and the provisions for appeal available to the assessee and to the Income Tax Department.
- 6. 'The Assessee' had filed his return of income. The Assessing Officer decides to go for an inquiry before assessment. However, 'The Assessee', failed to produce such documents as requested through notice.
  - (a) In this case, what powers does the Incomer Tax authorities have? (5 Marks)
  - (b) If 'The Assessee' failed to claim deductions, what course of action can he initiate? (2 Marks)
  - (c) If the Assessment Officer feels that certain income of 'The Assessee' has escaped assessment, what are the steps that can be taken by the Assessing Officer? (3 Marks)

**PART – B (5 X 6 = 30 Marks)**

Answer any FIVE from the followings:

7. Mr. Thanos owns 3 house properties situated in Earth, Knowhere and Titan. The particulars of the houses are as under for the financial year 2019-2020:

	House I (Earth)	House II (Knowhere)	House III (Titan)
<b>Municipal Value</b>	1,20,000	1,80,000	2,40,000
<b>Fair rent</b>	1,60,000	2,00,000	2,60,000
<b>Standard rent</b>	1,40,000	2,30,000	2,50,000
<b>Actual rent (Per month)</b>	12,000	16,000	21,000
<b>Period of vacancy</b>	Nil	2 months	6 months
<b>Municipal taxes for the year</b>	20% of Municipal Value	20% of Municipal Value	20% of Municipal Value

Compute the income under the head house property of all the 3 properties.

8. Explain the concept of General Anti Avoidance Rules.
9. Explain Unabsorbed depreciation in carry forward of losses.
10. Explain the conditions involved in the concept of POEM.
11. Mr. Ranjan an Indian citizen, left India on 22.09.2018 for the first time to work as an officer of a company in Germany. Determine the residential status of Mr. Ranjan for the assessment year 2019-2020.
12. Mr. Bruce an individual submits the following information for AY 2019-20.

Salary income (after standard deduction)	1,42,000
<b>Income form House property:</b>	
- House A	1,15,000
- House B	1,17,000
- House C	1,21,000
<b>Profits &amp; gains from business or profession:</b>	
- Business A	1,08,000
- Business B	1,18,000
- Business C (speculative)	1,11,000
- Business D (speculative)	1,23,000
<b>Capital gains:</b>	
Short term capital gains	1,06,000
Short term capital loss	1,28,000
Long term capital gains on sale of building	12,500
<b>Income from other sources:</b>	
Income from card games	1,08,000
Loss from card games	1,07,010
Loss on maintenance of race horses	1,06,000
Interest on securities	1,04,000

**Determine the net income of X for AY 2019-2020.**

13. (a) Income from Other Sources. (3 Marks)
- (b) Deductions under the Income Tax Act. (3 Marks)

