



TAMILNADU NATIONAL LAW UNIVERSITY



QUESTION PAPERS

REPEAT (ODD-SEMESTER) EXAMINATIONS,
JANUARY-2023

Name :

Register No.:

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023

ECONOMICS – I (Principles of Economics)

Time: 2 ½ Hours

Maximum Marks: 50

PART - A (5 x10 = 50 Marks)

Answer all the questions:

1. Under price control mechanism government mainly adopts two methods to intervene in the market, illustrate the methods with the help of diagram/s and explain their relevance to current economic conditions of India.
2. If you are appointed as a manager in a monopolistic competitive firm, what steps will you take to protect your firm from incurring losses and explain the step you would undertake to gain profit?
3. Do we need a public policy for controlling emission in environmental resources during production process, “Production Externalities” in Indian context, elucidate with the help of suitable examples?
4. “India’s share in global trade is increasing and it has established a good position at Global level” do you agree, where is India lagging behind and why?
5. How is Indian culture and ethics are influencing its developmental process, express your views with suitable examples? Are they helping India to progress or are these practices retarding the progress of India?

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023

POLITICAL SCIENCE – I (Political Theory and Organizations)

Time: 2 ¼ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 marks)

Answer the following questions. Each Answer should not be less than 600 words.

1. “State is a divine institution created by God and king is God’s representative”. Do you agree with this statement? Which of the political theories advocates this view and is it relevant in the present?
2. “It is impossible to make Legal Theory of Sovereignty valid for political philosophy. Almost every human association has a political system”- Does this mean that the legal theory of sovereignty and political philosophy are incompatible? Explain with reasons.
3. Socialism is dominated by the work of Karl Marx, who described his socialism as scientific as opposed to the “utopian” variety of the socialists who preceded him. Why did he describe the earlier theories of socialism as Utopian? How is his theory scientific in comparison?
4. “It is almost a dogma of Political Science that the Legislature ought to consist of Two Chambers”- Analyze the statement in the light of the political practice in India where not all legislatures consist of two chambers.
5. “Public Opinion is created by many agencies. Public Opinion has its own significance in a democratic system. A strong opinion makes democracy strong”. – In the light of the statement give an analysis of the process of formation of public

opinion in India and to what extent are the conditions necessary for the formulation of public opinion prevalent in India?

PART – B (2 x 10 = 20 marks)

Answer the following questions. Each answer should not be less than 600 Words.

6. Critically analyze the idea that Parliamentary Form of Government that exists in India is not helpful for the realization of the goals of India and India needs to bring about a change in its political system from Parliamentary system to Presidential system.
 7. 'Anarchism regards political authority, in any of its forms, as unnecessary and undesirable" (Coker). Critically analyse the arguments of the anarchists relating to the establishment of a classless and stateless society.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023

SOCIOLOGY – I (A CRITICAL INTRODUCTION)

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 marks)

Answer the following questions in about 1000-1200 words:

1. Discuss the social Process of Conflict in family and society with examples. What are the differences between the way in which the Process of Conflict takes place in family and society and how it is resolved?
2. Karl Marx states that “The history of all hitherto existing human society is the history of class struggles”. Critically analyse this statement.
3. Explain the different stages of Socialization with appropriate examples from your community experiences.
4. What is sacred and profane in the context of development of Religion? Give examples.
5. How are fetishism and totemism different from Magic? Explain with examples. What is the role of these in the culture and identity of the communities that practise them – fetishism, totemism or magic?

PART – B (2 x 10 = 20 marks)

Answer the following questions in about 1000-1200 words.

6. Discuss how and why the philosophical change in the orientation towards ‘work’, ‘collection of Interest’, and ‘borrowing of Loan’ led to the spirit of capitalism.
7. What do you understand contextually by the terms Norms, Customs and Folkways? Explain with examples. How are they different?

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023

ECONOMICS – II (Indian Economy)

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 marks)

Answer all the following questions:

1. Keeping in view components of the Green Revolution, analyse its impact?
 2. “In a two sector economy national product is equal to national income”. Elucidate with the help of a diagram.
 3. “Factors that influence unemployment are prevalent in India and lead to rapid increase in poverty”. Do you agree with the statement? Substantiate your answer with reasons and examples?
 4. How serious is India’s bad loan problem? Highlight the issue in the context of the Indian economy at present?
 5. What are your views regarding the developmental process in developing countries post the WTO agreements, with special reference to India?
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.Com. LL.B. (Hons.) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023

FINANCIAL ACCOUNTING AND PRACTICAL AUDITING

PART – A (5 x 10 = 50 marks)

Answer the following questions:

1. Pass the necessary journal and prepare important ledger accounts of Ms. Orange (14 Marks)

Date	Transactions
April, 2022	
1	Business started with cash Rs.2,00,000
1	Goods Purchased from Mr. Mango Rs.20,000
2	Stationery purchased for cash Rs.2,000
2	Goods returned to Mr. Mango Rs.500
3	Mango's account settled
4	Cash deposited into Bank Rs.15,000
5	Goods sold to Mr. Apple Rs.25,000
8	Goods returned by Mr. Apple Rs. 1000
10	Received a cheque of Rs.23,750 from Mr. Apple
14	Sold to Goods to Mr. Grape Rs.50,000
18	Goods returned by Mr. Grape Rs. 2,500
20	Mr. Grape settled his account
24	Insurance paid by cheque Rs.1,000
25	Paid Rent Rs.3000
26	Goods costing Rs.3,500 distributed as samples
29	Purchased office furniture for Rs.30,000
30	Cash withdrawn for household purposes Rs.5,000
30	Cash sales Rs.43,000
30	Cash withdrawn from bank for office use Rs.2,000

2. The following is the Receipts and Payments Account of the Gold card Club in respect of the year ending 31st March, 2022. (14 Marks)

Receipts	Rs.	Payments	Rs.
To Balance b/d	2,100	By Salaries	4,100
To Subscription		By Rates and Taxes	1,200
For 20 - 21 Rs.80		By Stationery	1,000
For 21-22 Rs.4,220		By Telephone	260
For 22 - 23 Rs.160	4,460	By Investments in Govt. Securities	2,450
To Profit on Sports Meet	2,800	By Sundry Expenses	1,900
To Interest on Investment	1,900	By balance c/d	700
To Sundry Receipts	350		
	11,610		11,610

The following additional facts are ascertained:

1. Stock of Stationery on 1st April, 2021 Rs.200 and on 31st March, 2022 Rs.280/-
2. Prepaid Rates and Taxes Rs.500/-
3. Outstanding Telephone charges Rs.100/-
4. In 2020-21 subscription received in advance amounting to Rs.200/- for current year and Rs.180/- were due on 31st March, 2022 for 2021-22.
5. On March 31st, 2021, the Building stood in the books at Rs.50,000/- and it is required to write off depreciation at 10%. Investments at 31st March, 2021 were Rs.60,000/-.

You are required to prepare Income and Expenditure account for the year ended 31st Mach, 2022 and a Balance sheet as at that date.

3. The following balances were extracted from the books of Mr. X on 31st December, 2022. (15 Marks)

Particulars	Debit Rs.	Credit Rs.
Capital	-	2,00,000
Drawings	7,600	-
Purchases	1,06,000	-
Sales	-	1,95,450
Purchase return	-	3,420
Stock on January 01, 2022	14,350	-
Bad debts	1,350	2,450
Bad & Doubtful debts reserve	-	-
Rates and insurance	1,800	-
Discount	-	340
Bills Receivable	3,480	-
Sales Returns	4,520	-
Wages	7,860	-
Buildings	83,000	-
Rent	-	4,100
Railway freight on sales	23,540	-
Carriage inwards	3,310	-
Office expenses	4,310	-
Printing and stationery	1,350	-
Postage and telegram	1,820	-
Sundry debtors	80,000	-
Sundry creditors	-	42,000
Cash in bank	3,450	-
Cash in hand	13,500	-
Office furniture	35,000	-
Salaries and commission	14,580	-
Plant & Machinery	37,740	-
Provision for discount on debtors	-	800
	4,48,560	4,48,560

Prepare the Trading and Profit and Loss account and a balance sheet as on 31st December, 2022 after keeping in view the following adjustments:

- (i) Depreciation of old building by Rs.1000/-, office furniture at 5% and 10 % on Plant and Machinery
- (ii) Write-off further bad debts Rs.750/-

- (iii) Maintain Reserve for bad debts at 5% of debtors and Provision for discount on debtors is 3%
- (iv) On December 31, 2022 Rs.1,800/- is outstanding salary
- (v) Rent receivable Rs.400/- on 31.12.2022
- (vi) Goods worth Rs.500/- is distributed as free sample
- (vii) Unexpired insurance Rs.180/-
- (viii) Stock was valued at Rs.25,000/- on December 31, 2022.

4. Describe the impact of E-commerce on the Auditing Practices. (7 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
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Repeat (Odd-Semester) Examinations, January 2023

LEGAL METHODS

Time: 2 ½ Hours

Maximum Marks: 50

PART - A (5 x10 = 50 Marks)**Answer all the questions:**

1. What are the rules of interpretation followed by the courts to resolve statutory ambiguity? Explain with the use of examples for each rule.
 2. Analyse the relationship between Constitutional Law and Ordinary Law.
 3. How is the precedential value of a judgment determined? Explain in reference to ratio, obiter, and bench strength.
 4. A bill is drafted as a legislative proposal which has to pass through various stages before becoming an Act. Explain how a Bill becomes an Act?
 5. Explain the similarity and differences between Common Law System and Civil Law System.
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B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023

LAW OF TORTS

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 marks)

Answer the following questions in your own words.

1. Chotu and Madhu were arrested in a murder case in 2012 and charged under Section 302 of the Indian Penal Code (IPC). They were convicted and sentenced to life imprisonment by a local court. In 2017, Madhu challenged his conviction and sentence before the High Court, which acquitted him on October 31, 2019. The High Court also ordered that Chotu was entitled to the same relief as his co-accused in the case, and ordered his release from prison. Chotu's father came to know about the judgment only in April, 2021 and sought the release of Chotu. In May 2022, Chotu was released. He now claims compensation for the period of detention from the date of judgment to the date of release.

On what grounds can Chotu succeed in this claim? What are the heads of damages that he can claim?

2. Cure Co. released a vaccine 'F-shield' to control the spread of a virus which was causing an epidemic in India. Prior to the release of the vaccine, several people participated in a voluntary human trial. Pankaj also participated in the trial. Cure Co. profited a lot from the vaccine. During this time, Pankaj shared a YouTube video alleging that he suffered from neurological and psychological issues as a result of taking the dose during the trial and wants a fair compensation for the same. This video was shared widely leading to cancellation of orders for the vaccine and Cure Co., suffering losses.

Advise Cure Co., about the legal action they could take against Pankaj.

3. Bluedale Kindergarten School is situated in a picturesque location in the hill town of Sillily, Pindia. The road leading to the school is having a downward slope. Ms. Razia has a four year old son Miku who is a student of Blue Dale School. On 23.12.22, Razia dropped Miku near the school gate and left in her car. After driving a little distance, Razia saw an unattended lorry violently running down the steep slope towards the school and in sometime heard a loud thud and commotion. She immediately feared for Miku and drove back towards the school. When she reached near the school, she saw a huge crowd and a crashed lorry. As she moved past the

crowd, she saw that many kids had been injured and one among them was her son Miku. On seeing that her son was seriously injured, Razia suffered a brain stroke and became paralyzed. Razia's husband Jalal wants to take action against the lorry owner and the lorry driver for the injuries caused to Miku and for causing Razia's paralysis.

Jalal approaches you for legal advice. In the light of the given facts, explain to Jalal on what grounds he can claim relief and from whom.

Laws of Pindia are *Pari Materia* with India.

4. Mr. Ron has been running a flour mill in his premises for the last 25 years peacefully and without any objection from any of his neighbours. Ms. Henna recently moved into a house next to Mr. Ron's flour mill along with her husband and infant daughter. The rattling sound of the flour mill disturbs Henna's family and it is affecting her baby's health adversely. The flour mill operates even in the night and therefore, it gets difficult for Henna and her family to get proper sleep due to the noise. Henna expressed her concern to Mr. Ron. However, he refused to pay any heed to it citing that over 25 years nobody raised any objection to his running the flour mill and that Henna should adjust to the noise. Henna decides to take legal advice for the dispute. **As Ms.Henna's lawyer, analyze the given facts and determine whether any legal wrong has been committed by Mr. Ron. Also, advice Ms.Henna regarding the most appropriate legal course of action in the given situation.**
5. Amazica in Lavana, Pindia is a popular amusement park which attracts large number of visitors. The park is popular for its various roller coaster rides. 'The Screamer' is one of their most popular rides. Anju and Manju are twenty year old college students and on 21.12.22, they decided to visit the park after college to ride 'The Screamer'. The tickets they bought clearly mentioned that Amazica is not responsible for any unfortunate mishap taking place during the ride. Anju and Manju sat on the ride and when the ride was high up in the air, it collapsed. Both Anju and Manju suffered severe injuries and are hospitalized. The incident garnered lot of media attention and on further scrutiny by media it was found that the rides at Amazica are not well-maintained and many of them are operating in risky condition. However, Amazica claims that it had clearances from the district committee set up for the purpose of inspecting the rides and that the rides meet the safety requirements. Anju and Manju sued Amazica for compensation. However, Amazica denies any liability.

In light of the given facts, provide legal arguments from both the side of the plaintiffs (Anju and Manju) and the defendants (Amazica).

Laws of Pindia are *Pari Materia* with India

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

LEGAL HISTORY

Time: 2 ¼ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 marks)

Answer All the Questions:

1. History writing, in the modern sense, emerged in the Indian subcontinent during the colonial rule. Historians in colonial India often emphasized “historical truths” and “historical facts” which were emerging as the important features of History at that time. They have used a variety of sources to construct Indian history some of them were not available in the ancient and medieval times. Discuss the various sources which are available for historians in modern India.
2. The history produced in India both by colonialists and nationalists are elitist in nature, argues Ranajit Guha, the subaltern historian. Do you agree with this statement? Substantiate your answer with suitable examples.
3. Legal history deserves a significant place in legal education. It is an emerging discipline in India which has begun to attract the attention of law students in India since the late twentieth century. It offers potential benefits to law students in many ways. Comment on the statement.
4. “The colonial administrators in British India followed different policies determined by the developments in politics and administration both in British India and in Britain.” In the light of the above statement examine the land revenue policies of the British in the eighteenth and nineteenth centuries in colonial India.
5. “The Partition of Bengal in 1905 by Lord Curzon, the Governor-General of India on the ground of administrative convenience evoked strong resentment and sustained agitation from the Bengalees in particular and Indians in general, hitherto unprecedented and unknown to the political history of the country” points out A.K. Biswas. Analyze the method of struggle used in the Anti-Partition Agitation in Bengal and discuss how it was different from the methods used by the early Indian nationalists.

PART – B (2 x 10 = 20 marks)

Answer All the Questions:

6. According to Bipan Chandra, the colonial rule in India, in its first phase, did not introduce any major changes in administration. Examine the statement by analyzing the judicial reforms of both Warren Hastings and Cornwallis.

 7. Constitutional reforms offered by the British to their Indian subjects were somewhat the consequence of the Indian National Congress and its struggle against colonial rule in India. Discuss the advantages and limitations of the constitutional reforms in the first half of the twentieth century.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
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Repeat (Odd-Semester) Examinations, January 2023

LAW OF CONTRACTS - II

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 marks)

Answer the following questions:

1. Sudha approached Lakshmi to get her guarantee for joining the Accurate Consultancy, Tiruchirappalli, as a junior accountant. Lakshmi signed the agreement with Accurate Consultancy taking responsibility for any defaults on the part of Sudha in delivering her work. Sudha worked efficiently in her position and was elevated to the post of Auditor in six months. In the new post, Sudha was liable for one fourth of the losses due to her defaults every month. Lakshmi was not aware about the new arrangement made between the Consultancy and Sudha. Later due to the default of Sudha, the Consultancy met with a loss of Rs. 5,00,000. The Consultancy sent a notice to Lakshmi holding her liable for the loss. Write your advice for Lakshmi.
2. Debashish in Bangalore, on behalf of Pankaj, entered into a contract with Madhuri to deliver diamonds for the value Rs. 10,00,000. Pankaj has the business of diamond trading and lives in Gurgaon. As per the contract between Debashish and Madhuri, the diamonds were to be delivered within six months. Madhuri paid the amount but did not receive the diamonds even after ten months of time. She sued Debashish for the recovery of the money. Discuss the liability of Debashish in this situation. Will your opinion be different if Debashish entered into the contract directly as the principal? Substantiate your answer.
3. Mr. Nandha, resident of Mumbai, runs a hotel. Mr. Rajesh, resident of Chennai is a trader dealing with vegetables, known for quality and prompt deliveries. Mr. Nandha placed an order with Mr. Rajesh for a large quantity of vegetables. Mr. Rajesh agreed and sent them on a train from Chennai with his agent Mr. Raghu. While on his way Mr. Raghu noticed that the prices of the vegetables were better in Guntakal. So, he sold them in Guntakal without taking them to Mumbai. Mr. Nandha files a suit against Mr Rajesh to compensate

for the loss and Mr Rajesh claims he cannot be held liable for the acts of Mr. Raghu since Mr. Raghu exceeded his authority. Will Mr. Nandha succeed? Will the situation be any different if Mr. Raghu had sold the vegetables not because the price was better but because their quality started deteriorating and would not sustain until he reached Mumbai? Decide with relevant provisions and case laws.

4. Ms Sara, an IT professional, recently got a six-month onsite opportunity to work in Switzerland. She decided to go and started making arrangements for the same. She was also informed that she can't take her pet along. She decided to leave her pet with one of her colleagues, Ms Preethi who is pretty close to Ms Sara. Ms Preethi did not take any money from Ms Sara for taking care of the pet. While Ms Sara was away her pet fell extremely sick and Ms. Preethi had to spend quite some money for the treatment. Once Ms Sara returned Ms Preethi explained the situation and requested her to reimburse the amount she spent for the treatment. Ms Sara refused to pay and Ms Preethi approaches you to proceed legally. Advice. Also, will the situation be different if the arrangement between Ms Sara and Ms Preethi was non-gratuitous bailment?

Justify your answer with relevant provisions and case laws.

5. Discuss the definition of 'Goods' under Sale of Goods Act, 1930 and analyse whether the following are 'goods' as per the definition with relevant provisions and case laws:
 - a. Electricity
 - b. Software program
 - c. SIM card

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.Com. LL.B. (Hons.) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023
FINANCIAL SERVICES AND MARKETS

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 marks)

Answer the following questions

1. SEBI regulates the working of stock exchanges with a view to providing safety to investors by periodically issuing guidelines on matters connected with securities trading. Comment on this and examine whether SEBI has fulfilled this objective since its inception.
 2. Venture capital plays an important role in financing hi-tech projects, besides helping research and development projects to turn into commercial production – Discuss in detail how this has benefited India in the recent past.
 3. Underwriting being a kind of guarantee for subscription of a public issue of securities enables a company to raise the necessary capital funds. Critically examine this.
 4. Analyse the growth and development of the Indian Capital market over the years and examine the reasons for the same.
 5. Discuss the role played by any two regulatory authorities in India in effectively controlling financial services in India.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023
CONSTITUTIONAL LAW - I

Time: 2 ¼ Hours

Maximum Marks: 70

PART - A (5 x10 = 50 Marks)

Answer all the questions

1. Explain the relationship between the Constitution, Constitutional Law, and Constitutionalism.
2. Explain the following approaches to Constitutional Interpretation:
 - i. Structuralism,
 - ii. Functionalism,
 - iii. Originalism,
 - iv. Living Constitutionalism.
3. Dr. B. R. Ambedkar called India an "indestructible Union of destructible states". Explain this statement in the light of Part I of the Indian Constitution.
4. Over the years, the Supreme Court has adopted a different approach to interpreting Article 12 (the State). Kindly trace the history of Judicial Interpretation of Article 12 with the help of leading cases. Has there been a change in its approach? How and why?
5. What is the relationship between Articles, 14,19 and 21? Explain with the help of the leading case laws and examples (you may choose a hypothetical example as well).

PART - B (2 x 10 = 20 Marks)

6. Explain the doctrine of eclipse and the doctrine of waiver. Are these doctrines applied in India? If yes, how? If not, why not?
7. How does the Constitution ensure religious freedom? What are the activities protected under freedom of religion? Explain the Essential Religious Practice Test with the help of case laws.

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Repeat (Odd-Semester) Examinations, January 2023

LAW OF CRIMES-I (INDIAN PENAL CODE)

Time: 2 ¼ Hours

Maximum Marks: 70

Instructions:

- Support your answers with relevant provisions and cases.

PART – A (5x 10 = 50 marks)

Answer the following questions:

1. Ayesha, a 35 year old woman residing in Byanculla village in Pindia was a victim of domestic violence. She faced constant rebuke and insults from her husband and mother-in-law. Many a times, she was subjected to physical violence as well. On 20.12.22, Ayesha's husband, started yelling at Ayesha and also hurled insults for not preparing the breakfast on time. Ayesha could not tolerate the insults and ran out of the house along with her children towards the village well. After reaching near the well, she threw her two sons into the well and thereafter jumped into the well herself. Ayesha survived the incident as she was rescued by the villagers but both of her sons died by drowning.

Discuss the criminal liability of Ayesha with the help of decided cases and cite the relevant provisions.

Note: Laws in Pindia are *parimateria* with India.

2. Ms. Minal, a 24 year old woman got married on 25th December, 2017 to Mr. Roki. Before the marriage took place, there were no demands for dowry from Mr. Roki and his family. Ms. Minal's father, however had gifted her five acres of land right before her marriage out of love and affection. Ms. Minal was optimistic that she would have a good married

life and the initial few months of her marriage were indeed blissful. However, things changed after a year of marriage. Mr. Roki suffered financial loss in his business and started pressurising Ms. Minal to sell the land gifted by her father and also to procure Rs 50 lakhs from her father. Ms. Minal refused to sell the land and pleaded that she cannot put such monetary burden on her father. On her refusal, Mr. Roki started physically and mentally torturing her to pressurise her to get the money. Unable to bear the torture, on 23rd December 2022, she committed suicide.

In the light of the above facts, determine whether Mr. Roki can be held liable for Ms. Minal's death? Which provisions of the Indian Penal Code, 1860 would you invoke and why? Support your answer with relevant case laws. Critically comment on these provisions of IPC.

3. Miss Anni is the owner of a watch and gave it for repair to Siam. After the watch was repaired, Siam informed Miss Anni to collect the watch from him. After 2 weeks, she went to the repair shop and informed Siam that she didn't have the money to pay for the repair charges and therefore she would pay later. Siam told her that he would only return the watch after his repair charges were paid and till then he would retain the watch as a security. Thereafter, when Siam got busy with other customers, Miss Anni stealthily took the watch from the drawer and left the shop.

In the light of the given facts, has Miss Anni committed any crime under the Indian Penal Code, 1860? Give reasons for your answer.

4. Jimi was married to Anjun in 2020. But soon after their marriage Jimi quarrelled with her husband and started staying in her natal home. After a year when Jimi did not return to her husband's home, Anjun decided to bring her back. Anjun took some of his friends with him and reached Jimi's home. Anjun went inside the house and came out dragging Jimi. Witnessing this, Jimi's father Bhaura got agitated and gave a lathi blow to Anjun. Anjun fell down on the floor and died due to a head injury.

In the light of the above facts decide the liability of Mr. Bhaura. Cite the relevant provisions of the law and the cases to support your argument. What cases can be used to prove the opposite position.

5. On 31st December 2022, a group of six dacoits attacked a bank and took Rs. 50 Lakhs. In the course of the dacoity, two of the dacoits Rotu and Chotu shot dead the cashier of the bank. The other two, Chimpu and Timpu merely kept watch at the main gate of the bank about 50 feet from the scene of the actual crime scene. Two other dacoits from the same gang, named Mittu and Bittu, were in the van used for the purpose of dacoity.

Discuss the criminal liabilities of each of the dacoits with the help of decided legal provisions and landmark case laws.

PART – B (2 x 10 = 20 marks)

Answer the following questions:

6. Critically comment on the evolution of the law relating to the offence of rape in India in the light of amendments and landmark judgments of the Supreme Court of India.
7. Write short notes on the following:
- a. Criminal attempt
 - b. Defence of insanity

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023

POLITICAL SCIENCE – III (International Relations)

Time: 2 ¼ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 marks)

Answer the following questions. Each answer should not be less than 600 words.

1. International Relations covers all intercourse among States and all movements of people, goods and ideas across the national frontiers. Analyse this statement with examples from the contemporary world.
2. In what way are the capacities and capabilities of a State in global politics familiar? Give an analysis of the way these capacities and capabilities influence the power of the State in the international arena.
3. Examine the relevance of ideas pertaining to the Realist theory of international relations to contemporary times. Cite some recent examples.
4. Analyse any two issues /events of international importance that have happened in the last decade of the 20th century or in the first decade of 21st century from Systemic, Domestic and Individual levels.
5. Enumerate the Sources of Law. Explain how International Law is in flux since the early twentieth century

PART – B (2 x 10 = 20 marks)

Answer the following Questions. Each Answer should not be less than 600 Words.

6. Enumerate the Internal Determinants of the Foreign Policy of a State and explain how they influence the Foreign Policies of the States. Give a couple of examples.
 7. Make a critical analysis of the functioning of Peace-Keeping Operations of the United Nations Organization in the recent past. What has been India's contribution to the UN Peace-Keeping Operations.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons.) Degree Programmes
Repeat(Odd-Semester) Examinations, January -2023

CORPORATE LAWS - I

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)

Answer all the questions.

1. Mr. Baradwaj owns a Coconut Plantation in the state of Tamil Nadu. He has been enjoying an excellent harvest for the past three years. He plans to start an oil manufacturing entity to produce and sell Packed Coconut Oil but he understands that it requires appropriate business organisation and capital to effectively implement the same.

He approaches you with the following questions:

- a) What are the different kinds of business organisations that can be legally registered in India and their characteristics?
- b) What are the benefits and disadvantages of Sole Proprietorship?

Answer the above including all relevant facts citing relevant provisions of the law and cases.

2. Mr. Aron is the sole shareholder in Indus Systems OPC Private Limited. The company was incorporated in India in 2018 and it is involved in the manufacturing of Integrated Circuits for Personal Computers at a small level.

In March 2022, the demand for personal computers started to rise as a lot of official and academic activities went online. A lot of market players approached Indus Systems OPC Private Limited for the purchase of Integrated Circuits as they were efficient as well as cost-effective. Mr. Aron understands the rising demand but also realises that his company does not have enough resources to scale up production. So he decides to bring in more capital and better organisation into the company to expand the production facilities at the company. He feels conversion of the company into a Private or Public company can be the first step towards it.

He approaches you for legal advice. Kindly advise Mr. Aron and also explain to him the legal procedures required for such a conversion.

3. Effective corporate governance can be achieved by proper implementation of the doctrines of *Ultra Vires*, Constructive Notice and Indoor Management through the legal mechanism governing Companies in India. Comment.
4. Ms. Ranganayagi is a Company Secretary. She is approached by Mr. Muthu, who informs her that he is engaged in the promotion and incorporation process of a Private Limited Company, to draft the Memorandum and Articles of Association for the company.

Ms. Ranganayagi agreed to draft them for a consideration of INR 5 lakhs. She duly drafted the same and also incurred certain petty expenses during the drafting process. Further, she advised Mr. Muthu regarding the other processes associated with incorporation of the company for which she did not levy a fee.

On the successful incorporation of the company, she demands that she should be considered as the promoter of the company, and as a consequence, all the remuneration provided to other promoters should be offered to her as well.

Answer the questions below based on the facts presented above:

- (a) Can Ms. Ranganayagi be considered a Promoter of the Company? Justify your answer.
 - (b) What are the legal defences that can be taken by the newly incorporated Company to deny the contentions of Ms. Ranganayagi?
5. '*Limited Liability*' and '*Separate Legal Entity*' are two characteristics of Incorporation which have immensely contributed to their widespread popularity and success. However, these characteristics have also led to several issues, specifically when it comes to the fixation of liability in legal disputes. Provide a critical analysis of both these characteristics of incorporation by tracing their historical evolution in the UK and in India.

PART – B (2 x 10 = 20 Marks)

Answer all the questions.

6. Mr. Vikram and Ms. Veena are majority shareholders and directors of VikVee Private Limited Company. The company comes up with an ingenious operating system called 'VVos' for mobile phones. 'VVos' garners exponential popularity and it captures 40 per cent of the market share in this industry. Customers and tech reviewers are

amazed by the efficiency and user interface of 'VVos' and further urge the company to manufacture its own mobile phone devices so as to get the best out of 'VVos'. After much thought and deliberation, Mr. Vikram and Ms Veena decide to start production of a new line of mobile phones with 'VVos' integration through the VikVee Private Limited Company. However, they are uncertain if the company can manufacture mobile phones without altering its MOA. They are also unsure of the legal procedure to alter the same.

Kindly advise Mr. Vikram and Ms. Veena and also provide them with an explanation of the different clauses in a MOA under the Indian Companies Act, 2013.

7. Enumerate and distinguish the various capital market instruments floated in India and also explain the various methods of floatation of securities in the Primary market.

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Repeat (Odd-Semester) Examinations, January 2023

FAMILY LAW - II

Time: 2 ¾ Hours

Maximum Marks: 70

PART - A (5 x10 = 50 Marks)

Answer all the questions:

1. A Hindu Joint Family consists of Murali, his wife Madhu and their 2 married sons. Murali decided to partition the joint family property. During such partition, Murali took a meagre share that is sufficient for the maintenance of himself and his wife and divided the remaining property equally between his sons. After the partition, Madhu became pregnant and another son Krish was born to them.

On attaining majority, Krish approached his brothers for a share equivalent to theirs, which they received at the time of partition since Murali was not left with much except what he took for maintenance. The brothers refused and claimed that since Krish was conceived only after partition he was entitled only to their father's share and cannot claim from them. Krish approaches you for legal advice. Advise. Will Krish succeed if he demands re-opening of partition? Will the situation be any different if Madhu was pregnant at the time of partition itself?

2. Ms. Radha was sent out of her matrimonial house three months after the wedding since her husband died of a heart attack. Radha went back to her parent's place. They helped her with her education and Radha found a job as a school teacher. Radha died intestate 45 years later, with a huge amount of savings in her bank account besides her provident fund. In all these years her in-laws never bothered to enquire about her. However, after her death, her brothers-in-law filed a suit to claim her property (heirs of the husband) as per Section 15 of the Hindu Succession Act, 1956. Radha's mother and brother challenged the same. Will they succeed?

Will the situation be any different if she was not thrown out of her matrimonial home and continued to live with them following her husband's death? Answer with relevant justification.

3. Duha, a Sunni Muslim died intestate leaving behind the following:

- i. Mother -Fathima,
- ii. Father -Farooq,
- iii. Spouse -Ula,
- iv. Son -Irfan
- v. Daughter -Nazeeni
- vi. a widow and a son of predeceased son- Isa and Muhammed.

Discuss who will get the property and the quantum of their shares, when

- a. Duha is a male
- b. Duha is a female

4. Mr. Kennedy, a doctor and a resident of Kozhikode, lives with his mother Anne, brothers John and Abraham and his deceased brother Philip's children Joel and Joanna. On a Sunday afternoon, Mr. Kennedy received a call from the hospital where he worked, regarding an emergency case that he was required to attend to immediately. While on his way he met with an accident and died on the spot. A month after his funeral the family decided to partition his property. Calculate the following:

- i. Share of the property which will be provided to Kennedy's mother?
- ii. The proportion of share that Joel and Joanna will receive?
- iii. Will the shares of the heirs change if Kennedy's Father was alive? Comment on gender equality under Christian Law in India.

5. Analyse the status of live-in-relationships in India using recent judgements. Discuss the inheritance rights of children born out of such relationships. Cite relevant legal provisions and decided cases wherever necessary.

PART - B (2 x10 = 20 Marks)

6. Mr. Shamsuddin, a 40-year-old Muslim was suffering from a disease. He became bedridden and was taken care of by his close friend Mr. Sayed. Mr. Shamsuddin was positive that he was not going to live for more than a month and hence decided to distribute his property. Being upset that none of his family members stayed by his side during his illness he decided to transfer $\frac{2}{3}$ rd of his property in favour of Mr. Sayed. After Shamsuddin's death, this transfer was challenged by his family members.

Discuss the concept of *Marz-ul-maut* and the validity of the transfer made by Mr. Shamsuddin. Also, what will be the situation assuming Mr. Shamsuddin recovers from his illness and does not die?

7. Mr Sam, who is a Christian, was gifted an agricultural land which was self-acquired by his mother. This gift was executed via a registered deed when Mr. Sam was still a minor. Subsequently, Sam got married and had a daughter Ms Leah. Before his death in the year 2020, Mr. Sam gifted his agricultural land to Ms. Leah, via a gift deed.

Now Leah is married and has 2 children, Mike and Jacob. Ms. Leah gifted the agricultural property to her friend Sara and the same was challenged by her sons. Discuss the rights of Mike and Jacob on the agricultural property. Can they claim it as ancestral property or is Leah the absolute owner of the same?

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.Com. LL.B. (Hons.) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023
CORPORATE ACCOUNTING

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (50 marks)

Answer the following questions

1. Super Star Ltd. Offered 10,000 Equity shares of Rs.100 each for subscription at a premium of Rs.20 per share payable as follows:

- On Application Rs.10;
- On Allotment Rs.40 (including premium)
- On First call Rs.20;
- On Second call Rs. 30;
- On Third and Final call Rs.20;

The company received application for 12,000 shares and 10,000 shares were allotted under pro-rata.

Holders of 400 shares failed to pay the First call and after due notice their share were forfeited. The amount payable on the Second call were paid in full, except that a holder of 200 shares failed to pay. 300 shares of 400 forfeited shares were reissued at Rs. 50 per share. The final call was met in full including the arrears of the second call.

Show the necessary journal entries and prepare cash account, capital account and share forfeiture account.

(15 Marks)

2. The Balance sheet of X Ltd and Y Ltd as on March, 31,2021 are given below:

Liabilities	X Ltd. Rs.	Y Ltd. Rs.	Assets	X Ltd. Rs.	Y Ltd. Rs.
Equity share capital of Rs.100 each	4,00,000	3,60,000	Premises	1,20,000	-
General Reserve	75,000	-	Goodwill	-	1,20,000
Profit and Loss A/c	38,000	-	Sundry debtors	80,000	1,60,000
Sundry creditors	72,000	1,20,000	Stock in trade	3,00,000	90,000
			Bank	85,000	75,000
			Profit and Loss A/c	-	35,000
	5,85,000	4,80,000		5,85,000	4,80,000

A new company XY was formed to take over the two businesses on the following understanding:

- X Ltd's premises to be revalued at Rs.1,50,000, Sundry debtors to be taken over at 90% and stock at Rs.3,15,000
- Y Ltd's goodwill to be taken over at Rs.1,60,000, debtors to be taken at Rs.1,50,000 and stock at Rs.75,000
- It was decided that the capital of XY Ltd., would consist of both preference and equity shares of the face value of Rs.10 each. Preference shares would be of the order of Rs.4,00,000 and the balance would be in equity shares. Both companies would be issued shares of both the types in equal number.

Calculate purchase consideration and pass the necessary journal entries in the books of X Ltd and Y Ltd and prepare balance sheet of XY Ltd.

(15 Marks)

- The Sky Engineering Co. has an authorized capital of Rs.30,00,000 divided into 30,000 Equity shares of Rs.100 each, 20,000 shares were issued on which Rs.80 were paid. The Directors made a call for the balance of Rs.20 per share on 1st January, 2022. The Ledger shows the following balances as at 31st March, 2022.

Particulars	Dr.	Cr.
Land & Buildings	9,00,000	-
Plant and Machinery	16,56,000	-
Office Equipment	94,000	-
Furniture and Fittings	36,000	-
Calls in Arrears	25,000	-
Cash in Hand	54,000	-
5% tax free Govt. Securities (face value Rs.1,00,000)	98,800	-
Motor Vehicles	30,000	-
Bills Receivable	1,36,000	-
Goodwill	1,60,000	-
Sundry Debtors	2,08,000	-
Sundry creditors	-	3,06,000
Reserves	-	1,50,000
Surplus account 1 st April, 2021	-	88,000
Bank Overdraft	-	1,11,800
Purchases and Returns	24,00,000	50,000
Sales and returns	70,000	30,78,000
Advertising	25,400	-
Legal charges	10,000	-
Carriage Inwards	37,000	-
Wages	2,32,000	-
Rent	30,000	-
Insurance	19,000	-
Share capital	-	20,00,000
6% Debenture of Rs.100 each	-	10,00,000

Stock on 1 st April, 2021	4,76,000	-
Income-Tax	28,000	-
Trade Expenses	15,000	-
Repairs to Building	3,000	-
Repairs to Machinery	5,600	-
Interim Dividend paid for half year to 30 th September.	35,000	-
Total	67,83,800	67,83,800

Prepare Statement of Profit and Loss for the year ended on 31st March, 2022 and Balance sheet on that date.

(15 Marks)

Additional Information:

- a. Create Provision for Doubtful Debts at 5%
- b. Depreciation Plant and Machinery @ 15%. Furniture and fittings @ 10%. Office Equipment @ 10% . Motor Vehicles @ 20% and Buildings @ 5%.
- c. Stock at the end at cost was Rs.5,42,000, the market value of which was Rs.6,05,000
- d. The Directors have recommended the final dividend of Rs.73,130
- e. Call in Arrears include Rs.2,000 due from the Directors of the Company.
- f. Ignore corporate dividend tax.
1. Following are the liabilities and assets of Mr.Chand as on 31ST December, 2022.

Liabilities	Rs.	Assets	Rs.
Capital	1,64,000	Land and Buildings	36,000
General Reserve	40,000	Plant	54,000
Creditors	38,040	Investments	30,000
		Stock	26,850
		Bank	75,990
		Debtors	19,200
	2,42,040		2,42,040

Followings are the net profit for the ended:

31.12.2020 Rs. 32,280

31.12.2021 Rs.36,870

31.12.2022 Rs.43,350

The above amounts include income from Investments Rs.1,800 each year.

You are required to value the goodwill of the above business at 2 years' purchase of the super profits for 3 years, taking into account the fact that the standard rate of return on capital employed in such type of business is 10%.

(5 Marks)

PART – B (20 marks)

6. From the ledger balances as at 31st March, 2020 and information given below, prepare consolidated Balance sheet. (14 Marks)

Liabilities	H Ltd. Rs.	S Ltd. Rs.	Assets	H Ltd., Rs.	S Ltd. Rs.
Share capital			Sundry Assets	8,00,000	1,20,000
Rs.10 fully paid shares	10,00,000	2,00,000	Stock	6,10,000	2,40,000
Surplus account	4,00,000	1,20,000	Debtors	1,30,000	1,70,000
Reserve	1,00,000	60,000	Bills Receivable	10,000	-
Creditors	2,00,000	1,20,000	Shares in S Ltd,		
Bills receivable	-	30,000	15,000 at cost	1,50,000	-
	17,00,000	5,30,000		17,00,000	5,30,000

- (a) All the profit of S Ltd has been earned since the shares were acquired by H Ltd. But there was already the Reserve of Rs.60,000 at that date.
- (b) The Bills accepted by S Ltd. Rs.10,000 are in favour of H Ltd.
- (c) Sundry assets of S Ltd are undervalued by Rs.20,000
7. Prepare Profit and Loss account in respect of Global Bank Ltd, incorporated under Banking Regulation Act from the following balances as on 31st March, 2022. The Management decides to make a Provision of Rs.1,00,000 for Bad and doubtful debts.

(6 Marks)

Particulars	Rs. ('000)
Interest received	200
Interest paid on Deposits	110
Payment to Employees	168
Commission Received	150
Brokerage	75
Advertising	10
Printing & Stationery	78
Postage	5
Interest on Borrowings	145
Directors' Fees	20
Rent	30
Taxes	30
Discount Received	410
Exchange Received	280
Lockers Rent	100
Transfer Fees	75
Depreciation	45
Audit fees	20
Profit as on 31.3.2021	15

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Repeat (Odd-Semester) Examinations, January 2023

PUBLIC INTERNATIONAL LAW

Time: 2 ½ Hours

Maximum Marks: 50

Instructions: Relevant Provisions from International Legal instruments and judicial decisions should be cited

PART - A (5 x10 = 50 Marks)

Answer all the questions. Each answer should not exceed 800 words.

1. "The ultimate culprits in the failure of the League of Nations were the Member-States. It was not the League of Nations but the Nations of the League which failed, insofar as there was failure" - P. B. Potter. Do you agree? Substantiate your response with proper reasons.
2. As remarked by Hans Kelsen, "The territory of a State is not a thing; it is specially not the land or a piece of land; it is an area determined by international law." Keeping this remark in mind explain the various modes of acquisition and loss of territory by a state.
3. "The Constitution of India describes that State must respect international law but does not explicitly make it a part of the Indian Laws." Evaluate this statement referring to various theories of international law to understand the relationship between International Law and Municipal law and the Indian practice of international law.
4. "Sovereign states are responsible for an international wrongful act and must make full reparation for the injury caused by the internationally wrongful act." Evaluate this statement referring to International Law Commission Articles on State Responsibility for the transboundary pollution in international law.
5. The Outer Space Treaty is outdated as it does not address any contemporary issues relating to Space. Do you agree? Give reasons for your answer. Substantiate your argument with relevant examples.

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Repeat (Odd-Semester) Examinations, January 2023

INTERPRETATION OF STATUTES

Time: 2 ¼ Hours

Maximum Marks: 70

PART - A (5 x10 = 50 Marks)

Answer all the questions

1. Do you agree that the interpretation of statutes is not a mechanical process? Critically comment with supporting reasons.
2. How will you evaluate the judicial process involved in the selection of suitable external aids for construction?
3. Identify whether Section 197 (2) of the Cr. P.C. is mandatory or a directory provision with the help of supporting reasons. Also, explain the principles developed by the courts for the interpretation of mandatory and directory provisions.

Section 197 of the Code of Criminal Procedure, 1973 states as follows-

“(1) When any person who is or was a Judge or Magistrate or a public servant not removable from his office save by or with the sanction of the Government is accused of any offence alleged to have been committed by him while acting or purporting to act in the discharge of his official duty, no Court shall take cognizance of such offence except with the previous sanction-

(a) in the case of a person who is employed or, as the case may be, was at the time of the commission of the alleged offence employed, in connection with the affairs of the Union, of the Central Government;

(b) in the case of a person who is employed or, as the case may be, was at the time of the commission of the alleged offence employed, in connection with the affairs of a State, of the State Government: 1 Provided that where the alleged offence was committed by a person referred to in clause (b) during the period while a

Proclamation issued under clause (1) of article 356 of the Constitution was in force in a State, clause (b) will apply as if for the expression " State Government" occurring therein, the expression " Central Government" were substituted.

(2) No Court shall take cognizance of any offence alleged to have been committed by any member of the Armed Forces of the Union while acting or purporting to act in the discharge of his official duty, except with the previous sanction of the Central Government.

(3) The State Government may, by notification, direct that the provisions of sub-section (2) shall apply to such class or category of the members of the Forces charged with the maintenance of public order as may be specified therein, wherever they may be serving, and thereupon the provisions of that sub-section will apply as if for the expression " Central Government" occurring therein, the expression " State Government" were substituted.

(3A) 1 Notwithstanding anything contained in sub-section (3), no court shall take cognizance of any offence, alleged to have been committed by any member of the Forces charged with the maintenance of public order in a State while acting or purporting to act in the discharge of his official duty during the period while a Proclamation issued under clause (1) of article 356 of the Constitution was in force therein, except with the previous sanction of the Central Government.

(3B) Notwithstanding anything to the contrary contained in this Code or any other law, it is hereby declared that any sanction accorded by the State Government or any cognizance taken by a court upon such sanction, during the period commencing on the 20th day of August 1991 and ending with the date immediately preceding the date on which the Code of Criminal Procedure (Amendment) Act, 1991, receives the assent of the President, with respect to an offence alleged to have been committed during the period while a Proclamation issued under clause

(1) of article 356 of the Constitution was in force in the State, shall be invalid and it shall be competent for the Central Government in such matter to accord sanction and for the court to take cognizance thereon.]

(4) The Central Government or the State Government, as the case may be, may determine the person by whom, the manner in which, and the offence or offences for which, the prosecution of such Judge, Magistrate or public servant is to be conducted, and may specify the Court before which the trial is to be held."

4. It is said, "the interpretation clause and definition clause are not one and the same." Comment.
5. Whether legislative intent is a myth or reality? Comment with the help of supporting reasons.

PART - B (2 x10 = 20 Marks)

Answer all the questions

6. Write short notes on the following:

a. Appointed-Day clause

b. *Ejusdem Generis and Noscitur a Sociis*

7. What are the judicial factors involved in the selection and application of linguistic canons? Explain with the help of suitable illustrations.

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Repeat (Odd-Semester) Examinations, January 2023

LAW OF EVIDENCE

Time: 2 ¼ Hours

Maximum Marks: 70

PART – A (5x 10 = 50 Marks)

Answer the following questions:

1. Mr. Kiran, the accused, committed a murder and the police are on the lookout for him in order to arrest him. In order to escape from arrest and with a view to contesting the case he approached Mr. Gandhi, a famous and well-known criminal lawyer in the locality, and informed him that he murdered Mr. Roshan and requested him to file anticipatory bail (AB) first and to contest the case next. AB was allowed. Subsequently, the charge sheet was filed, and the trial commenced. During the pendency of the trial, Mr. Kiran wanted to change his advocate Mr. Gandhi and requested him for the change of *vakalat*. After giving the change of *vakalat*, Mr. Gandhi desired to disclose the communication made to him by his former client, Mr. Kiran. Can Mr. Gandhi do so? Explain in detail by referring to the relevant provisions under the Indian Evidence Act, 1872 and any case law to substantiate this.
2. On 1st January 2022, Mr. Arun who Married Ms. Vidhya, died due to cardiac arrest. On 3rd June 2022, Ms. Vidhya married Mr. Balan. On 30th September 2022, a child is born to Ms. Vidhya. Mr. Balan alleges that the child is not born to him. Discuss the legitimacy of the children. Give your answer by elaborating on the facts in issue and Explain in detail by referring to the relevant provisions under the Indian Evidence Act, 1872.
3. Mr. Aravind had two sons. His elder son married Ms. Chandrika and his younger son aged about 8 years is studying in a boarding school. Since his elder son is working in distant place, his daughter in law Ms. Chandrika was residing with him (*i.e, father-in-*

law of Ms. Chandrika). It is said that during the course of time, Ms. Chandrika developed an illicit relationship with one Mr. Dhanasekar which lead to some wordy quarrel between her and her father in law. One day, on a fine morning, Ms. Chandrika was found dead with some serious injuries on her body, and soon before the incident, some people had seen that Mr. Aravind came out of the house muttering that "*I had finished my daughter-in-law and thereby finished the daily quarrels*". – Explain the admissibility of the words muttered himself, by referring to the relevant provisions of the Indian Evidence Act, with the decided case laws.

4. Mr. Bharat tried to murder Ms. Ashwini while she was asleep in her house by slitting her throat with a blade. The attempt took place early in the morning and Ms. Ashwini was able to see and identify the accused Mr. Bharat. She had struggled to catch hold of him but the accused Mr. Bharat managed to escape. The victim was later taken to the hospital where her mother, the Magistrate and the surgeon put questions to her about the identity of the accused. It is also to be noted that she was fully conscious and was able to hear but was unable to speak because of the injury to the throat. The doctor also advised her against speaking. Hence, she gave her response to the questions as "yes" or "no" by gesture and sign. When some names were mentioned, she made a negative sign but when Mr. Bharat's name was mentioned she made an affirmative sign. In the light of the above facts, decide the following in detail with the decided case laws, and cite the relevant provisions:
- (i) Whether Ms. Aswini's statement is relevant as conduct under section 8 of the Indian Evidence Act, 1872? **(4 Marks)**
 - (ii) What is your understanding of "*a statement made by the deceased contemporaneously with the act or immediately thereafter, though hearsay is admissible under Section 6 of the Indian Evidence Act.*" Critically analyze the statement along with the related sections of the Indian Evidence Act, 1872? **(6 Marks)**
5. Mr. X has killed Mr. Y by using a knife. On investigation, the police arrested Mr. X for the alleged offence. While he is in the custody of the police, Mr. X, the accused made the following statement to the police- "*I have killed Mr. Y due to some previous enmity. If you come with me, I will show you the place where I have hidden the knife and other objects used for killing Mr. Y*". In the light of the above statement, answer by referring to the relevant provisions under the Indian Evidence Act, 1872 and also critically examine which part of the above statement is admissible as evidence under the Indian Evidence Act, 1872. Quote the relevant decided case laws, if any, in this regard.

PART- B (2x 10 = 20 marks)

Answer the following the questions

6. Mr. Arun is charged with the offence of setting fire to his house in order to fraudulently obtain the insurance money. During the enquiry, Mr. Arun pleaded that it was an accident and no malafide can be attributed to him as he had no connection with the accident. But, the prosecution, tries to prove that Mr. Arun lived in several houses sequentially each of which he had insured, in each of which a fire occurred, and after each of the fires, Mr. Arun received payment from a different insurance office. Decide in detail as to whether the attempt made by the prosecution is relevant, and also quote the relevant provisions under the Indian Evidence Act, 1872.

 7. Who is an accomplice? Whether an accomplice is a competent witness? Discuss the reliability on the evidence given by accomplice under the Indian Evidence Act, 1872. Refer the relevant provisions and also quote the relevant case laws in this regard.
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Repeat (Odd-Semester) Examinations, January 2023

LABOUR LAW - I

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 marks)

Answer the following questions:

1. What is the role of the ILO in protecting the rights of the labourers and employers. Analyse whether the constitutional provisions in India are sufficient to provide adequate working conditions and to protect the rights of a) female workers, b) child labourers and c) bonded labour in India.
2. Analyse the significance of Trade Unions in protecting the rights of the labourers in India and discuss the immunities available to the Trade union members and Trade Union leaders under the Trade Union Act 1936.
3. What are the essential elements of strike and differentiate between the different kinds of strike that are recognised in India ? Also state whether right to strike is a fundamental right in India?
4. Appu and Selva were working as spinning machine operators at RKM cotton mills from 2010. RKM cotton mills had 200 workmen employed on a regular basis throughout the year. Manager of RKM cotton mills laid off 50 workmen for 31 days from 1-12-2021 to 31-12-2021. On 1-1-2022 the Manager of RKM cotton mills provided alternate employment in a sister concern RKM sugar mills which was 20 km from RKM cotton mills. 15 workmen objected to it and 35 workmen accepted to shift to RKM sugar mills. Appu and Selva raised objections and through the RKM Trade union stating the act of the Employer to be illegal. Based on the above facts decide
 - A. Whether the act of RKM sugar mills which laid off 50 workmen is legal under the Industrial Disputes Act 1947?
 - B. Whether the 50 workmen are eligible for lay off compensation?

- C. Whether the lay off compensation should be paid to workmen even after providing alternate employment to the workmen who were laid off?
5. The Indian courts have given wider interpretation to the term workmen in the Bangalore water supply case. Analyse the difference in the interpretation of the definition of the workmen before and after Bangalore water supply case in India.

PART – B (4 x 5 = 20 marks)

Answer the following questions:

6. Write a note on the significance of Industrial relations and its impact on collective bargaining.
7. Analyse why the labour code was drafted in India and also state whether the Labour codes have been implemented in all the states in India?
8. What is the role of the labour officer in resolving Industrial disputes under the Industrial Disputes Act 1947.
9. State whether the contract labour system has been abolished in India? If so, analyse the significance of the Contract Labour Abolition Act 1970.
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**THE TAMIL NADU NATIONAL LAW UNIVERSITY,
TIRUCHIRAPPALLI**

B.A. LL.B. (Hons) & B.Com. LL.B. (Hons.) Degree Programmes

End Semester (Odd-Semester) Repeat Examinations, January-2023

LAW OF DIRECT TAXATION

Time: 2 ¾ Hours

Maximum Marks: 70

Instructions to the candidates:

1. Answer all the questions.
 2. Marks are mentioned against each question.
 3. This is an open book examination. You are permitted to carry the Direct Taxes Manual or Print out of the Bare Income Tax Act, 1961 and any rules framed thereunder. Class notes in student's own handwriting written separately or on any of the printed materials mentioned above only is permitted.
 4. Course faculty/Invigilator reserves the right to check the materials brought to the exam hall.
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PART – A (5 x 10 = 50 Marks)

Answer all the Questions.

1. Mr. Kumar is an employee of the Govt. of Tamil Nadu. His monthly salary for the previous year, 2021-22, is as follows:

Basic Pay	-	Rs.70,000/-
Dearness Allowance	-	Rs.14,000/-
House Rent Allowance	-	Rs.7,000/-
City compensatory allowance	-	Rs.4,000/-

His additional income is as follows:

Income from Deposits of the savings account for the entire previous year
Rs.30,000/-

He has the following expenses and contributions:

- 1) Provident fund - Rs. 10,000/month
- 2) Life insurance premium - Rs. 8,000/month

Compute the income tax payable by him for the said previous year by citing the relevant provisions of law.

2. Ms Uma, a medical doctor, intends to purchase a house in Tiruchirappalli. She approached some banks for taking a housing loan. She required a sum of INR 25,00,000/-. Housing loan EMI will be INR 28000/- per month.

EMI includes

a) Interest	-	Rs. 8,000/month and
b) Principal amount	-	Rs. 20,000/month.

Her monthly pay during 2021-2022 is as follows:

Basic Pay	-	Rs.80,000/-
Dearness Allowance	-	Rs.16,000/-
House Rent Allowance	-	Rs.7,000/-
City compensatory allowance	-	Rs.4,000/-

Assuming that she has no other exemptions/savings to claim, what, if any, will be the tax savings if she avails the housing loan?

3. Mr. Sampath, aged about 85 years, is a resident of India. He is having three houses in Tamil Nadu. One of the three houses is occupied by his family. The rental income from the other 2 houses for which he is liable to pay tax is Rs. 70,000/-per month.

The house is located in Chennai. The standard rent of the house is Rs.80,000/-. In the previous sentence it is state that the rental income from the other two houses is 70,000/- The fair Rent is Rs.90,000/-. The municipal value is Rs.75,000/-. He has paid Rs.10,000/- as house tax.

Moreover he has the following income:

Interest from savings deposits Rs.10,000/month. This is his income for the previous year 2021-22.

He has the following expenses and contributions

Housing loan

a) Interest	-	Rs. 9,000/-
b) Principal amount	-	Rs. 26,000/-

Compute his tax liability for the previous year 2021-22.

4. In 2021, Ms. Sheela, aged about 45 years, stayed in India during
Jan. to Apr. - full month
June - 20 days

July - 20 days
August - 20 days
September - 20 days

She has a house in Chennai. She bought this for Rs.20 Lakhs in June, 2011. Further, she spent Rs.1,80,000/- towards registration in June, 2011. She developed the house by spending Rs.5Lakhs in August, 2013. She sold the house during the previous year 2021-22 for Rs.1.15 crores (One Crore and Fifteen Lakhs).

Compute her income tax liability.

5. Mr Amuthan is a working professional. His monthly pay during 2022-2023 is as follows:

Basic pay: 73000

Dearness Allowance: 22600

House Rent Allowance: 13100

Transport Allowance: 7600/-

His P.F. contribution is INR 9560 per month.

He has about 5 acres of agricultural land in Navalur Kuttapattu. During 2022, he earned INR 100000/- by harvesting the standing crops. Compute his tax liability for income earned during 2022-2023.

PART – B (2 x 10 = 20 Marks)

Answer all the questions.

6. Ms Mangai is a lawyer practicing before trial and constitutional courts in Tamil Nadu. Her office is in Madurai. She received a sum of INR 7,80,000/- during 2022-2023 as fees from various clients. Her expenses are as follows:

Office rent: 6000 per month

Salary for staff in the office: 21000 per month

Electricity charges: 12000 per annum

Fuel charges for vehicle used for travelling from home to office as well as for court visits/meeting clients: 1,00,000 per annum.

You are required to compute the total taxable income of Ms Mangai by citing relevant provisions of the Income Tax Act, 1961.

7. On 20.01.2022, Mr Ravi purchased 100000 shares of the Atat Limited, a company listed on the Bombay Stock Exchange, for INR 1000000/-. He intends to sell the

shares. The current price is fixed at INR 1400000. He wishes to know if he is liable to pay any income tax in relation to the securities sale mentioned above. He also requests you to advice on the ways to reduce the tax liability.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023

CYBER LAW

Time: 2 ¼ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 marks)

Answer the following questions.

1. Ms. Aliya, a girl of 17 years browsed education-related websites from an authenticated browsing centre in Assam. As work got over, she erased the browsing history and cache memory from the web browser. Mr. Kashyap, the owner of the cyber cafe was arrested by the District Cyber Cell for uploading porn content online. He defended himself as innocent and claimed Ms. Aliya would be the culprit as she deleted the browsing history. The Cyber cell later found that a server from Taiwan has masked its IP address and made it appear to be from India. Defend Mr. Kashyap in the said case.
2. One of the famous 'TTS' music albums has been copied by a rival musician 'PTS' which was uploaded and disseminated on their 'PTS' website. 'TTS' has filed a copyright violation suit. As a cyber law counsel, advise both the parties 'TTS' and 'PTS' and prepare for Online Dispute Resolution (ODR) process.
3. 'Twitter sold porn images of women and children for just 20 rupees, said DCW Chief', keeping this information in mind, create a mind map on cyber crimes against women and children putting forth the suggestions to overcome the vulnerability of these two groups.
4. "The Director General of Consumer Protection and Trade Order (PKTN) at the Trade Ministry, Veri Anggrijono, reported that his side received 7,464 consumer complaints throughout 2022. Major complaints were with regard to E-commerce". Comment on India's E-commerce regulatory framework taking the above-stated fact into consideration.
5. Critically analyse in what ways is the landmark case "Justice Puttaswamy Aadhar judgement" reflected in the Digital Personal Data Protection Bill, 2022?

PART – B (2 x 10 = 20 marks)

Answer the following questions.

6. *'Electronic commerce in the Information Technology era has rapidly developed and at the same time, brought numerous repercussions in cyberspace'* - criticise.
 7. Discuss on Lawrence Lessig's 'Pathetic Dot Theory' as provided in the book Code version 2.0.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023
COMPARATIVE CONSTITUTIONAL LAW

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (5 x 10 = 50 marks)

Answer the following questions

1. What are the parameters that you would use to define the scope and utility of a comparative constitutional law course?
2. How do you evaluate the relevance of the technique of transnational borrowings in the study of comparative constitutional law?
3. Write short notes on the following:
 - a. “*De facto*” and “*de jure* factors” in the study of asymmetrical federalism.
 - b. Vertical and horizontal power relations in ‘confederation’ and ‘federation’.
4. Whether decentralization of administrative powers is an aspect of the docket explosion management strategy? Answer with the help of supporting arguments.
5. How do you explain the interface between constitutionalism and constitutional governance with special reference to the jurisdictions of India and the U.S.A?

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) & B.Com. LL.B. (Hons.) Degree Programmes
Repeat(Odd-Semester) Examinations, January -2023
LAW AND SOCIAL TRANSFORMATION

Time: 2 ½ Hours

Maximum Marks: 50

PART – A (3 x 10 = 30 Marks)

Answer all the questions.

1. “*Lawyering for the good*” – Critically evaluate the role of lawyers in bridging law and society citing a few of cause lawyering roles performed by the Alternative Law Forum.
2. How consistent is the Citizenship Amendment Act with the principles enshrined in the Indian Constitution?
3. Even six decades after the enactment of a legislation prohibiting dowry, we cannot put an end to the practices of giving and taking of dowry. How do you think an evil practice like dowry, which has been institutionalized by our society, can be eradicated?

PART – B (4 x 5 = 20 Marks)

Write brief critical notes on the following:

4. Legal Pluralism
 5. Ostensible Poverty
 6. Colonial legacy and Custodial Interrogation
 7. Bhima Koregoan Case
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023

INTERNATIONAL TRADE LAW

Time: 2 ¾ Hours

Maximum Marks: 70

PART - A (3 x 14 = 42 Marks)

Answer all the questions in about 1200 words each:

1. *Factor Endowment Theory is used to determine comparative advantage of the countries having abundance in different types of resources. Critically evaluate this statement referring to the various theories of international trade law and analyse their relevance in this era of Liberalisation, Privatisation and Globalisation.*
2. WTO regime prescribes three kinds of duties - anti-dumping duties, counter-vailing duties and safeguard duties. Do you agree? Answer by referring to the fact that the power of the appropriate authorities in imposing anti-dumping duties over the product is causing injury to the domestic producers of the importing country.
3. *"The Appellate Body of the World Trade Organisation Dispute Settlement Understanding (WTO-DSU) can uphold, modify or reverse the legal findings and conclusions of a panel". Critically evaluate this statement referring to the working of the WTO-DSU and the various stages involved in the dispute settlement process also cite the relevant provisions from the Agreement establishing the WTO-DSU.*

PART - A (4 x 7 = 28 Marks)

Answer all the questions in about 600 words each:

4. Explain the working of the Trade Policy Review Mechanism in the WTO system.
5. Explain the working of the dispute settlement process under an agreement on Trade Related Investment Measures (TRIMS).
6. Evaluate the Contribution of the Doha Ministerial Declaration of Public Health.
7. Comment Upon *India-Certain Measures Relating to Solar Cells and Solar Modules*, WT/DS 456/20.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI**B.A. LL.B. (Hons) & B.Com. LL.B. (Hons.) Degree Programmes****Repeat (Odd-Semester) Examinations, January -2023****LAW OF INTERNATIONAL ORGANIZATIONS**

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 Marks)**Answer all the questions.**

1. International Organisation for Cyber Security (IOSC) is an inter-governmental organisation constituted for secured access to the internet and related medium of communication. The members of IOSC strictly follow the technical instructions given by the organisation and these are found to be very effective for their domestic security system. There are various theories advocating the formation and existence of international organisations. Analyse any two of these theories in the context of the creation of the IOSC?
2. “Russia vetoed a UN Security Council resolution that would have demanded that Moscow immediately stop its attack on Ukraine and withdraw all troops, a move several Council members said was deplorable, but inevitable.” Critically comment on the exercise of powers by the members of the Security Council and its relation to the function and effectiveness of the Security Council?
3. “One part of the Geneva Meeting of 1947 was devoted to continuing the preparation of a charter for a major international trade institution, the ITO. Then they entered into the Agreement Establishing the World Trade Organisation in Markesh in April 1994, which came into force on 1 Jan 1995.”
 - (i) Analyse the given statement.
 - (ii) Elaborate on the unique features of the WTO in comparison with other institutions in the trade sector.
4. “Primacy of the European Court of Human Rights over the National Courts creates a lot of challenges in the modern context.” Critically evaluate the statement.

5. The International officials are neither accredited to the government of a particular country nor are they representatives of any one government. Discuss the immunities and privileges for International Officers unlike diplomatic agents.

PART – B (2 x 10 = 20 Marks)

Answer all the questions.

6. “She became a member of the League of Nations; she was invited to the San Francisco Conference of the United Nations. She exercised the treaty-making power in her own right. However, so long as the control of her internal and external relations rested ultimately with the British Government and Parliament, she could not be regarded as a sovereign state” (L. Oppenheim International Law).
- (i) Identify who/what these word are referring to.
 - (ii) Analyse the contributions of India to the evolution of International Organisations.
7. “The UK Government’s decision to Brexit and keep relationships with other nations without recognizing the autonomy of the EU shows the latest trend of de-constitutionalisation.” Critically analyse the concept of constitutionalisation.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023

CORPORATE FINANCE LAW

Time: 2 ¾ Hours

Maximum Marks: 70

Instructions to the candidates:

1. Answer all the questions.
 2. Marks are mentioned against each question.
 3. This is an open book examination. You are permitted to carry the Corporate Laws Manual, SEBI Manuals or Print out of the Bare Acts, and any rules/regulations etc framed there under. Class notes in student's own handwriting written separately or on any of the printed materials mentioned above only is permitted.
 4. Course faculty/Invigilator reserves the right to check the materials brought to the exam hall.
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PART – A (5x 10 = 50 marks)

Answer the following questions:
Read the following facts and answer questions below:

Virtual Security (India) Private Limited (VSIPL), a company registered under the Companies Act, 2013 with its registered office at Tiruchirappalli, is having 5 promoters/members. During January 2021, 3 of the 5 promoters have been issued 1,00,000 shares each, having face value of INR 10 only. VSPL proposes to raise finance of INR 100 Crores during this financial year. The promoters propose to offer 25% of their current holding for sale in the proposed issue. Further, using the issue proceeds of offer for sale, the promoters expect VSPL to issue additional shares to them exclusively.

Question 1.

You are required to advice VSPL to plan and structure the raising of finance mentioned above. Your response must indicate the structure as well as the preconditions, if any, that are required to be fulfilled by VSPL and by any of the members. Assume that the conditions under Sub-Regulation (1) of Regulation 6 of the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2018 are not fulfilled by VSPL. (10 marks)

Question 2.

You are required to draft relevant clauses in the necessary draft offer documents to be filed with the Securities and Exchange Board of India for raising the above finance.

(10 marks)

Question 3.

Assume that VSPL has opened the issue for subscription as per your strategy. In that issue, Ms Rupa proposes to apply for shares as a retail individual investor. Till VSPL formally announced its plan to raise finance as above, Ms Rupa had shares worth INR 1,70,000 (Face value) in her account. In order to subscribe in the issue of VSPL, Ms Rupa has sold shares worth 1,00,000/- (Face value). Using this money, she has subscribed for 50,000 shares with price bid of 1050 per share. Assume that the Registrar to Issue of the above issuer has approached you to clarify the eligibility of Ms Rupa to be a retail individual investor in the proposed issue. You are required to advise the Registrar to Issue whether or not the application of Ms Rupa is in order and further, if the application is in order, the number of shares Ms Rupa may be allotted by VSPL as per the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2018.

(10 marks)

Question 4.

On behalf of VSPL, you are required to draft an application seeking in principle approval for listing of the proposed issue by citing the relevant legal provisions. **(10 marks)**

Question 5.

In the above issue, what is the contribution required to be made by the promoters and whether the additional shares referred can be reckoned for the purpose of mandatory promoters' contribution under the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2018. **(10 marks)**

PART – B (2 x 10 = 20 marks)

Answer the following questions:

6. Analyse the decision in *SEC v W. J. Howey & Co.* 328 U.S. 293 (1946)
 7. Critically comment on *Walford v Miles* [1992] 2 AC 128
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023

LAW OF INDIRECT TAXATION

Time: 2 ¼ Hours

Maximum Marks: 70

PART – A (5x 10 = 50 marks)

Answer the following questions:

1. (a) Explain excisable goods under the Central Excise Act 1944.

5 Marks

- (b) Krishna & Co., receive paraffin in bulk from the manufacturer. They also receive packaging materials. They pack the paraffin materials in retail packs and sell them to the retailers through their cargo handling services. When the excise authorities claimed excise duty for the packed paraffin, Krishna & Co., contend that their act is only cargo handling and not manufacturing. The product is repacked for the purpose of cargo handling. The authorities contended that the process involves manufacturing.

Decide by giving relevant provisions of law and decided cases.

5 Marks

2. (a) Define import manifest and bill of entry under the Customs Act 1962 by characterising their distinctive features.

5 Marks

- (b) Khan & Co., is the regular importer of copper rods from Sha & Co., in Singapore. While taking clearance, at the time of filing the Import General Manifest, it was mentioned in the import manifesto that the importer is Kishan & Co., Khan & Co., contended that the error is by mistake and it is to be amended.

The authorities contended that the importer is a different person, Kishan & Co.

Moreover Khan & Co., imported the said goods from Sha & Co., in Singapore. Two of the directors of the Sha & Co., are also the directors of the Khan & Co.

The value of a copper rod is fixed as Rs.400/- per kg. The authorities contended that since the directors of both the companies are same, the actual price of the copper rod is to be found out before assessing Customs duty.

Decide by giving relevant provisions of laws and case laws

1. **Whether the name of the importer can be amended?**
2. **Whether it is necessary to determine the actual price?**

5 Marks

3. a) Explain in brief sale in the course of export as given under the Central Sales tax Act 1956.

5 Marks

- b) Indigo is an aviation carrier. It is notified by the Central Govt. of India that it is a Designated Indian Carrier. Indigo operates international flights from Mumbai to Dubai. It purchased Aviation Turbine Oil for that flight from Indian Oil Corporation. The Maharashtra Govt. Claimed sales tax Under the Maharashtra Value added tax Act 2002. Indigo contended that it was a sale during the course of export and hence not liable to pay sales tax under the Maharashtra value added tax Act 2002. – **Decide.**

5 Marks

4. a) Discuss the different kinds of levy of tax under the Central Goods and Service Act 2017.

5 Marks

- b) Choudry is an agent for the supply of textile goods from Surat to Chennai. He supplies them occasionally in the financial year 2021-22. The value of goods supplied by him is forty nine lakhs. While GST is demanded he files the return under GST R-4 for composition levy. The authorities claim that he is a casual trader and hence has to file returns under GST-R-1 for paying value added tax. Choudry does not agree with the claim- **Decide.**

5 Marks

5. a) Explain in brief the provisions of Art 269A of the Constitution of India with regard to levy of tax on supply of goods and service.

5 Marks

- b) Joseph is a service provider to dealers located outside India who are engaged in manufacture and sale of leather bags. Such overseas dealers do not have establishments in India. The service provided by Joseph is to identify buyers of leather bags. Joseph only solicits the transaction. The Indian purchaser directly places purchase orders for the leather bags with the overseas dealer.

It is claimed by the Goods and service tax authorities that the service is provided by Joseph from a location in India and hence it is an intra state supply of service and liable to be taxed both under the Central and State GST Acts. Joseph claims that the destination of the service provided by him is outside India which is not taxable in India.-**Decide**

5 Marks

PART – B (4 x 5 = 50 marks)

Answer the following questions:

6. 7th Schedule of the Constitution does not make provision for levy of GST. But still Union and State have concurrent power to levy GST.-Discuss in brief
 7. Mixed supply and composite supply is so essential in the area of levy of GST.-define and distinguish mixed and composite supply.
 8. Different types of e-ledgers are essential for claiming input tax credit.-Explain
 9. Power to levy antidumping duties is a weapon in the hands of state to levy duties arbitrarily-comment.
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**TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B. Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023**

LAW OF INSURANCE

Time: 2 ¾ Hours

Maximum Marks: 70

PART - A (5 x10 = 50 Marks)

Answer all the questions in your own words using relevant legal principles and cases.

1. Raj is a successful small business owner of textiles. He owns a godown to store his raw materials. He seeks to take a fire insurance policy on the godown in May 2022. In the insurance form, he mentioned that there were no previous fire incidents with the godown. But prior to him using the place, he rented it out to Manoj till 2020. In 2019, there was a fire incident which Manoj had not reported to Raj and taken care of by himself. The insurers come to know this through their due diligence but did not inform Raj and accepted to cover the godown.

In the event of a fire in the godown, will Raj be able to secure a valid insurance claim with the insurer?

2. Hector was driving his bike on a very busy highway. Achilles was also driving his car in the same highway. Achilles hit Hector with his car due to rash and negligent driving. Hector was very badly injured and his bike in a bad condition. Hector claimed insurance for his injuries and for the bike successfully with Trojan Assurance Co. Trojan Assurance Co. wants to take legal action against Achilles.

On what basis can Trojan claim against Achilles? Also explain the procedural formalities to make it a valid claim.

3. Emerald Shipping Company took a fleet insurance policy in 2022 covering all of their cargo ships. The cover note mentioned that the cargo ships that were currently under construction and which would be completed in 2023 were also included within the policy. However, the insurance policy issued later only mentioned the names of the cargo ships currently in the ownership of Emerald Shipping Co. *MV Zander* was a ship belonging to the company built in 2023. When *MV Zander* suffered engine damage, an insurance claim was raised which was disputed by the insurance company, Mercantile Insurance Co. Emerald took the case to the court.

In whose favour will the case be decided? Explain with reasons.

4. Navin owns a cotton farm. He had taken crop insurance to protect the same. An accident caused the farm to catch fire. Navin did nothing to prevent the fire from spreading with the thoughts of policy coverage. However, the insurance company denied the claim.

Identify and explain the rationale for the denial of insurance claim.

5. Meena had taken a travel insurance policy from Bharti Travel Insurance Co. for a trip from Mumbai to Dubai. The policy covered loss of luggage, loss of passport, delay in travel, cancellation of flight, emergency medical expenses, etc. The flight was cancelled and she could not undertake her trip. She claims insurance with Bharti Travel Insurance Co. But they did not respond to her claim despite repeated attempts. Meena wants to file a complaint against the company for their behaviour. **Advise Meena about the remedial measures available in the Indian law of Insurance.**

PART - B (2 x10 = 20 Marks)

Answer all the questions in your own words

6. Jithin took a term life insurance policy on his life with Jeevan Insurance Ltd. in 2019. From 2020 onwards, he took multiple life insurance policies with various insurers. He wants some of his life insurance policies to benefit his family- his parents, wife and two children. However, he would continue to pay the premiums and would want to retain control over the policies.

What kind of a transfer mechanism would be best for Jithin? Explain the legal formalities to make it a valid transfer.

7. Vishnu insured his house for Rs. 15 lakhs each with two insurers, Mefco Insurers and Tang Assurance Co. Both policies were similar in nature and had the same perils insured and excepted. Vishnu had a break-in at his house and lost several valuable property amounting to Rs.10,00,000/-. The same was covered through insurance and he placed a claim with Mefco, which paid the entire claim to him.

Is there a way for Mefco to claim from Tang Assurance. Explain in detail.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programme
Repeat (Odd-Semester) Examinations, January 2023
COMPETITION LAW

Time: 2 ¼ Hours

Maximum Marks: 70

Instructions:

- a. Please write legibly. Write relevant and cogent answers.
- b. All the questions should be answered by citing relevant legal provisions and at least four relevant judicial precedents and suitable illustrations/examples.
- c. The problem based questions should be preferably answered in the Issues, Research, Analysis and Conclusion (IRAC) method.
- d. All the questions are compulsory. You are strictly directed to follow the Question Number as given in the Question Paper.

PART - A (5 x10 = 50 Marks)**Answer all the questions**

- 1 An unregistered association named '*Dravida Nadu Law Books Sellers Union (DNLBSU)*' consists of wholesalers and retailers of law books and treatises within the State of Dravida Nadu. DNLBSU indirectly intends to control the sale and supply of law books by regulating their sale price. For this purpose, it regularly issues notices in the form of guidance notes to its members. One such notice issued recently mandated the retailers, enrolled with DNLBSU, to sell law books authored by foreign authors only in a certain price band fixed by it on account of an agreement entered into with the members of DNLBSU. A law student who came to know about this practice sent an anonymous email to the *Competition Commission of India (CCI)* alleging infringement of the provisions of the *Competition Act, 2002*. Decide.
- 2 What is meant by '*dominant position*'? Explain in detail, the stage by stage, the procedure to be followed and the list of factors that will be considered by the *Competition Commission of India (CCI)* to ascertain whether an enterprise enjoys a dominant position or not?

- 3 *Ramdev Industries Ltd. ('RIL')* is engaged in the business of selling a variety of naturopathy food products including dietary supplements through online network marketing method. One of their famous products was '*Slim Choice Honey*' which was advertised as a wonder drug for weight loss measures. As per the label of the product, it consists of zero % fat with no added sugar or added preservatives. *Ms. Beepika* bought this product online in January 2022 and realised that despite using the product for over a year, her weight hasn't reduced. Therefore, she approached a NGO by name *Consumer Guidance Society, Trichinopoly (CGST)*. CGST finds out that *Slim Choice Honey* actually contains 0.15 % of fat content than what is declared in the label. CGST also finds out that the product contains certain added natural preservatives, which were not declared on the label. Hence, CGST approaches the *Competition Commission of India (CCI)* alleging that RIL has indulged in '*unfair trade practices (UTP)*' by misbranding of products and deceptive advertisement. Decide.
- 4 Critically analyse in detail the meaning and usage of the terms '*undertaking*' and '*enterprise*' by examining the relevant provisions from the *Monopolies and Restrictive Trade Practices (MRTP) Act, 1969* and the *Competition Act, 2002*.
- 5 List any three provisions each from the *Competition Act, 2002* as examples for legislative, administrative and judicial powers exercised by the *Competition Commission of India (CCI)*. How do you distinguish between legislative and executive powers of a regulatory organisation like CCI? Explain in detail about the legislative powers/functions of CCI by quoting relevant provisions and cases.

PART - B (2 x10 = 20 Marks)

Answer all the questions

- 6 "*The Consumer Protection Act deals with vertical relationship between a manufacturer or producer and a consumer, whereas the Competition Act deals with both horizontal and vertical relationship between manufacturers and producers and consumers.*" Do you agree with this statement? Critically analyse the same by comparing the relevant provisions of the *Consumer Protection Act, 2019* and the *Competition Act, 2002*.
- 7 "*An individual is entitled to exercise any lawful trade or calling, as and where he/she wills. The law has always regarded jealously, any interference with trade, even at the risk of interference with freedom of contract, as it is public policy to oppose all restraints up on liberty of individual actions which are injurious to the interests of the State. This is the reason why freedom of trade and commerce is considered as a fundamental right in India.*"(emphasis added). Critically analyse this statement by elucidating the relevant provisions from the *Indian Contract Act, 1872*, the *Constitution of India, 1950* and the *Competition Act, 2002*.

Name :

Register No.:

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

REGULATION OF THE PROFESSIONAL SPORTS IN INDIA

Time: 2 ¾ Hours

Maximum Marks: 70

PART - A (5 x10 = 50 Marks)

Answer all the questions:

1. Whether Indian Domestic Sports Governing Bodies are amenable to Judicial Review? Substantiate your answer referring to the relevant judicial decisions.
2. Explain, how IP Laws plays a role in protecting commercial interests in the Sports Industry?
3. The risk of injury is always there in sports, and the players have accepted the inherent risk involved in playing their particular sports. If a player is getting injured while playing, to what extent can it be assumed that the player has given consent for the injury? Examine the doctrine of *volenti nonfit injuria* in sport as defense and its limitations in determining civil liability.
4. Explain the sex verification test in Sports and how it affects the rights of the players?
5. What is doping test in Sports? Explain the legal conundrum around dope testing.

PART - A (2 x 10 = 20 Marks)

Answer all the questions:

6. Explain and connect the following concepts:
 - a. Ambush Marketing, Creative flexibility, Undue Enrichment
 - b. Betting, Game of Chance, Game of Skill,

Name :

Register No.:

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons.) and B.Com. LL.B. (Hons.) Degree Programmes
Repeat (Odd-Semester) Examinations, January 2023

CLINICAL-III (PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM)

Time: 2 ¾ Hours

Maximum Marks: 70

PART – A (5 x 10 = 50 marks)

Answer the following questions:

1. What are the four models of lawyering proposed by Cristine Parker? Explain the model with which you resonate the most and why?
2. Is it legal for lawyers to go on strike? Briefly discuss the guidelines laid down by the Supreme Court of India on this issue. What is your position on this?
3. Who sets the dress code for lawyers in India? Why was the present dress code adopted. Critically comment on the suitability of the current dress code and your suggestions for improvement, if any.
4. What are the most important things to keep in mind as a lawyer while handling client money? Give a short summary of the rules on this matter as set by the Bar Council of India.
5. Can a judge be charged with the offence of Contempt of Court? Analyse with reference to applicable laws and cases.

PART – B (2 x 10 = 20 marks)

6. You are representing Anil in a matter involving a 68-year old ancestral property dispute. On the first day of court hearing, when you finally get to meet the opposite party Mukesh, you realise he is a childhood friend of yours. Analyse whether there is any conflict of interest in this situation, and if so, how will you navigate it.
7. You are representing Zeba in a matter involving breach of contract. When you went to court to file the case, you realised you had forgotten to get the *Vakalatnama* signed by

her. Upon contacting Zeba, she told you she was travelling overseas and will return after two months. Unwilling to waste time over a mere formality, you decided to imitate her signature on the *Vakalatnama* and submit it. The opposite party immediately moved an application suspecting forgery and ultimately the case got dismissed. Can Zeba take action against you for professional misconduct? Analyse and explain in light of the Advocates Act 1961.
