



TAMIL NADU NATIONAL LAW UNIVERSITY



QUESTION PAPERS

MID SEMESTER EXAMINATION

SEPTEMBER -2019



**TAMIL NADU NATIONAL
LAW UNIVERSITY**



QUESTION PAPERS

**MID-SEMESTER EXAMINATIONS,
SEPTEMBER -2019**



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20/9/19



MID- SEMESTER EXAMINATIONS,
SEPTEMBER -2019

Examinations held between 16.09.2019 and 22.09.2019

[I, II, III, IV & V YEAR B.A. LL.B. (HONS) &
B.COM. LLB. (HONS) DEGREE PROGRAMME

MAX. MARKS -20

TIME DURATION : 1 HR & 30 MINS



T B.A

ENG1-19

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

First Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

ENGLISH-I / BUSINESS ENGLISH-I

Time: 1½ Hours

Maximum Marks: 20

PART – A (5 X 2 = 10 Marks)

1. Answer any FIVE of the following questions:

- What is intra-personal communication?
- Explain any two barriers in communication.
- William Shakespeare was not susceptible.....flattery. (Add appropriate preposition in the blank)
- Nobody butwas present. (Put the correct form of pronoun in the blank)
- What is Proxemics in communication?
- What is "Anagnorisis"?
- Explain "institutional settings" in communication.

PART – B (1 X 5 = 5 Marks)

2. Answer any ONE of the following in not more than 500 words:

- "Language is the house of being". Explain this statement

[OR]

- Describe the types of non-verbal communication

PART – C (5 X 1 = 5 Marks)

3. Read the following passage and answer the questions that follow:

Nature writing is nonfiction or fiction prose or poetry about the natural environment. Nature writing encompasses a wide variety of works, ranging from those that place primary emphasis on natural history facts (such as field guides) to those in which philosophical interpretation predominate. It includes natural history essays, poetry, essays of solitude or escape, as well as travel and adventure writing.

Nature writing often draws heavily on scientific information and facts about the natural world; at the same time, it is frequently written in the first person and incorporates personal observations of and philosophical reflections upon nature.

Modern nature writing traces its roots to the works of natural history that were popular in the second half of the 18th century and throughout the 19th. An important early figure was the "parson-naturalist" Gilbert White (1720 – 1793) a pioneering English naturalist and ornithologist. He is best known for his *Natural History and Antiquities of Selborne* (1789).

1. Nature writing emphasizes on

- i. Historical facts about the nature
- ii. Philosophical interpretations of the nature
- iii. Scientific information and facts

Choose the most appropriate

- a) None of the above
- b) Only (i) and (ii)
- c) All the above
- d) Only (i) and (ii)

2. Based on the passage what is period to which the modern nature writing can be traced to?

- a) 1850 till 1999
- b) 1850 to 1899
- c) 1750 till 1899
- d) 1750 till 1900

3. Which statement summarizes the above passage?

- a) The passage talks about the life and lessons of Gilbert White, a profound naturalist and ornithologist.
- b) The passage talks about how the nature writing is missing in the modern era and needs to be revived.
- c) The passage talks about from where the writers draw inspiration for nature writing, and how its importance is diminishing in the modern era.
- d) The passage talks about what nature writing are, the different types of nature writing, its style, and about the roots and pioneer of modern nature writing.

4. Which word aptly describes the word "reflections" as used in the passage?

- a) Opinion
- b) Reproduction
- c) Images
- d) None of the above

5. According to the passage, what kinds of works are written as part of nature writing?

- i. Natural history essays and essays of solitude or escape
- ii. Poetry
- iii. Travel and adventure writing
- iv. Metaphysical and epic

Choose the correct options

- a) Only (i)
- b) Only (i) (ii) and (iii)
- c) Only (ii) and (iii)
- d) Only (i) and (iv)

Name :

Register No.:

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

First Year-First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

POLITICAL SCIENCE –I (POLITICAL THEORY AND ORGANIZATIONS)

Time: 1½ Hours

Maximum Marks: 20

Answer any FOUR of the following questions. Each Answer should not be less than 300 words. Each Answer carries Five Marks (4 X 5 = 20 Marks):

1. Define Political Science and discuss its Nature and Scope.
 2. "State is a Divine institution created by God and King is a God's Representative"— Critically analyze the statement.
 3. Critically analyze the Pluralistic Theory of Sovereignty.
 4. Define Law and discuss the Types of Laws.
 5. Liberty is an invaluable asset to the individual and has to be defended at all times" – Explain the ways by which liberty of the individual can be defended.
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B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme

1st Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

SOCIOLOGY-I (A CRITICAL INTRODUCTION)

Time: 1½ Hours

Maximum Marks: 20

PART – A (10 X 1 = 10 Marks)

Answer the following questions. Each question carries 1 mark:

1. MacIver defines society as: _____
2. The two characterizes of a Community are: _____
3. Name the Caste of Sri Lanka that that has the customary occupational rights of cultivation of Cinnamon:
4. Who placed Political Sciences at the top of the Hierarchy of Sciences Pyramid?
5. The practice of keeping a Bonsai plant or the idol of laughing Buddha at home is an example of _____
6. The author of the book Folkways is _____
7. The two important systems through which an individual acquires citizenship are: _____
8. Durkheim's research on Arunta tribes of Australia proposes that sum total of all _____ relationships, has eventually become the institution of Religion.
9. Who proposed the theory of Animism and Naturism?
10. The Nature of Society in Metaphysical Stage is: _____

PART – B (1 X 10 = 10 Marks)

Answer the following question:

11. Define Suicide and explain its types and the generalizations propounded by Emile Durkheim with suitable examples.

BA

PECO-19

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

First Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

PRINCIPLES OF ECONOMICS

Time: 1½ Hours

Maximum Marks: 20

Answer any FOUR of the following questions, not more than 250 Words each
(4 X 5 = 20 Marks):

1. With the example of your own basket of goods and calculate consumer price index and inflation rate.
 2. Prove $C + I + G + NX = Y$ is an identity.
 3. Define and explain GDP.
 4. Differentiate between movement along the demand curve and shift in the demand curve with appropriate graphical representation.
 5. With the example of any five goods and its prices, calculate Real GDP and Inflation rate.
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

1st Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LEGAL METHODS

Time: 1½ Hours

Maximum Marks: 20

Answer any FOUR of the following questions (4 X 5 = 20 Marks).

1. How did Foster, J. approach the situation of the Speluncean explorers? Can it be applied to current judicial scenario in India? Explain.
 2. Differentiate following with examples:
 - a. Truepenny, J's opinion and Handy, J's opinion.
 - b. Primary and secondary sources of law.
 3. Briefly describe the process of a Bill becoming a Law. Can Financial Bills be introduced in the Lok Sabha? [4 + 1 Marks]
 4.
 - a. What is the broad classification of courts in India? [2 Marks]
 - b. How would you distinguish between the powers and responsibilities of a District Court and a Sessions Court? [2 Marks]
 - c. Are Indian High Courts, Courts of Record? Explain. [1 Mark]
 5. In recent years, the Supreme Court of India has overturned many customary practices holding them as violative of our constitutional values. In the light of this statement, comment on custom as a primary source of law. Feel free to use examples indigenous to your communities.
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B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme

First Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF TORTS

Time: 1½ Hours

Maximum Marks: 20

Instruction:

All the questions should be answered by quoting relevant legal principles and judicial precedents.

PART - A (2 X 4 = 8 Marks)**Answer any TWO of the following questions:**

1. Which of the following statements about the nature of *Law of Torts* are correct? Substantiate your answer with cogent reasons:
 - a) Law of Torts is uncodified in India.
 - b) The intention of the tortfeasor is not an important consideration while deciding a tortious claim.
2. What is the difference between the phrases '*Law of Tort*' and the '*Law of Torts*'? Is there any way to reconcile the two?
3. The fundamental objective of law of torts is to monetarily compensate the victim for the injury he/she has suffered. Does this statement satisfactorily cover the entire functions and aims of tort law? Explain.

PART - B (2 X 6 = 12 Marks)**Answer any TWO of the following questions:**

4. In a period of severe famine, the Government of Indiana decides to send the army to help the local people. Several Members of the Parliament also decide to visit the area to support and console the people. One fateful day, an army truck is rushing to deliver the food supplies it is carrying. On the way, it suddenly collides with two cyclists and both are severely injured. In the commotion of the accident, one of the drivers of a Member of Parliament's official car,

absconds with a considerable amount of the food. As a result, when the food finally arrives, there is an acute shortage and one person eventually has to be hospitalised. The people of the locality now want to sue for the injuries caused by the collision and the shortage of food. They are however, unsure of whether to sue the Government or the respective drivers of both the truck and the car. Meanwhile, in the event they are sued, the Government of Indiana wants to argue sovereign function as a defence. Advise both parties.

5. In each of the situations below, identify whether it is a case of *Injuria Sine Damnum* (ISD) or *Damnum Sine Injuria* (DSI). State very briefly, your reasons for doing so and the relevant case law(s) you draw your conclusion from, if any.

S. No.	Situation	ISD/DSI	Reasons and Name of Case Laws
a	Rafiki and Mufasa are neighbours and share a wall. Rafiki's music lessons annoy Mufasa. Out of spite, Rafiki increases the number of music lessons taking them up to ten hours a day. Mufasa, irritated, starts playing the drums loudly right on his side of the shared wall only during the hours of the music lessons. Rafiki loses students as a result.		
b	Manik Pasha an auto driver, has been providing transportation services to students from the Trichinopoly Law School to the city for ten years. In 2019, Antony also started an auto business and starts charging much lower prices. As a result, Manik Pasha loses many of his customers.		
c	Pocahontas is going to vote at the 2019 general elections. Ariel is an election officer who inspects documentation for all voters. When Pocahontas arrives, Ariel denies her entry on the ground that she is carrying a photocopy of her voter id card and not the original, a requirement under the law. Ariel however, previously let in several other voters who were not carrying the original. Pocahontas' candidate wins the election anyway.		

6. The ABC Municipal Corporation was set up under an Act of Parliament. Titan is one of the managers of the corporation, and is by far, the most recognisable face of the corporation. The work of the Corporation, among others, is to provide filtration systems for water. Ursula, a scientist, has developed the mechanism through which the ABC Municipal Corporation

filters its water. Titan and Ursula were in a good working relationship however, the two have been at loggerheads for a while now, because Ursula has recently hiked the price of her systems. Eventually, out of sheer spite, Titan files a suit against Ursula claiming that her mechanisms are worthless and that she had cheated the Corporation out of lakhs of rupees. Ursula, not one to hold back, launched an entire campaign against Titan, stating that he, as manager of the Corporation, had been pocketing the money meant for her and had been providing unfiltered, unhygienic water to the local population. In the light of all this drama, the Board of the Corporation sits down to figure out their legal options with relation to two questions:

- Whether the Corporation can sue Ursula for defamation on behalf of Titan?
- Whether the Corporation can be sued for malicious prosecution by Ursula because of the suit filed by Titan?

Advice the Corporation.

I B Com

ENGI-19

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

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Time: 1½ Hours

Maximum Marks: 20

PART – A (5 X 2 = 10 Marks)

1. Answer any FIVE of the following questions:

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- Explain any two barriers in communication.
- William Shakespeare was not susceptible.....flattery. (Add appropriate preposition in the blank)
- Nobody butwas present. (Put the correct form of pronoun in the blank)
- What is Proxemics in communication?
- What is "Anagnorisis"?
- Explain "institutional settings" in communication.

PART – B (1 X 5 = 5 Marks)

2. Answer any ONE of the following in not more than 500 words:

- "Language is the house of being". Explain this statement

[OR]

- Describe the types of non-verbal communication

PART – C (5 X 1 = 5 Marks)

3. Read the following passage and answer the questions that follow:

Nature writing is nonfiction or fiction prose or poetry about the natural environment. Nature writing encompasses a wide variety of works, ranging from those that place primary emphasis on natural history facts (such as field guides) to those in which philosophical interpretation predominate. It includes natural history essays, poetry, essays of solitude or escape, as well as travel and adventure writing.

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Modern nature writing traces its roots to the works of natural history that were popular in the second half of the 18th century and throughout the 19th. An important early figure was the "parson-naturalist" Gilbert White (1720 – 1793), a pioneering English naturalist and ornithologist. He is best known for his *Natural History and Antiquities of Selborne* (1789).

1. Nature writing emphasizes on

- i. Historical facts about the nature
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Choose the most appropriate

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3. Which statement summarizes the above passage?

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- b) The passage talks about how the nature writing is missing in the modern era and needs to be revived.
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4. Which word aptly describes the word "reflections" as used in the passage?

- a) Opinion
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5. According to the passage, what kinds of works are written as part of nature writing?

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

1st Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

SOCIOLOGY-I (A CRITICAL INTRODUCTION)

Time: 1½ Hours

Maximum Marks: 20

PART – A (10 X 1 = 10 Marks)

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7. The two important systems through which an individual acquires citizenship are: _____
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9. Who proposed the theory of Animism and Naturism?
10. The Nature of Society in Metaphysical Stage is: _____

PART – B (1 X 10 = 10 Marks)

Answer the following question:

11. Define Suicide and explain its types and the generalizations propounded by Emile Durkheim with suitable examples.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

First Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

BUSINESS ORGANIZATION AND MANAGEMENT

Time: 1½ Hours

Maximum Marks: 20

PART – A (5 X 2 = 10 Marks)

Answer any FIVE of the following questions:

1. Write any two objectives of Business.
2. Write any two scope of Business Organization.
3. Write short notes on:
 - a) Public Sector
 - b) One Man Company
4. What is Social Responsibility of Business?
5. Write short notes on:
 - a) Memorandum of Association
 - b) Limited Liability Partnership
6. What is Corporate Governance?
7. Write any two features of Multinational Company.

PART – B (2 X 5 = 10 Marks)

Answer any TWO of the following questions:

8. Explain in detail the various forms of ownership organization.
9. Outline the recent trends in business world.
10. Explain in detail the Changing concepts of Business.
11. Elaborate the Legal formalities to be followed for incorporating a Joint Stock Company.

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

First Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

FINANCIAL ACCOUNTING AND PRACTICAL AUDITING

Time: 1½ Hours

Maximum Marks: 20

PART – A (20 X ½ = 10 Marks)

Answer ALL the questions:

1. The amount which the proprietor has invested in the business is _____.
2. Liabilities refer to the _____ obligations of a business.
3. Income is the difference between revenue and _____.
4. Every business transaction reveals _____ aspects.
5. Commission received is an example of _____ Account.
6. The journal is a book of _____.
7. The _____ column of journal represents the place of posting of an entry in the ledger account.
8. _____ account is debited for the amount not recovered from the customer.
9. _____ note will be prepared at the time of returning of purchased goods.
10. Outstanding rent A/c is an example for _____ Account.
11. Business transactions may be classified into _____.
12. _____ discount is not recorded in the books.
13. Sub division of the journals into various books for recording transactions of similar nature are called _____.
14. Purchases book is kept to record _____ Purchases.
15. Cash Book is one of the _____ books.
16. Impersonal accounts are classified into _____ types.
17. Contra entry means _____.

18. Land purchased by the Real estate company will be entered under _____ Book.

19. Asset means _____.

20. Bank is a _____ Account.

PART – B (1 X 10 = 10 Marks)

Answer ANY ONE of the following questions:

21. Pass the necessary journal in the books of Mr. Moon:

Date	Transactions
April	
1	Business started with cash Rs.5,00,000
1	Goods Purchased from Mr. Orange Rs.40,000
2	Stationery purchased for cash Rs.5,000
2	Cash deposited into Bank Rs.25,000
3	Goods sold to Mr. Sun Rs.45,000
5	Received a cheque of Rs.44,750 from Mr.Sun
4	Sold to Goods to Mr. Mangal Rs.60,000
8	Mr. Mangal pays Rs.50,000
10	Insurance paid by cheque Rs.3,000
14	Paid Rent Rs.4000
18	Goods costing Rs.2,500 distributed as samples
20	Purchased office furniture for Rs.50,000
24	Cash withdrawn for household purposes Rs.8,000
29	Cash sales Rs.45,000
30	Cash withdrawn from bank for office use Rs.5,000

22. Prepare a cash book with cash, bank and discount columns from the transactions given below:

2019

- Jan 1 Cash Balance Rs.75,000.
Bank Balance Rs. 45,000.
- 3 Deposited into bank Rs.60,000.
- 4 Bought furniture and paid by cheque Rs.7,500.
- 5 Paid for repair Rs.650.

6 Goods purchased and paid by cheque Rs.12,500.

10 Received a cheque for Rs.21,000 from Chandran and allowed him discount Rs.200.

13 Gave Muthu a cheque for Rs.11,500 and received a discount of Rs.150.

14 Cheque Received from Mr.Arun for Rs.15,000.

15 Mr.Arun's cheque sent to Bank.

15 Sarathy directly paid into our bank account Rs.15,000.

20 Withdrew from bank for office use Rs.2,500.

28 Withdrew from bank for personal use Rs.500.

29 Mr. Arun's cheque has been dishonoured.

30 Paid Salary cash Rs.5,000 and cheque Rs. 5,000.

31 Stationery purchased Rs.4,000 by cheque.

31 Rent paid by cash Rs.2,500.

31 Commission Received by cash Rs.3,000.

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B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme
First Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LEGAL METHODS

Time: 1½ Hours

Maximum Marks: 20

Answer any FOUR of the following questions (4 X 5 = 20 Marks).

1. How did Foster, J. approach the situation of the Speluncean explorers? Can it be applied to current judicial scenario in India? Explain.
2. Differentiate following with examples:
 - a. Truepenny, J's opinion and Handy, J's opinion.
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3. Briefly describe the process of a Bill becoming a Law. Can Financial Bills be introduced in the Lok Sabha? [4 + 1 Marks]
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 - a. What is the broad classification of courts in India? [2 Marks]
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 - c. Are Indian High Courts, Courts of Record? Explain. [1 Mark]
5. In recent years, the Supreme Court of India has overturned many customary practices holding them as violative of our constitutional values. In the light of this statement, comment on custom as a primary source of law. Feel free to use examples indigenous to your communities.

Name : Register No.: **TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI****B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme****1st Year - First Semester, Mid-Semester Examinations (Odd-Semester), September 2019****LAW OF TORTS**

Time: 1½ Hours

Maximum Marks: 20

Instruction:

All the questions should be answered by quoting relevant legal principles and judicial precedents.

PART - A (2 X 4 = 8 Marks)**Answer any TWO of the following questions:**

1. Which of the following statements about the nature of *Law of Torts* are correct? Substantiate your answer with cogent reasons:
 - a) Law of Torts is uncodified in India.
 - b) The intention of the tortfeasor is not an important consideration while deciding a tortious claim.
2. What is the difference between the phrases '*Law of Tort*' and the '*Law of Torts*'? Is there any way to reconcile the two?
3. The fundamental objective of law of torts is to monetarily compensate the victim for the injury he/she has suffered. Does this statement satisfactorily cover the entire functions and aims of tort law? Explain.

PART - B (2 X 6 = 12 Marks)**Answer any TWO of the following questions:**

4. In a period of severe famine, the Government of Indiana decides to send the army to help the local people. Several Members of the Parliament also decide to visit the area to support and console the people. One fateful day, an army truck is rushing to deliver the food supplies it is carrying. On the way, it suddenly collides with two cyclists and both are severely injured. In the commotion of the accident, one of the drivers of a Member of Parliament's official car,

absconds with a considerable amount of the food. As a result, when the food finally arrives, there is an acute shortage and one person eventually has to be hospitalised. The people of the locality now want to sue for the injuries caused by the collision and the shortage of food. They are however, unsure of whether to sue the Government or the respective drivers of both the truck and the car. Meanwhile, in the event they are sued, the Government of Indiana wants to argue sovereign function as a defence. Advise both parties.

5. In each of the situations below, identify whether it is a case of *Injuria Sine Damnum* (ISD) or *Damnum Sine Injuria* (DSI). State very briefly, your reasons for doing so and the relevant case law(s) you draw your conclusion from, if any.

S. No.	Situation	ISD/DSI	Reasons and Name of Case Law
a	Rafiki and Mufasa are neighbours and share a wall. Rafiki's music lessons annoy Mufasa. Out of spite, Rafiki increases the number of music lessons taking them up to ten hours a day. Mufasa, irritated, starts playing the drums loudly right on his side of the shared wall only during the hours of the music lessons. Rafiki loses students as a result.		
b	Manik Pasha an auto driver, has been providing transportation services to students from the Trichinopoly Law School to the city for ten years. In 2019, Antony also started an auto business and starts charging much lower prices. As a result, Manik Pasha loses many of his customers.		
c	Pocahontas is going to vote at the 2019 general elections. Ariel is an election officer who inspects documentation for all voters. When Pocahontas arrives, Ariel denies her entry on the ground that she is carrying a photocopy of her voter id card and not the original, a requirement under the law. Ariel however, previously let in several other voters who were not carrying the original. Pocahontas' candidate wins the election anyway.		

6. The ABC Municipal Corporation was set up under an Act of Parliament. Titan is one of the managers of the corporation, and is by far, the most recognisable face of the corporation. The work of the Corporation, among others, is to provide filtration systems for water. Ursula, a scientist, developed the mechanism through which the ABC Municipal Corporation

filters its water. Titan and Ursula were in a good working relationship however, the two have been at loggerheads for a while now, because Ursula has recently hiked the price of her systems. Eventually, out of sheer spite, Titan files a suit against Ursula claiming that her mechanisms are worthless and that she had cheated the Corporation out of lakhs of rupees. Ursula, not one to hold back, launched an entire campaign against Titan, stating that he, as manager of the Corporation, had been pocketing the money meant for her and had been providing unfiltered, unhygienic water to the local population. In the light of all this drama, the Board of the Corporation sits down to figure out their legal options with relation to two questions:

- a) Whether the Corporation can sue Ursula for defamation on behalf of Titan?
 b) Whether the Corporation can be sued for malicious prosecution by Ursula because of the suit filed by Titan?

Advice the Corporation.

11 B.A

IECO-19

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Second Year - Third Semester, Mid-Semester Examinations (Odd-Semester), September 2019

ECONOMICS – II (INDIAN ECONOMY)

Time: 1½ Hours

Maximum Marks: 20

**Answer any FOUR of the following questions, not more than 250 words:
(4 X 5 = 20 Marks)**

1. Elucidate the monetary tools used in India to control inflation.
2. Elucidate Inflation Taxation, Inflationary Gap, Inflation Premium, Reflation, and Skewflation in the context of Indian Economy.
3. Explain Revenue Deficit, Fiscal Deficit, and Primary Deficit in the light of Indian Budgeting.
4. What is impact and incidence in Indian Public Finance? Explain Proportional Taxation, Progressive Taxation and Regressive Taxation with appropriate examples.
5. What are CPI-IW, CPI-UNME, CPI-AL, and CPI-RL? Which authorities are involved in the creation of Consumer Price Index in India?

Name :

Register No.:

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

cond Year-Third Semester, Mid-Semester Examinations (Odd-Semester), September 2019

POLITICAL SCIENCE – III (INTERNATIONAL RELATIONS)

Time: 1½ Hours

Maximum Marks: 20

Part – A (4 X 5 = 20 Marks)

Answer any FOUR of the following questions. Each Answer should not be less than 300 words. Each Answer carries Five Marks:

1. Discuss the relevance/use and growth of International Relations as an autonomous academic discipline within the Social Sciences.
 2. Explain the Key Elements of National Power.
 3. What are the various perspectives which discuss the Need of Disarmament and give an account of various obstacles in the way of Disarmament?
 4. Discuss the basic Assumptions of Liberal Theory and the Criticism levelled against the Theory.
 5. What is Realism in International Politics? Explain the Six Principles of 'Political Realism' Proposed by Hans J. Morgenthau.
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Name :

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Second Year - Third Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF CONTRACTS-II (SPECIAL PRINCIPLES OF CONTRACT)

Time: 1½ Hours

Maximum Marks: 20

PART - A (2 X 4 = 8 Marks)

Answer any TWO of the following problems from this part and bring out the legal principles involved:

1. Ram, Gopal and Krishnan as sureties for Mala, enter into several bonds, each in a different penalty, namely Ram in the penalty of Rs. 10,000/-, Gopal in the penalty of Rs. 20,000/- and Krishnan in the penalty of Rs. 40,000/- for Mala's duly accounting to Neeta. Mala makes default to the extent of Rs.40,000/-. Determine the extent of the liability of the sureties.
2. Lila hires a horse from Haran, which he knows to be vicious. Haran does not disclose this fact to Lila. The horse runs away. Lila is thrown and injured. Can Lila maintain an action for damages against Haran?
3. Mohan, went to see a horse race, He parked his car in an area belonged to Selvam who gave a ticket to him After the race was over Mohan returned to take his car and found that the car had been stolen. Mohan filed a suit against Selvam and he contended that he is not responsible for the car having been stolen on the ground that he is not a Bailee. Is the contention of Selvam valid? Would there be any circumstance in which Selvam can be held liable?
4. Satya, employs Vijay, a bricklayer in building a house and puts up the scaffolding himself. The scaffolding is unskilfully put up and Vijay, as a consequence is injured. Is Vijay entitled to claim damages and if so on what ground/s?

PART - B (2 X 4 = 8 Marks)

Answer any TWO questions from this part, must be in about 400 words each.

5. A Contract of Guarantee stands on a different footing from that of a contract of Indemnity, though resembles in the payment of money by one other than the person actually liable. Elucidate this statement by bringing out the distinctions between the two species of contracts.

6. 'Pledge is a form of bailment' Explain this statement and bring out essentials of a pledge transaction.

7. The Doctrine of Ratification will find its full play in the Law of Agency as otherwise the acts of Agent, though benefits the Principal, would bring wake liability on the Agent. Analyse this statement and state the conditions under which the liability of the Agent can be taken over by the Principal.

8. As per Section 230 of the Indian Contract, 1872, in the absence of a contract to that effect an agent cannot personally enforce contracts entered into by him on behalf of the Principal, nor is personally bound by them. Examine this statement and bring out the presumptions of contract to the contrary citing appropriate instances.

PART - C (2 X 2 = 4 Marks)

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

9.
 - a. Continuing Guarantee
 - b. Right of Subrogation
 - c. Distinction between Bailment and Hire-purchase agreements
 - d. Care to be taken by Bailee as per Section 151 of the ICA, 1872
 - e. Sub-agent
 - f. Del Credere Agent

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Second Year - Third Semester, Mid-Semester Examinations (Odd-Semester), September 2019

FAMILY LAW-II

Time: 1½ Hours

Maximum Marks: 20

PART - A (2 X 5 = 10 Marks)

Answer the following questions in Detail:

1. Fahad, a Sunni Muslim dies leaving behind his wife Nazriya, his mother Banu and his daughters Shakira and Shalu. Calculate the shares that each of the heirs of Fahad is entitled to, under Mohammedan Law of Inheritance.
2. Explain in detail about the persons who have right to claim partition. Who all cannot claim partition, but will be entitled to shares on partition?

(OR)

Analyse the difference between Shia Law and Sunni Law with respect to Wills (Wasiyat)

PART - B (5 X 2 = 10 Marks)

Answer any FIVE of the following questions in Brief:

3. Mamooty, a Shia Muslim is undergoing treatment for a chronic illness. With a genuine apprehension of death, he gifts 2/3rd of his property to Dulquer, his elder Son. Comment on the validity of the gift made by Mamooty.
4. Who is Mutawalli and what are his powers under Mohammedan Law?
5. Comment on the importance of Hindu Succession (Amendment) Act, 2005 with respect to Coparceners. State relevant case laws.
6. Who can be a Karta in a Mitakshara Joint Family?
7. Explain Alienee's Rights and Remedies under Alienation of Hindu Joint Family Property.

8. Osama, a Shia Muslim, dies leaving behind his grandsons Ashiq and Asif by his predeceased son Mohamed, grandson Firoz by his predeceased son Ahamed and his brother Abdullah.

Decide how Osama's property will be divided among his heirs.

TABLE OF SHARES—Sunni Law

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

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Second Year - Third Semester, Mid-Semester Examinations (Odd-Semester), September 2019

CONSTITUTIONAL LAW-I

Time: 1½ Hours

Maximum Marks: 20

Instruction:

Answer with appropriate Principle(s) and relevant Case Law(s) if any.

PART - A (2 X 4 = 8 Marks)

Answer any TWO of the following Questions:

1. What is the relevance of a Constitution in any given society? Discuss at least four distinct aspects of its relevance and function.
2. A State may have a Constitution and yet not embrace constitutionalism. What do you understand by this statement? Is separation of powers essential to ensuring constitutionalism?
3. India is believed to have certain federal characteristics. How does Part I of the Constitution reflect India's federal nature?

PART - B (2 X 6 = 12 Marks)

Answer any TWO of the following Questions:

4. Indiana and Mishkim are neighbouring Nations. Mishkim is a very small, mountainous and landlocked region and has had to rely on Indiana on its west for access for trade and related matters. In 1990, in a partially successful military expedition, Indiana annexed a small tract of territory of Mishkim.

Later owing to international persuasions the governments of Indiana and Mishkim came to the negotiating table to resolve matters. The countries entered into a treaty that neither will make any more military advances against the other. It was also decided that both nations will go back on a status quo ante position, that is, the position before the military aggression by Indiana.

In 1995, Mishkim raised a claim that some of its land, which had been annexed in 1990, was still with Indiana in the state of West Bengal. Therefore, the boundary needs to be redrawn and the land to be repatriated.

Meanwhile, another neighbour of Indiana, Chia made a claim that the river Godlyson which separates the mainland territories of Indiana and Chia is carving out silt from Chia and depositing it to Indiana's landmass. Overtime the deposit has resulted in the addition of a 15 x 5 square kilometer long tract of land to Indiana's territory. Chia claims this tract of land.

Indiana's Government decides to hand over the territories to Mishkim but refuses to hand over any to Chia. Advise the Government of Indiana about the legal implications of both the actions;

- (a) How can it legally carry out the handing over territory to Mishkim if at all legally permissible?
- (b) How can it legally deny the claim of Chia?

5. Indiana, a post-colonial nation, has a cultural and political history much like India's. While it was colonized by Britain, Indiana's army was constantly used by the imperial powers to fight wars around the world. However, the army was never allowed to own its weapons. This was precisely because Britain feared that allowing Indiana to have its own weapons would equip Indiana to revolt against the empire. With no option for the use of force against Britain, after decades of struggle, Indiana was finally able to wrest its freedom from Britain through largely peaceful but powerful movements of civil disobedience.

When Indiana finally gained independence, while drafting their Fundamental Rights, the Constituent Assembly looked to several Bill of Rights versions across jurisdictions. Of particular interest to the Assembly was the Second Amendment to the United States Constitution which reads:

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Drawing on their history and experience with Britain, Indiana decided to borrow the right and inserted it into their Constitution as Article IV, a part of the Fundamental Rights. Article IV reads as under:

"A well regulated armed force, being necessary to the security of a free State, the right to keep and bear arms shall not be infringed."

Only months after the Constitution was adopted and a new government had been formed, citizens of Indiana began to claim a personal right to buy and carry guns. They demanded on a reading of Article IV of the Constitution

The Government of Indiana approaches the Supreme Court under their Advisory jurisdiction and asks for an interpretation of Article IV and whether it envisages a private right of the people to carry guns.

As a judge of the Supreme Court, investigate the different ways in which you can interpret Article IV.

6. In 1971, the Dhyana Chand Hockey Board (DCHB) was set up under the Societies Registration Act, 1860. Before DCHB, fragmented associations dealt with individual hockey tournaments at different scales and selected several "Indianain" teams. As a result, along with selection controversies, there was little to no international presence of an Indiana in Hockey Association. DCHB aimed to consolidate the selection process to have one Indianain team that would represent Indiana internationally and play every tournament. Along with this, its objective was also to overtake cricket as the most popular sport in the country of Indiana.

The Government of Indiana recognised the need for such consolidation and when approached by the DCHB agreed to provide an initial aid of 10 lakhs. The Board often sits down with members of the Union Government to discuss funding for player's kits, allowances and for the permissions required for organising tournaments and sending the team out for international ones. Over time, DCHB becomes the only body to officially represent Indiana internationally, the only body through which players were recruited to the national hockey team, and the only body to regulate player's contracts through a code of conduct for players. It continues to receive government aid, however the sum is now nominal because of the high volume of private funding it receives.

Charanan and Shibu are immensely talented hockey players. In local tournaments, Charanan holds the record for the maximum number of goals in a season. Shibu, the son of the Union Minister of Transport, is not far behind clocking in at fourth on the list of top scoring players. During the selections in 2018 for the World Hockey Cup, Shibu is chosen over Charanan. Charanan, furious, approaches the Supreme Court of Indiana for violation of 19(1)(g) and alleging that DCHB is the "State" under Article 12. A nine-judge bench is constituted to look into the matter and review the case law. As a member of the Bench decide:

- (a) Is DCHB the State under Article 12 of the Constitution?
- (b) If not, is there any other way to hold DCHB liable for violation of fundamental rights? Answer briefly.

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Second Year - Third Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF CRIMES - I (INDIAN PENAL CODE)

Time: 1½ Hours

Maximum Marks: 20

Instruction:**Support your answers with relevant provisions and cases****PART - A (1 X 6 = 6 Marks)****Answer any ONE of the following:**

1. Briefly explain the principles which operate as limitations upon the criminalization process. Discuss the role of the Indian Constitution in limiting the ambit of criminal law in India with the help of relevant case laws.
2. Explain the *actus reus* and *mens rea* elements of crime. How do we determine the inclusion or exclusion of *mens rea* in a statutory offence? Elaborate with the help of cases.
3. Elaborate upon the tests to differentiate between preparation and attempt. Is an attempt to commit an impossible act punishable? Explain in light of English Law and Indian Law.

PART - B (2 X 3 = 6 Marks)**Answer any TWO of the following:**

4. Mr. Rupert, habitually consumed alcohol due to which he had erratic mood swings. However, he loved his wife a lot and decided to throw her a lavish birthday party. He booked a banquet hall and all of their family and friends were invited. A grand arrangement was made serving delicious cuisines and drinks. Mr. Rupert drank a lot of alcoholic drinks in the party and soon was in a drunken state. He was walking in an uncoordinated manner and had slurry speech. He went to his brother in law Mr. Garry and asked for his drink. Seeing

Rupert in drunken state, Garry refused to share his drink. Rupert got agitated and picked up a sharp knife kept on the food serving table and stabbed Garry on the abdomen thrice. The stab wounds were deep and Garry died succumbing to the wounds. After stabbing Garry, Rupert was shocked for few seconds and thereafter tried to run away from the banquet hall and was stopped by other guests. He appeared repentant and kept on saying "I don't know why I did so".

Mr. Rupert is now facing trial for the murder of Mr. Garry and he is taking the plea that due to intoxication he did an act which was not intended by him and he did not understand the nature of the act. You are the judge in this case. Decide upon whether Mr. Rupert can take the defense of intoxication and be absolved from liability.

5. Riam and Siam were brothers and lived next to each other. There was intense rivalry between the brothers which resulted in frequent quarrels between the two. On 10th September 2019, Riam entered Siam's house when only Siam's wife Maira was there in the house and asked her to hand over a box of gold gifted to her by Riam and Siam's mother. When she refused, Riam forcefully took away the box of gold to his house. Siam was agitated when he found out about what Riam did. He decided to get the box of gold back the same day and therefore proceeded with ten of his friends to Riam's house with daggers and sticks. They started to call out Riam to come out of his house and threatened that the box of gold should be returned back immediately otherwise the consequences would be grave. Riam came out with a stick too and refused to return the box of gold saying that Siam had taken the gift of the box of gold by threatening their mother and therefore the gift is not valid. On Riam's refusal to return the gold, Siam and his friends encircled Riam and threatened to beat him. At this point Riam hits Siam on his head twice due to which he fell unconscious. Apprehending that Riam will hit others as well, one of Siam's friend Miku started hitting Riam due to which Riam got grievously hurt. Siam was taken to the hospital where he succumbed to injury and died. Riam was hospitalised for a month due to multiple fractures.

In light of the above facts, can Riam claim the defense of the right of private defense? Is Miku justified in hitting Riam? Answer by analyzing the law relating to right of private defense under the Indian Penal Code, 1860.

6. 'X' is a married man with an 8-year-old daughter 'D'. 'Y' was 'X's' neighbour and was suffering from schizophrenia, a mental illness where a person has delusions and hallucinations. One day the main door of 'X's' house was open and 'Y' entered. He had a knife in his hand. 'D' was playing in the living room and 'Y' put the knife to her throat. 'X' saw this and got extremely scared for his daughter's life. 'X's' wife 'W' came into the living room and saw the horrible

scenario. 'Y' started saying 'W' is a witch and she should be burned. 'Y' threatens 'X' to burn his wife or else he will slit his daughter's throat. 'X' was in a painful dilemma but decided to save his daughter's life and put the bedroom on fire and locked his wife in it. Seeing 'W' locked in a fire filled room, 'Y' felt satisfied and set 'D' free and ran out of the house. 'X' immediately took 'W' out of the bedroom but by that time she had already received third-degree burns on her body. She was immediately taken to hospital by 'X' where she is undergoing treatment and her life is out of danger. However, her skin is damaged beyond repair permanently.

In light of the above facts, determine if 'X' can take the benefit of the defense of compulsion due to threats under the Indian Penal Code, 1860 by examining the requirements of this general exception to criminal liability under the Code. Comment upon the scope of the section and whether it requires any change according to you?

PART - C (4 X 2 = 8 Marks)

7. Write short notes on any FOUR:

- Criminal Conspiracy
- Abetment by Instigation
- Distinction between Negligence and Recklessness
- Deterrent Theory of Punishment
- M'Naghten Rules
- Extra-Territorial Jurisdiction under Indian Penal Code, 1860

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LEGAL HISTORY

Time: 1½ Hours

Maximum Marks: 20

PART – A (4 X 1 = 4 Marks)

Answer ALL the questions:

Choose the Correct answer of the following:

1. The code of *Hammurabi* and the *Twelve Tables* of Rome are the example of
 - a. Written laws
 - b. Religious rules of conduct
 - c. Economic sanctions
 - d. Early constitutions
2. Name the judge appointed in the court of judicature at Bombay.
 - a. Aungier
 - b. Papillon
 - c. Wilcox
 - d. Oxenden
3. In 18th century *Faujudari* court in Calcutta was presided by
 - a. English Governor
 - b. *Diwan*
 - c. *Qazi*
 - d. English Collector
4. During the rule of East India Company each Presidency became Corporation under the Charter of
 - a. 1661
 - b. 1726
 - c. 1753
 - d. 1833

PART – B (3 X 2 = 6 Marks)

Answer any **THREE** of the following questions in **60 words each**:

5. Bring out the different categories of Roman Law.
6. State the aims and objectives of the Charter of 1600.
7. Write a short note on the role of *Adigari* in *Chaultry* Court.
8. Give an account on the judicial reforms of 1670 in Bombay.
9. List out the merits and demerits of the Regulating Act of 1773.

PART – C (2 X 5 = 10 Marks)

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

10. Analyse Henry Maine's contributions to the growth of Legal History.
11. Describe the administration of Justice and Judicial institutions in Madras before 1726.
12. Trial of Raja Nandhakumar was a judicial murder? Justify.

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FINANCIAL SERVICES AND MARKETS

Time: 1½ Hours

Maximum Marks: 20

Part – A (5 X 2 = 10 Marks)

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

1. Write short notes on:

- a) Capital Market
- b) Government Securities Market

2. Write any two objectives of Financial Services

3. What is Special Purpose Vehicle?

4. What do you mean by Book Building?

5. What is Dematerialisation?

6. Write short notes on:

- a) Securitization
- b) Stock Invest

7. What is Underwriting of Securities?

Part – B (2 X 5 = 10 Marks)

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

8. Explain the classification of Financial Markets in India.
9. Enumerate the procedure for buying shares through IPO in primary market.
10. Discuss the functions of underwriting.
11. Explain the characteristics of Book Building.

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LAW OF CONTRACTS-II (SPECIAL PRINCIPLES OF CONTRACT)

Time: 1½ Hours

Maximum Marks: 20

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Answer any TWO of the following problems from this part and bring out the legal principles involved:

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- a. Continuing Guarantee
- b. Right of Subrogation
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FAMILY LAW-II

Time: 1½ Hours

Maximum Marks: 20

PART - A (2 X 5 = 10 Marks)

Answer the following questions in Detail:

1. Fahad, a Sunni Muslim dies leaving behind his wife Nazriya, his mother Banu and his daughters Shakira and Shalu. Calculate the shares that each of the heirs of Fahad is entitled to, under Mohammedan Law of Inheritance.
2. Explain in detail about the persons who have right to claim partition. Who all cannot claim partition, but will be entitled to shares on partition?

(OR)

Analyse the difference between Shia Law and Sunni Law with respect to Wills (Wasiyat)

PART - B (5 X 2 = 10 Marks)

Answer any FIVE of the following questions in Brief:

3. Mamooty, a Shia Muslim is undergoing treatment for a chronic illness. With a genuine apprehension of death, he gifts 2/3rd of his property to Dulquer, his elder Son. Comment on the validity of the gift made by Mamooty.
4. Who is Mutawalli and what are his powers under Mohammedan Law?
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7. Explain Alienee's Rights and Remedies under Alienation of Hindu Joint Family Property.

8. Osama, a Shia Muslim, dies leaving behind his grandsons Ashiq and Asif by his predeceased son Mohamed, grandson Firoz by his predeceased son Ahamed and his brother Abdullah.

Decide how Osama's property will be divided among his heirs.

TABLE OF SHARES—Sunni Law

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

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Second Year - Third Semester, Mid-Semester Examinations (Odd-Semester), September 2019

CONSTITUTIONAL LAW-I

Time: 1½ Hours

Maximum Marks: 20

Instruction:

Answer with appropriate Principle(s) and relevant Case Law(s) if any.

PART - A (2 X 4 = 8 Marks)

Answer any TWO of the following Questions:

1. What is the relevance of a Constitution in any given society? Discuss at least four distinct aspects of its relevance and function.
2. A State may have a Constitution and yet not embrace constitutionalism. What do you understand by this statement? Is separation of powers essential to ensuring constitutionalism?
3. India is believed to have certain federal characteristics. How does Part I of the Constitution reflect India's federal nature?

PART - B (2 X 6 = 12 Marks)

Answer any TWO of the following Questions:

4. Indiana and Mishkim are neighbouring Nations. Mishkim is a very small, mountainous and landlocked region and has had to rely on Indiana on its west for access for trade and related matters. In 1990, in a partially successful military expedition, Indiana annexed a small tract of territory of Mishkim.

Later owing to international persuasions the governments of Indiana and Mishkim came to the negotiating table to resolve matters. The countries entered into a treaty that neither will make any more military advances against the other. It was also decided that both nations will go back on a status quo ante position, that is, the position before the military aggression by Indiana.

In 1995, Mishkim raised a claim that some of its land, which had been annexed in 1990, was still with Indiana in the state of West Bangle. Therefore, the boundary needs to be redrawn and the land to be repatriated.

Meanwhile, another neighbour of Indiana, Chia made a claim that the river Godlyson which separates the mainland territories of Indiana and Chia is carving out silt from Chia and depositing it to Indiana's landmass. Overtime, the deposit has resulted in the addition of a 15 x 5 square kilometer long tract of land to Indiana's territory. Chia claims this tract of land.

Indiana's Government decides to hand over the territories to Mishkim but refuses to hand over any to Chia. Advise the Government of Indiana about the legal implications of both the actions;

- (a) How can it legally carry out the handing over territory to Mishkim if at all legally permissible?
- (b) How can it legally deny the claim of Chia?

5. Indiana, a post-colonial nation, has a cultural and political history much like India's. While it was colonized by Britania, Indiana's army was constantly used by the imperial powers to fight wars around the world. However, the army was never allowed to own its weapons. This was precisely because Britania feared that allowing Indiana to have its own weapons would equip Indiana to revolt against the empire. With no option for the use of force against Britania, after decades of struggle, Indiana was finally able to wrest its freedom from Britania through largely peaceful but powerful movements of civil disobedience.

When Indiana finally gained independence, while drafting their Fundamental Rights, the Constituent Assembly looked to several Bill of Rights versions across jurisdictions. Of particular interest to the Assembly was the Second Amendment to the United States Constitution which reads:

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Drawing on their history and experience with Britania, Indiana decided to borrow the right and inserted it into their Constitution as Article IV, a part of the Fundamental Rights. Article IV reads as under:

"A well regulated armed force, being necessary to the security of a free State, the right to keep and bear arms shall not be infringed."

Only months after the Constitution was adopted and a new government had been formed, citizens of Indiana began to claim a personal right to buy and carry guns. They demanded on a reading of Article IV of the Constitution.

The Government of Indiana approaches the Supreme Court under their Advisory jurisdiction and asks for an interpretation of Article IV and whether it envisages a private right of the people to carry guns.

As a judge of the Supreme Court, investigate the different ways in which you can interpret Article IV.

6. In 1971, the Dhyan Chand Hockey Board (DCHB) was set up under the Societies Registration Act, 1860. Before DCHB, fragmented associations dealt with individual hockey tournaments at different scales and selected several "Indianain" teams. As a result, along with selection controversies, there was little to no international presence of an Indiana in Hockey Association. DCHB aimed to consolidate the selection process to have one Indianain team that would represent Indiana internationally and play every tournament. Along with this, its objective was also to overtake cricket as the most popular sport in the country of Indiana.

The Government of Indiana recognised the need for such consolidation and when approached by the DCHB agreed to provide an initial aid of 10 lakhs. The Board often sits down with members of the Union Government to discuss funding for player's kits, allowances and for the permissions required for organising tournaments and sending the team out for international ones. Over time, DCHB becomes the only body to officially represent Indiana internationally, the only body through which players were recruited to the national hockey team, and the only body to regulate player's contracts through a code of conduct for players. It continues to receive government aid, however the sum is now nominal because of the high volume of private funding it receives.

Charanan and Shibu are immensely talented hockey players. In local tournaments, Charanan holds the record for the maximum number of goals in a season. Shibu, the son of the Union Minister of Transport, is not far behind clocking in at fourth on the list of top scoring players. During the selections in 2018 for the World Hockey Cup, Shibu is chosen over Charanan. Charanan, furious, approaches the Supreme Court of Indiana for violation of 19(1)(g) and alleging that DCHB is the "State" under Article 12. A nine-judge bench is constituted to look into the matter and review the case law. As a member of the Bench decide:

- (a) Is DCHB the State under Article 12 of the Constitution?
- (b) If not, is there any other way to hold DCHB liable for violation of fundamental rights? Answer briefly.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Second Year - Third Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF CRIMES - I (INDIAN PENAL CODE)

Time: 1½ Hours

Maximum Marks: 20

Instruction:

Support your answers with relevant provisions and cases

PART - A (1 X 6 = 6 Marks)

Answer any ONE of the following:

1. Briefly explain the principles which operate as limitations upon the criminalization process. Discuss the role of the Indian Constitution in limiting the ambit of criminal law in India with the help of relevant case laws.
2. Explain the *actus reus* and *mens rea* elements of crime. How do we determine the inclusion or exclusion of *mens rea* in a statutory offence? Elaborate with the help of cases.
3. Elaborate upon the tests to differentiate between preparation and attempt. Is an attempt to commit an impossible act punishable? Explain in light of English Law and Indian Law.

PART - B (2 X 3 = 6 Marks)

Answer any TWO of the following:

4. Mr. Rupert, habitually consumed alcohol due to which he had erratic mood swings. However, he loved his wife a lot and decided to throw her a lavish birthday party. He booked a banquet hall and all of their family and friends were invited. A grand arrangement was made serving delicious cuisines and drinks. Mr. Rupert drank a lot of alcoholic drinks in the party and soon was in a drunken state. He was walking in an uncoordinated manner and had slurry speech. He went to his brother in law Mr. Garry and asked for his drink. Seeing

Rupert in drunken state, Garry refused to share his drink. Rupert got agitated and picked up a sharp knife kept on the food serving table and stabbed Garry on the abdomen thrice. The stab wounds were deep and Garry died succumbing to the wounds. After stabbing Garry, Rupert was shocked for few seconds and thereafter tried to run away from the banquet hall and was stopped by other guests. He appeared repentant and kept on saying "I don't know why I did so".

Mr. Rupert is now facing trial for the murder of Mr. Garry and he is taking the plea that due to intoxication he did an act which was not intended by him and he did not understand the nature of the act. You are the judge in this case. Decide upon whether Mr. Rupert can take the defense of intoxication and get absolved from liability.

5. Riam and Siam were brothers and lived next to each other. There was intense rivalry between the brothers which resulted in frequent quarrels between the two. On 10th September 2019, Riam entered Siam's house when only Siam's wife Maira was there in the house and asked her to hand over a box of gold gifted to her by Riam and Siam's mother. When she refused, Riam forcefully took away the box of gold to his house. Siam was agitated when he found out about what Riam did. He decided to get the box of gold back the same day and therefore proceeded with ten of his friends to Riam's house with daggers and sticks. They started to call out Riam to come out of his house and threatened that the box of gold should be returned back immediately otherwise the consequences would be grave. Riam came out with a stick too and refused to return the box of gold saying that Siam had taken the gift of the box of gold by threatening their mother and therefore the gift is not valid. On Riam's refusal to return the gold, Siam and his friends encircled Riam and threatened to beat him. At this point Riam hits Siam on his head twice due to which he fell unconscious. Apprehending that Riam will hit others as well, one of Siam's friend Miku started hitting Riam due to which Riam got grievously hurt. Siam was taken to the hospital where he succumbed to injury and died. Riam was hospitalised for a month due to multiple fractures.

In light of the above facts, can Riam claim the defense of the right of private defense? Is Miku justified in hitting Riam? Answer by analyzing the law related to right of private defense under the Indian Penal Code, 1860.

6. 'X' is a married man with an 8-year-old daughter 'D'. 'Y' was 'X's neighbour and was suffering from schizophrenia, a mental illness where a person has delusions and hallucinations. One day the main door of 'X's house was open and 'Y' entered. He had a knife in his hand. 'D' was playing in the living room and 'Y' put the knife to her throat. 'X' saw this and got extremely scared for his daughter's life. 'X's wife 'W' came into the living room and saw the horrific

scenario. 'Y' started saying 'W' is a witch and she should be burned. 'Y' threatens 'X' to burn his wife or else he will slit his daughter's throat. 'X' was in a painful dilemma but decided to save his daughter's life and put the bedroom on fire and locked his wife in it. Seeing 'W' locked in a fire filled room, 'Y' felt satisfied and set 'D' free and ran out of the house. 'X' immediately took 'W' out of the bedroom but by that time she had already received third-degree burns on her body. She was immediately taken to hospital by 'X' where she is undergoing treatment and her life is out of danger. However, her skin is damaged beyond repair permanently.

In light of the above facts, determine if 'X' can take the benefit of the defense of compulsion due to threats under the Indian Penal Code, 1860 by examining the requirements of this general exception to criminal liability under the Code. Comment upon the scope of the section and whether it requires any change according to you?

PART - C (4 X 2 = 8 Marks)

7. Write short notes on any FOUR:

- Criminal Conspiracy
- Abetment by Instigation
- Distinction between Negligence and Recklessness
- Deterrent Theory of Punishment
- M'Naghten Rules
- Extra-Territorial Jurisdiction under Indian Penal Code, 1860

III B-A

HIS3-19

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year - Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

HISTORY-III (LEGAL HISTORY OF TAMIL NADU)

Time: 1½ Hours

Maximum Marks: 20

PART – A (4 X 1 = 4 Marks)

Answer ALL the questions:

Write very short answers of the following:

1. Contributions of Krishnaswami Aiyangar on Tamil Nadu Historiography.
2. Literary meaning of *Silappathikaram*.
3. Name the courts in capital cities of *Sangam Cholas*.
4. Three types of courts under Pallava kingdom.

PART – B (3 X 2 = 6 Marks)

Answer any THREE of the following questions in 60 words each:

5. Bring out the approaches and contributions of K.A. Nilakantha Sastri.
6. State the concept of justice during the *Sangam Cholas*.
7. Trace out the prosperity of Pandiyas as per the Marco Polo's account.
8. Give an account on *Mandram* and court of justice under Cheranmas' period.

PART – C (2 X 5 = 10 Marks)

Answer any TWO of the following questions in detail:

9. Sketch the judicial institutions and court procedures under Sangam Cholas.
10. Throw light on the Judicial system under the Kulasekharas of later *Cheranmas* between AD 800 and AD 1102.
11. Discuss the features of society, trade and commerce in Ancient *Thamilakam*.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year - Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

CORPORATE LAWS-I

Time: 1½ Hours

Maximum Marks: 20

PART – A (4 X 2 = 8 Marks)

Answer any FOUR of the following questions:

1. Differentiate between a Limited Liability Partnership and a Company.
2. Legal Position of Promoters.
3. Limited Liability of a Company.
4. Lifting of Corporate Veil.
5. Object Clause in MOA and *Ultra Vires* Transactions.

PART - B (3 X 4 = 12 Marks)

Answer any THREE of the following questions:

6. Tiny TV Co. Ltd is desirous of raising capital through issue of shares for its short-term needs. However, the Board has additional conditions for such issue.
 - 1) Such equity shares should not have voting rights at all.
 - 2) Such shareholders will get a fixed rate of dividend.
 - 3) Such shareholders may be repaid with their money after a period of time.

Advise the Board.

7. Bobthe Builder Corp Ltd. is a cement manufacturing company has been incorporated under Companies Act, 2013. The object clause of memorandum of the company provides the company has been established to carry of business of production of cement and matters incidental and essential for the carrying of the same. The object clause also provides that the company can also engage in any

other business which the Board of Directors find beneficial and in the interest of the company.

The company incurred huge losses in its cement business. The market for steel was at its peak. The Board of Directors (BoD) decided to go in the business of manufacturing of steel and steel-related products. The Company took a loan of Rs. 400 crores for carrying out the business of steel from a bank. The Company altered its AoA (Articles of Association) to give the effect of the same. At the latter point of time company denied the repayment of the loan stating that Contract was ultra vires the Memorandum and hence void. Is the Company liable for payment of the loan? Justify your answer.

8. Oswald Pvt Ltd (a private company incorporated under Companies Act, 2013) sent private placement offer letters to 270 identified persons. This includes 30 employees to whom the company did not offer securities through employee stock option scheme in the financial year and 10 institutional investors for the subscription of its shares. Can the Company do so?

However, the company also wishes to list these securities in the stock exchange, but also wants to remain a private limited company. Advice.

9. Endurance Ltd., a public listed Company, wants to raise capital by issuance of shares through a public offer. The prospectus included the report of an expert, who falsified information on the report to ensure that the report favoured the Company's future investments pursuant to raising Capital. The expert also authorised the issuance of the prospectus. No one else in the company had knowledge of the same. After the allotment, the information on the expert report was proved wrong, which ultimately resulted in reduction of the value of shares by 75%. Mr. Matthew, one of the shareholders wanted to take action against the Company, all the Directors on the Board and the Expert. Determine the Liability of expert and Advice Mr. Matthew.

LABL1-19

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year - Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LABOUR LAW-I

Time: 1½ Hours

Maximum Marks: 20

PART- I (10 Marks)

(One question is compulsory in each section)

A. Write short notes on the following (any ONE):

1. Recognition of Trade Unions (5 Marks)
2. The nature and extent of powers of the Registrar under Section 8 of the *Trade Unions Act, 1926* (5 Marks)

B. Answer the following questions (any ONE):

1. Discuss the tests laid down by the courts in determining as to when an individual dispute is converted into an industrial dispute under *the Industrial Disputes Act, 1947*. (5 Marks)
2. *There are no absolutes in law since life, which it serves, is relative. What is an industry in America or the Soviet Union may not be one in India and even in our Country what was not an industry decades ago may well be one now. Our judgment here has no pontifical flavor but seeks to serve the future hour till changes in the law or industrial culture occur.*

In light of this statement made by Justice V.R. Krishna Iyer, comment on the dissent surrounding the law laid down in the *Bangalore Water Supply Sewerage Board v. A. Rajappa and Others* AIR 1978 SC 548 with the help of relevant case references. (5 Marks)

PART- II (10 Marks)

[Answer any ONE of the following]

- A. Are the following 'workman' for the purpose of Industrial Disputes Act, 1947: (10 Marks)
- i. Ms. X, a Marriage Counselor hired by the Counseling service company to settle matrimonial disputes.

- ii. Mr. Y, a Tailor working on a piece rate basis in a Tailoring establishment.
- iii. Ms. Z, a Clerk appointed by the Municipal Council on contractual basis on a fixed consolidated pay.
- iv. Mr. A, a Legal Assistant appointed at Bureau of Police Research and Development.
- v. Ms. B, a School Teacher at a Public School.

[OR]

B. XYZ is one of the leading Public Sector Banks in the State of Elaha. A dispute arose between the Management and its Workers' Union- the *Elahan Bank Employees Union*, a registered Trade Union, when the management imposed a wage cut on a sub-staff employee's salary. The said act of the management resulted in an agitation by the Union. As a part of the agitation, the Union called for a series of actions like demonstrations in front of the Central Office and display of posters containing abusive expressions and slogans. Such posters were placed all over the premises belonging to the Bank. Further, the Union was also indulged in preventing ingress and egress of members of the staff, visitors, customers as well as the tenants of the Bank's premises.

On the account of such disruption in its activities, the management resorted to file a suit for the recovery of damages against the office bearers of the Trade Union. Further, it also prayed before the court for an interim injunction for restraining the Union from committing the above-mentioned acts in order to carry on its normal activities in the public interest as enjoined by the statutes.

In light of the facts mentioned above, discuss the legal issues raised in the proposition and thereby explain the maintainability of the petition filed by the management with the help of relevant sections under the *Trade Unions Act, 1926* and case laws. (10 Marks)



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

Third Year - Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

PUBLIC INTERNATIONAL LAW

Time: 1½ Hours

Maximum Marks: 20

PART - A (2 X 6 = 12 Marks)

Answer the following questions in detail:

1. "Treaty-making processes also have unwelcoming side-effects". Critically comment on your opinion about Baxter Paradox. Also critically analyze the flexibilities that are provided in the Vienna Convention on the Law of Treaties for increasing the number of signatories and ratifications in the treaties.

(OR)

- Although territory is an important element in Statehood, it is not always stable. Explain the various modes of acquisition and loss of territory.
2. 'A', a diplomat of state **Petunia** for the state of **Lemonia** had been funding, through public funds of Lemonia, a religious outfit in Petunia named **CRISIS**. As a representative of Petunia, 'A' had entered into a diplomatic agreement **WeAgree** with Lemonia under which the latter had promised to provide monetary funding up to \$10000 for educational institutions run by minority religious organizations. The ABS Institute was one such institution run by **CRISIS** in Petunia. The government of Lemonia was tipped about potential involvement of **CRISIS** in terrorist activities and that ABS Institute was the source of terrorist recruitments. An investigation revealed that **CRISIS** was responsible for a series of terror attacks on Lemonia five years ago which resulted into the death of 700 people. Further investigation revealed that one of sources of funding for weapons was the money that came through **WeAgree** and that 'A' was fully aware of the activities of **CRISIS**. The government of Lemonia charged 'A' for siding with a terror outfit and arrested him immediately. 'A' claimed diplomatic immunity. Can 'A' succeed in his claim? Decide.

PART - B (2 X 4 = 8 Marks)

Answer any TWO of the following questions in brief:

3. Critically comment on various definitions of International Law. Whether International Law is a law in true sense?
4. Explain Custom as a source of International Law with relevant case laws. What are the two elements that develop a custom?
5. Explain the different *theories* regarding relationship between International Law and Municipal Law? Which theory do you support and why?

EVID-19

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year – Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF EVIDENCE

Time: 1½ Hours

Maximum Marks: 20

Instructions:

1. Answer each question in 100 words.
2. Follow IRAC wherever applicable.
3. Mention relevant sections and case laws as applicable.

PART - A (1 X 5 = 5 Marks)

Answer any ONE of the following questions:

1. (a) Explain the *Doctrine of Res Gestae*. (4 Marks)
(b) 'A' and 'B' are jointly tried for the murder of 'C'. It is proved that 'A' said, " 'B' and 'I' murdered 'C' ". Can the Court consider the effect of this confession as against 'B'? Give reasons. (1 Mark)
2. Explain the *Relevancy of Admission by Strangers to the Suit*. (5 Marks)

PART - B (2 X 5 = 10 Marks)

Answer any TWO of the following questions:

3. What are the differences between *Admission* and *Confession*? (5 Marks)
4. As a general rule, *admissions must be self-harming in nature*. What are the exceptions to this statement? (5 Marks)
5. On August 20, 'A' told his wife 'B' that he was going to Tiruchirappalli, as 'C' 's wife 'D' had written and asked him to come and receive payments due to him. On August 21, 'A' left his house at Madurai to catch a train for Tiruchirappalli, where 'C' lived with his wife 'D'. On August 24, 'A' 's dismembered body was found in a trunk from the house of 'C'. Whether the statement of 'A' made to his wife 'B' on August 20 is admissible? Give reasons. (5 Marks)

PART - C (1 X 5 = 5 Marks)

Compulsory Question

6. 'S', the wife of deceased 'R' filed a suit against 'P' alleging that 'P' is not the legitimate grandson of 'R'. Four days before his death, 'Q' wrote a letter addressed to 'T', an acquaintance wherein he stated that he adopted 'P' few years ago from an Orphanage Home at Coimbatore. After 'Q' 's death, 'T' mentioned about the aforementioned letter to 'P'. During the course of judicial proceedings, it was also alleged by 'S' that 'Q' is not the legitimate son of 'R'. However, in a Gift Deed, 'R' acknowledged 'Q' as his son.

In this context, determine the admissibility of the 'Q' 's letter addressed to 'T' regarding the relationship between 'Q' and 'P' and Gift Deed of 'R'.
(5 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year – Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF DIRECT TAXATION

Time: 1½ Hours

Maximum Marks: 20

PART - A (10 Marks)

Answer ALL the questions:

1. Mrs. Star Lord provides the following information for the financial year ending 31/3/2019.

Income / Receipts:

- (1) Salary from M/s Galaxy Guardians is Rs. 50,000 per month and same 20% of salary received as Dearness allowance.
- (2) House Rent Allowance Rs. 15,000 per month.
- (3) Travelling allowances as Rs. 5000 per month.
- (4) Commuted Pension Rs. 10,00,000.
- (5) Gratuity of Rs. 5,00,000.

Expenses/ Payments:

- (1) Rent paid for residence is Rs. 19,000 Per Month.
- (2) Medical insurance premium for her husband is Rs. 30,000 by Cheque.
- (3) She donated Rs 50,000 to Political party (Payment partly paid as cash and Account payee cheque)

Note:

- She is residing in Chennai.
- Total Pension amount is around Rs 20,00,000 (received Rs 10,00,000 as commuted pension).
- She had 20 years' experience in M/s Galaxy Guardians.
- She is 60 years old and voluntarily retired on 31.03.2019.

Compute her total income and tax payable thereon for Assessment year: 2019-2020 as per Income Tax Act, 1961.

(4 Marks)

2. Mr. Peter inherited a vacant site from his father in March, 2005. The site was acquired by his father for Rs. 8 Lakhs in April, 2001. Mr. Peter constructed a residential building during year 2004-05 in the said site for Rs. 20 Lakhs.

He carried out some further extension of a construction in year 2009-10 for Rs.8 Lakhs Mr. Peter sold the residential building for Rs. 70 Lakhs in February, 2019. But the State stamp valuation authority declared Rs.80 Lakhs as the original value of such house property.

Following investment are made by Mr. Peter in relevant previous year 2018-2019:

- He had already purchased residential house property worth Rs 50 Lakhs in September, 2018
- He invested Rs. 5 Lakhs on Government saving scheme.
- He invested Rs. 10 Lakhs on Securities of Central Government.

Compute the Capital gain chargeable to tax for Assessment Year 2019-2020.

(3 Marks)

3. Mr. Ronan is engaged in newspaper printing business and commenced production of paper on 1st January, 2018. Mr.Ronan purchased new plant and machinery as follows;

Plant	Actual Cost (Rs in Crore)	Date of Purchase	Date of Installation	Date When Put to Use	Rate of Depreciation (%)
A	10	15/4/18	20/5/18	25/5/18	15
B	5	27/12/18	27/2/2019	1/3/2019	10
C	3	12/12/17	1/3/2018	1/4/2018	15
On 1/3/2018, C plant sold and consideration received as Rs: 3.5 Crore					
D	5	2/4/2018	1/1/2019	3/3/2019	10

Mr. Ronan has also incurred the following expenditure on scientific research:

- Salary of research staff Rs.1,00,000 per month.
- Research materials Rs. 2,00,000 for whole year.
- Rent paid for building in which research carried out at previous year Rs. 25,000 per month.

Find out the Normal depreciation, Additional depreciation & Investment allowances assuming all the conditions have been fulfilled for claiming above benefits and commute deduction for scientific research expenditure for Assessment year 2019-20? (3 Marks)

PART - B (2 X 5 =10 Marks)

Answer any TWO of the following:

4. **Argument I:** Business income of a foreign company or other Non-Resident person is chargeable to tax to the extent it accrues or arises through a business connection in India.

Argument II: When the income accrues or arises outside India with respect to transaction take between two Non-Residents. If such a transaction does not have direct connection in India, then such income will not fall under the purview of taxable income.

Which of the two arguments is correct? Decide the precision of the correct argument drawing possible instances from judicial decisions in India. What are the important criteria to levy the tax on direct and indirect Business connection?

5. The tax is an imposition made for the public purpose, without reference to any services rendered by the State or any specific benefit to be conferred upon the tax payer. The object of levy of tax is to raise the general revenue. On the other hand, a fee is a payment levied by the State in respect of services performed by it for the benefit of the individual.

Do you Agree? Justify your answer keeping in mind the applicability of *Quid pro Quo* and the opinion of the Judiciary in this regard.

6. **Argument I:** The Income Tax Act treats individual and company differently while deciding on residence. The residential status of a Company is assessed using the method of POEM. However, there is no proper implementation of POEM in India.

Argument II: Taxability of company's income can be decided on the basis of whether or not it is a physical and virtual establishment. The concept of POEM can be effectively implemented for a virtual establishment.

Which of the two arguments is correct? Support your answer by looking into conditions involved in the concept of POEM. What are the issues and problems by utilizing the concept of POEM in India?

7. It is the universal experience of working of federations that no scheme of allocation of taxing powers results in creating a finance-function balance at each level. Therefore, it becomes necessary to devise expedients to transfer revenue from the centre to the states so that a balance is created.

In this context discuss how the framers of the Constitution of India have sought to create the necessary balance by ensuring massive transfer of funds from the Centre to the States.



Rates of Income-Tax:

ANNEXURE

Citizen	
(1) where the total income does not exceed Rs. 2,50,000	Nil
(2) where the total income exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 2,50,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 12,500 plus 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,12,500 plus 30 per cent. of the amount by which the total income exceeds Rs.10,00,000.

Senior Citizen	
(1) where the total income does not exceed Rs. 3,00,000	Nil
(2) where the total income exceeds Rs. 3,00,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 3,00,000
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 10,000 plus 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,10,000 plus 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

Super Senior Citizen	
(1) where the total income does not exceed Rs. 5,00,000	Nil
(2) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	20 per cent. of the amount by which the total income exceeds Rs. 5,00,000
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* Education CESS – 4%

Cost Inflation Index Table:

Year	Cost Inflation Index	Year	Cost Inflation Index
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111 B Com

CAC-19

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year - Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

CORPORATE ACCOUNTING

Time: 1½ Hours

Maximum Marks: 20

PART – A (4 X 2½ = 10 Marks)

Answer ALL the following questions:

1. Write the meaning of issue of shares at premium emphasizing upon the purposes for which securities premium can be utilized as per Companies Act, 2013.
2. What do you mean by Capital Redemption Reserve Account? How is it created? How it can be utilized?
3. How are profits prior to incorporation dealt with? How will you ascertain such profits?
4. Write a short note on 'issue of shares at discount'.

PART – B (1 X 10 = 10 Marks)

Answer ANY ONE from the following questions:

5. Star & Co. offered 1,00,000 equity shares of nominal value of Rs.10 each for public subscription at Rs.12.

The amounts payable on the shares were on application Rs.3.50; on allotment (including premium) Rs.4.50; on first call Rs. 2.00 and final call Rs.2.00.

The company has received 1,20,000 applications. The applications were accepted and allotted on the basis of pro-rata. The excess application money was adjusted with allotment. All money payable by shareholders was received except from Mr.A who had taken 1,000 shares but failed to pay the final call. His shares were forfeited and reissued to Mr.B at Rs. 7 each.

Show journal entries in the books of the company and prepare important ledger accounts.

6. On 1.6.2014, TVS Components Ltd., issued 10,000, 9% debentures of Rs 100 each at a Premium of 5% and payable at one installment and these debentures will be redeemed after five years at par under out of profit method and the interest on debentures paid at six months interval. Debenture Redemption reserve has been invested on 6% Investment. Pass the necessary journal entries for the above transactions.

CORL1-19

Name :
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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year - Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

CORPORATE LAWS-I

Time: 1½ Hours

Maximum Marks: 20

PART - A (4 X 2 = 8 Marks)

Answer any FOUR of the following questions:

1. Differentiate between a Limited Liability Partnership and a Company.
2. Legal Position of Promoters.
3. Limited Liability of a Company.
4. Lifting of Corporate Veil.
5. Object Clause in MOA and *Ultra Vires* Transactions.

PART - B (3 X 4 = 12 Marks)

Answer any THREE of the following questions:

6. Tiny TV Co. Ltd is desirous of raising capital through issue of shares for its short-term needs. However, the Board has additional conditions for such issue.
 - 1) Such equity shares should not have voting rights at all.
 - 2) Such shareholders will get a fixed rate of dividend.
 - 3) Such shareholders may be repaid with their money after a period of time.

Advise the Board.

7. Bobthe Builder Corp Ltd. is a cement manufacturing company has been incorporated under Companies Act, 2013. The object clause of memorandum of the company provides the company has been established to carry of business of production of cement and matters incidental and essential for the carrying of the same. The object clause also provides that the company can also engage in any

other business which the Board of Directors find beneficial and in the interest of the company.

The company incurred huge losses in its cement business. The market for steel was at its peak. The Board of Directors (BoD) decided to go in the business of manufacturing of steel and steel-related products. The Company took a loan of Rs. 400 crores for carrying out the business of steel from a bank. The Company altered its AoA (Articles of Association) to give the effect of the same. At the latter point of time company denied the repayment of the loan stating that Contract was ultra vires the Memorandum and hence void. Is the Company liable for payment of the loan? Justify your answer.

8. Oswald Pvt Ltd (a private company incorporated under Companies Act, 2013) sent private placement offer letters to 270 identified persons. This includes 30 employees to whom the company did not offer securities through employee stock option scheme in the financial year and 10 institutional investors for the subscription of its shares. Can the Company do so?

However, the company also wishes to list these securities in the stock exchange, but also wants to remain a private limited company. Advice.

9. Endurance Ltd., a public listed Company, wants to raise capital by issuance of shares through a public offer. The prospectus included the report of an expert, who falsified information on the report to ensure that the report favoured the Company's future investments pursuant to raising Capital. The expert also authorised the issuance of the prospectus. No one else in the company had knowledge of the same. After the allotment, the information on the expert report was proved wrong, which ultimately resulted in reduction of the value of shares by 75%. Mr. Matthew, one of the shareholders wanted to take action against the Company, all the Directors on the Board and the Expert. Determine the Liability of expert and Advice Mr. Matthew.

LABL1-19

Name :
Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year - Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LABOUR LAW-I

Time: 1½ Hours

Maximum Marks: 20

PART- I (10 Marks)

(One question is compulsory in each section)

A. Write short notes on the following (any ONE):

1. Recognition of Trade Unions (5 Marks)
2. The nature and extent of powers of the Registrar under Section 8 of the *Trade Unions Act, 1926* (5 Marks)

B. Answer the following questions (any ONE):

1. Discuss the tests laid down by the courts in determining as to when an individual dispute is converted into an industrial dispute under the *Industrial Disputes Act, 1947*. (5 Marks)
2. There are no absolutes in law since life, which it serves, is relative. What is an industry in America or the Soviet Union may not be one in India and even in our Country what was not an industry decades ago may well be one now. Our judgment here has no pontifical flavor but seeks to serve the future hour till changes in the law or industrial culture occur.

In light of this statement made by Justice V.R. Krishna Iyer, comment on the dissent surrounding the law laid down in the *Bangalore Water Supply Sewerage Board v. A. Rajappa and Others* AIR 1978 SC 548 with the help of relevant case references. (5 Marks)

PART- II (10 Marks)

[Answer any ONE of the following]

- A. Are the following 'workman' for the purpose of Industrial Disputes Act, 1947: (10 Marks)
- i. Ms. X, a Marriage Counselor hired by the Counseling service company to settle matrimonial disputes.

- ii. Mr. Y, a Tailor working on a piece rate basis in a Tailoring establishment.
- iii. Ms. Z, a Clerk appointed by the Municipal Council on contractual basis on a fixed consolidated pay.
- iv. Mr. A, a Legal Assistant appointed at Bureau of Police Research and Development.
- v. Ms. B, a School Teacher at a Public School.

[OR]

B. XYZ is one of the leading Public Sector Banks in the *State of Elaha*. A dispute arose between the Management and its Workers' Union- *the Elahan Bank Employees Union*, a registered Trade Union, when the management imposed a wage cut on a sub-staff employee's salary. The said act of the management resulted in an agitation by the Union. As a part of the agitation, the Union called for a series of actions like demonstrations in front of the Central Office and display of posters containing abusive expressions and slogans. Such posters were placed all over the premises belonging to the Bank. Further, the Union was also indulged in preventing ingress and egress of members of the staff, visitors, customers as well as the tenants of the Bank's premises.

On the account of such disruption in its activities, the management resorted to file a suit for the recovery of damages against the office bearers of the Trade Union. Further, it also prayed before the court for an interim injunction for restraining the Union from committing the above-mentioned acts in order to carry on its normal activities in the public interest as enjoined by the statutes.

In light of the facts mentioned above, discuss the legal issues raised in the proposition and thereby explain the maintainability of the petition filed by the management with the help of relevant sections under the *Trade Unions Act, 1926* and case laws. (10 Marks)

Name :

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

Third Year - Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

PUBLIC INTERNATIONAL LAW

Time: 1½ Hours

Maximum Marks: 20

PART – A (2 X 6 = 12 Marks)

Answer the following questions in detail:

1. "Treaty-making processes also have unwelcoming side-effects". Critically comment on your opinion about Baxter Paradox. Also critically analyze the flexibilities that are provided in the Vienna Convention on the Law of Treaties for increasing the number of signatories and ratifications in the treaties.

(OR)

Although territory is an important element in Statehood, it is not always stable. Explain the various modes of acquisition and loss of territory.

2. 'A', a diplomat of state **Petunia** for the state of **Lemonia** had been funding, through public funds of **Lemonia**, a religious outfit in **Petunia** named **CRISIS**. As a representative of **Petunia**, 'A' had entered into a diplomatic agreement **WeAgree** with **Lemonia** under which the latter had promised to provide monetary funding up to \$10000 for educational institutions run by minority religious organizations. The **ABS Institute** was one such institution run by **CRISIS** in **Petunia**. The government of **Lemonia** was tipped about potential involvement of **CRISIS** in terrorist activities and that **ABS Institute** was the source of terrorist recruitments. An investigation revealed that **CRISIS** was responsible for a series of terror attacks on **Lemonia** five years ago which resulted into the death of 700 people. Further investigation revealed that one of sources of funding for weapons was the money that came through **WeAgree** and that 'A' was fully aware of the activities of **CRISIS**. The government of **Lemonia** charged 'A' for siding with a terror outfit and arrested him immediately. 'A' claimed diplomatic immunity. Can 'A' succeed in his claim? Decide.

PART – B (2 X 4 = 8 Marks)

Answer any TWO of the following questions in brief:

3. Critically comment on various definitions of International Law. Whether International Law is a law in true sense?
4. Explain Custom as a source of International Law with relevant case laws. What are the two elements that develop a custom?
5. Explain the different *theories* regarding relationship between International Law and Municipal Law? Which theory do you support and why?

EVID-19

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year – Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF EVIDENCE

Time: 1½ Hours

Maximum Marks: 20

Instructions:

1. Answer each question in 100 words.
2. Follow IRAC wherever applicable.
3. Mention relevant sections and case laws as applicable.

PART – A (1 X 5 = 5 Marks)

Answer any ONE of the following questions:

1. (a) Explain the *Doctrine of Res Gestae*. (4 Marks)
(b) 'A' and 'B' are jointly tried for the murder of 'C'. It is proved that 'A' said, " 'B' and 'I' murdered 'C' ". Can the Court consider the effect of this confession as against 'B'? Give reasons. (1 Mark)
2. Explain the *Relevancy of Admission by Strangers to the Suit*. (5 Marks)

PART – B (2 X 5 = 10 Marks)

Answer any TWO of the following questions:

3. What are the differences between *Admission* and *Confession*? (5 Marks)
4. As a general rule, *admissions must be self-harming in nature*. What are the exceptions to this statement? (5 Marks)
5. On August 20, 'A' told his wife 'B' that he was going to Tiruchirappalli, as 'C' 's wife 'D' had written and asked him to come and receive payments due to him. On August 21, 'A' left his house at Madurai to catch a train for Tiruchirappalli, where 'C' lived with his wife 'D'. On August 24, 'A' 's dismembered body was found in a trunk from the house of 'C'. Whether the statement of 'A' made to his wife 'B' on August 20 is admissible? Give reasons. (5 Marks)

PART – C (1 X 5 = 5 Marks)

Compulsory Question

6. 'S', the wife of deceased 'R' filed a suit against 'P' alleging that 'P' is not the legitimate grandson of 'R'. Four days before his death, 'Q' wrote a letter addressed to 'T', an acquaintance wherein he stated that he adopted 'P' few years ago from an Orphanage Home at Coimbatore. After 'Q' 's death, 'T' mentioned about the aforementioned letter to 'P'. During the course of judicial proceedings, it was also alleged by 'S' that 'Q' is not the legitimate son of 'R'. However, in a Gift Deed, 'R' acknowledged 'Q' as his son.

In this context, determine the admissibility of the 'Q' 's letter addressed to 'T' regarding the relationship between 'Q' and 'P' and Gift Deed of 'R'.
(5 Marks)

Name :

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Third Year – Fifth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF DIRECT TAXATION

Time: 1½ Hours

Maximum Marks: 20

PART – A (10 Marks)

Answer ALL the questions:

1. Mrs. Star Lord provides the following information for the financial year ending 31/3/2019.

Income / Receipts:

- (1) Salary from M/s Galaxy Guardians is Rs. 50,000 per month and same 20% of salary received as Dearness allowance.
- (2) House Rent Allowance Rs.15,000 per month.
- (3) Travelling allowances as Rs. 5000 per month.
- (4) Commuted Pension Rs. 10,00,000.
- (5) Gratuity of Rs. 5,00,000.

Expenses/ Payments:

- (1) Rent paid for residence is Rs. 19,000 Per Month.
- (2) Medical insurance premium for her husband is Rs.30,000 by Cheque.
- (3) She donated Rs 50,000 to Political party (Payment partly paid as cash and Account payee cheque)

Note:

- She is residing in Chennai.
- Total Pension amount is around Rs 20,00,000 (received Rs 10,00,000 as commuted pension).
- She had 20 years' experience in M/s Galaxy Guardians.
- She is 60 years old and voluntarily retired on 31.03.2019.

Compute her total income and tax payable thereon for Assessment year: 2019-2020 as per Income Tax Act,1961.

(4 Marks)

2. Mr. Peter inherited a vacant site from his father in March, 2005. The site was acquired by his father for Rs.8 Lakhs in April, 2001. Mr. Peter constructed a residential building during year 2004-05 in the said site for Rs. 20 Lakhs.

He carried out some further extension of a construction in year 2009-10 for Rs.8 Lakhs Mr. Peter sold the residential building for Rs. 70 Lakhs in February, 2019. But the State stamp valuation authority declared Rs.80 Lakhs as the original value of such house property.

Following investment are made by Mr. Peter in relevant previous year 2018-2019:

- He had already purchased residential house property worth Rs 50 Lakhs in September, 2018
- He invested Rs. 5 Lakhs on Government saving scheme.
- He invested Rs. 10 Lakhs on Securities of Central Government.

Compute the Capital gain chargeable to tax for Assessment Year 2019-2020.

(3 Marks)

3. Mr. Ronan is engaged in newspaper printing business and commenced production of paper on 1st January, 2018. Mr. Ronan purchased new plant and machinery as follows;

Plant	Actual Cost (Rs in Crore)	Date of Purchase	Date of Installation	Date When Put to Use	Rate of Depreciation (%)
A	10	15/4/18	20/5/18	25/5/18	15
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D	5	2/4/2018	1/1/2019	3/3/2019	10

Mr. Ronan has also incurred the following expenditure on scientific research:

- Salary of research staff Rs.1,00,000 per month.
- Research materials Rs. 2,00,000 for whole year.
- Rent paid for building in which research carried out at previous year Rs. 25,000 per month.

Find out the Normal depreciation, Additional depreciation & Investment allowances assuming all the conditions have been fulfilled for claiming above benefits and commute deduction for scientific research expenditure for Assessment year 2019-20? (3 Marks)

PART - B (2 X 5 =10 Marks)

Answer any TWO of the following:

4. **Argument I:** Business income of a foreign company or other Non-Resident person is chargeable to tax to the extent it accrues or arises through a business connection in India.

Argument II: When the income accrues or arises outside India with respect to transaction take between two Non-Residents. If such a transaction does not have direct connection in India, then such income will not fall under the purview of taxable income.

Which of the two arguments is correct? Decide the precision of the correct argument drawing possible instances from judicial decisions in India. What are the important criteria to levy the tax on direct and indirect Business connection?

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Do you Agree? Justify your answer keeping in mind the applicability of *Quid pro Quo* and the opinion of the Judiciary in this regard.

6. **Argument I:** The Income Tax Act treats individual and company differently while deciding on residence. The residential status of a Company is assessed using the method of POEM. However, there is no proper implementation of POEM in India.

Argument II: Taxability of company's income can be decided on the basis of whether or not it is a physical and virtual establishment. The concept of POEM can be effectively implemented for a virtual establishment.

Which of the two arguments is correct? Support your answer by looking into conditions involved in the concept of POEM. What are the issues and problems by utilizing the concept of POEM in India?

7. It is the universal experience of working of federations that no scheme of allocation of taxing powers results in creating a finance-function balance at each level. Therefore, it becomes necessary to devise expedients to transfer revenue from the centre to the states so that a balance is created.

In this context discuss how the framers of the Constitution of India have sought to create the necessary balance by ensuring massive transfer of funds from the Centre to the States.

Rates of Income-Tax:

Citizen	
(1) where the total income does not exceed Rs. 2,50,000	Nil
(2) where the total income exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 2,50,000;
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Senior Citizen	
(1) where the total income does not exceed Rs. 3,00,000	Nil
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Super Senior Citizen	
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Name :

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Fourth Year – Seventh Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF DIRECT TAXATION

Time: 1½ Hours

Maximum Marks: 20

PART – A (1 X 5 = 5 Marks)

Answer the following question:

1. Rajan aged 54 years, engaged in a business as sole proprietor. He is resident and ordinarily resident for the previous year 2018-19. The profit and loss account for the year ending 31-3-2019 is given below:

Expense Particulars	Rs.	Income Particulars	Rs.
Salary	36,000	Sales	5,60,900
Fire Insurance	28,500	Interest on Debentures	6,750
Income Tax	30,000	Cash Gift	51,000
Sundry expenses	56,000		
Advertisement	36,000		
Household expenses	50,000		
Depreciation	29,800		
Contribution to IIT Mumbai for an approved scientific research programme	1,00,000		
Municipal taxes paid for house property	36,000		
Investment in National Savings Certificate	10,000		
Printing & Stationery	12,000		
Interest	24,000		
Rent paid	60,000		
Net Profit	1,10,350		
	6,18,650		6,18,650

Mr. Rajan also furnishes the following additional information:

- a) Cash gift was received on the occasion of his son's marriage from his maternal uncle;
- b) Interest on debentures is net of taxes 10%. Debentures are listed on recognised stock exchange;
- c) Fire Insurance includes Rs.15,000 paid for house property owned by Rajan
- d) Depreciation is computed as per the Income Tax Rules 1962;
- e) Rent paid includes Rs.50,000 paid towards rent for his residence in Nagpur and Rs.10,000 for hiring Maruti van for business purposes;
- f) Interest is paid on loan borrowed for his own business purposes. Compute the total income of Mr. Rajan for the Assessment year 2019-2020.

PART – B (1 X 3 = 3 Marks)

Answer the following question:

2. Mrs. Anjali is a Finance Manager of 'A' Ltd in Mumbai, furnishes the following particulars for the financial year 2018-19
 - a. Her basic pay is Rs.20,000 per month;
 - b. She is paid dearness allowance 30% of basic pay;
 - c. She receives Rs.2,000 per month as transport allowance (for commuting between place of residence and office);
 - d. She receives House Rent allowance of Rs.8,000 per month;
 - e. She contributes 15% of her salary (basic pay plus dearness allowance) towards recognized provident fund and the company contributes the same amount;
 - f. A gift voucher of Rs.6,000 was given on the occasion of her marriage anniversary. It is given by the company to all employees above certain grade;
 - g. Professional tax paid by the company Rs.2,000;
 - h. Rent paid by her, for her residence is Rs.10,000 per month;
 - i. She received Rs.3,00,000 towards gratuity from her former employer (this amount is calculated based on each completed year of service by Anjali);

Compute the amount of salary chargeable to tax in the hands of Mrs. Anjali for AY 19-20.

PART – C (1 X 2 = 2 Marks)

Answer the following question:

3. Mr. Dhruv is a co-owner of a let-out house property along with his brother holding equal share in the property.

Particulars	Rs.
Municipal value of the property	1,60,000
Fair Rent	1,50,000
Standard rent under the Rent Control Act	1,70,000
Rent received	15,000 per month

The loan for the construction of this property is jointly taken and the interest charged by the bank is Rs.25,000 out of which Rs.21,000 has been paid. Interest on the unpaid interest is Rs.450. To repay this loan, Dhruv and his brother have taken a fresh loan and interest charged on this loan is Rs.5,000. The house was vacant for one month during the financial year. The municipal taxes of Rs.5,100 have been paid by the tenant.

Compute the income from this property chargeable in the hands of Mr. Dhruv for the AY19-20.

PART – D (2 X 5 = 10 Marks)

Answer any TWO questions:

4. "Taxation of business profits on the basis of economic allegiance has always been the underlying basis of existing international taxation rules. New business models operating remotely through digital medium has provided non-resident enterprises to interact with customers in another country without having any physical presence in that country. As a result, the rights of the source country to tax business profits that are derived from its economy is unfairly and unreasonably eroded."

Analyse the above statement with respect to relevant provisions under Income Tax Act, 1961 and support your arguments with judicial pronouncements in India.

5. "No tax shall be levied or collected except by authority of law". Explain. Examine the legislative powers between Union and States under The Constitution of India.
6. Elaborate on agricultural income and its tax treatment. Also comment on the rationale for exemption and persons who are entitled to claim exemption under the Income Tax Act, 1961.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Fourth Year – Seventh Semester, Mid-Semester Examinations (Odd-Semester), September 20

CIVIL PROCEDURE CODE

Time: 1½ Hours

Maximum Marks: 20

PART - A (2 X 5 = 10 Marks)

Answer any TWO of the following questions in about 400 words each. The first principles made out are to be substantiated with judicial pronouncements:

1. The Code of Civil Procedure, 1908, is intended to facilitate the redress of grievances and meet the ends of justice. Explain this statement while enumerating the steps involved from the time of commencement of a suit till a decree is passed by a Court of Law.
2. The term 'Civil', though not defined in the Code of Civil Procedure the width of the word 'Civil' has been stretched by using the word 'civil nature' along with it. This means that those suits are cognizable which are not only civil but are even of civil nature. Analyse this statement in the light of instances of suits which are of civil nature and which are not of civil nature.
3. In the context of Pleadings before the Court, Order I and the Rules contained therein relate to the parties being joined in one and the same suit. Bring out the significance of this Order and the Rules contained in that Order to underscore the procedure of drawing up a Plaint and filing thereof in a Court of Law.

PART - B (4 X 2½ = 10 Marks)

Answer any FOUR of the following in about 100 words each, citing judicial decisions wherever necessary:

4.
 - a) Distinction between Decree and Order
 - b) Classes of Decrees
 - c) Meaning of 'Plaint'
 - d) Mesne profits
 - e) Jurisdiction and consent
 - f) Rejection of a Plaint

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Fourth Year – Seventh Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF CRIMES-II (CODE OF CRIMINAL PROCEDURE)

Time: 1½ Hours

Maximum Marks: 20

Answer any FIVE of the following questions (5 X 4 = 20 Marks):

1. Raja committed theft of a gold chain in a running train between Tirunavelli to Chennai and sold the chain at Hyderabad. After two days, he was arrested by the Hyderabad Police and the chain was seized from the jeweler's shop where Raja sold the chain. Where can Raja be tried? Decide with the help of legal provision under Cr.PC, 1973.
2. Jaggu committed a non-cognizable offence (Punishment for voluntarily causing hurt under Section 323, IPC) against Mahesh by giving a cut wound in his leg at Dindigul and ran from the spot. Later, he boarded a bus and absconded. After getting the complaint, 13 days later, Karur Officer-in-Charge of Police suspected him as a criminal and asked his name and residence. But he refused to give his name by the fear of arrest. On his refusal, Karur Officer-in-Charge of Police immediately arrested him and sent him to the police custody. Analyse the validity of arrest procedure followed by Karur OIC Police with the help of legal procedure under Cr.PC, 1973.
3. Mohini aged 63 years resident of Madurai, charged with causing dowry death and arrested by Officer-in-Charge of Police. When she applied for bail, her bail application was rejected by Session Court of Madurai. Thereafter, she filed a writ petition in High Court Bench of Madurai for unlawful detention. Whether she will succeed? Decide the matter with the help of legal provision under Cr.PC, 1973.
4. 'X' got into an altercation with his college classmate 'Y' in the college campus during the lunch break. 'Y' punched and kicked him due to which 'X' was injured. The injuries amounted to simple hurt which is a non-cognizable offence. 'X's father is an influential businessman and wanted to take action against 'Y'. He approached the police station which had jurisdiction over the area and informed the officer in charge of the police station about the incident that took place between 'X' and 'Y'. The officer was informed that the nature of the injury is non-serious. The police lodged a First Information Report and started to proceed ahead with the investigation and arrested 'X' without a warrant.

Examine whether the police officer has followed the procedure that is laid down in the Code of Criminal Procedure, 1973. Elaborate upon how a police officer should proceed in non-cognizable offences.

5. 'X' is accused of kidnapping a 10-year-old girl 'Y' in order to kill her. (Punishable under Section 364 IPC with imprisonment for life, or rigorous imprisonment for 10 years and fine). The police conducted the investigation and the charge-sheet was sent by the police to the nearest judicial magistrate first class. The judicial magistrate took cognizance of the case and proceeded with the trial of the case himself. He followed the procedure for trial of warrants case in magistrate's court and found 'X' guilty. He imposed a sentence of imprisonment for life on 'X'.

In light of the above facts, determine whether the sentence imposed upon 'X' is valid in light of the provisions of Cr.PC., 1973.

6. 'X' is accused of committing murder and has been arrested by the police at 11 am on 10th March 2019. At 10 am on 11th March 2019, 'X' was produced in front of the nearest executive magistrate who is empowered with powers of judicial magistrate. 'X' was remanded to police custody for a period of 15 days. Thereafter his case was forwarded to the judicial magistrate first class, who decided to put him in judicial custody. The investigation in the murder case continued and no charge sheet was filed till 15th September 2019. The accused remained in judicial custody. His bail applications were rejected.

In light of the above facts, determine whether the provisions of the Cr.PC., 1973 has been complied with.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Fourth Year – Seventh Semester, Mid-Semester Examinations (Odd-Semester), September 2019

SOCIO ECONOMIC OFFENCES

Time: 1½ Hours

Maximum Marks: 20

PART – A (1 X 8 = 8 Marks)

Answer any ONE of the following questions:

1. "Every accused shall be presumed to be innocent till proved guilty". Justify the statement by enumerating relevant provisions under Prevention of Money Laundering Act, 2002.
2. Clearly bring out the distinction between 'traditional offences' and 'Socio Economic Offences' and critically examine the role of *mens rea* in Socio Economic Offence with the help of landmark cases.

PART – B (3 X 4 = 12 Marks)

Answer ALL the questions:

3. Madhavan, an MLA received a Diamond set for his wife on their wedding anniversary by a Contractor who is executing several construction works under him. Can the MLA charged under the Prevention of Corruption Act, 1988? Give reasons for your answer.
4. Mr.Syam is working as an Engineer in Qatar. Every month he sends Qatari riyal through one agent to his family. Has he committed any offence? Support your answer with proper legal justification, if any.
5. Dr.Balgopal is working as a child specialist in the Government hospital, Trichy. Apart from that he is working for many leading private hospital in the town. He evades tax for income earned from private practice for the period of 3 years. After 3 years he purchased shares from the money he earned from private practice. Decide the criminal liability of Mr.Balgopal in view of legal provisions under the Money Laundering Act, 2002.

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Fourth Year - Seventh Semester, Mid-Semester Examinations (Odd-Semester), September 2019

CORPORATE FINANCE LAW

Time: 1½ Hours

Maximum Marks: 20

Instruction:

This examination shall be an open book examination. Bare Act(s), Rules, Regulations, By-Laws, Corporate Laws Manual, SEBI Manual, Full text of the case laws are allowed in the exam hall. No books are allowed.

Answer ALL the questions:

1. On 10.02.2018, "A" Ltd. (Co.) in its board meeting passed a resolution proposing private placement of shares under section 42 of the Companies Act, 2013 (2013 Act) read with the relevant rules/regulations, as may be applicable. On 11.02.2018, Ms.Jo, a member/promoter of the Co. sent a legal notice against two promoters of the Co. and to the Co. for certain disputes relating to a pre-incorporation contract. Two promoters and Ms. Jo were the parties to the said contract. After following due procedure, on 10.04.2019, the Co. sent out the private placement offer letters to 12 persons. On 12.04.2019, the private placement offer letter was sent to another 10 persons. This letters did not have any information on legal notice mentioned above. On 22.04.2019, Ms.Jo initiated legal proceedings against the promoters and the Co. for alleged breach of the said contract. On 29.04.2019, Co. received the court notice.

On 02.05.2019, Co. initiated steps to allot shares to all the 22 persons. In the meanwhile, 2 out of the 22 persons wrote to the Co. stating that the Co. did not disclose correct information in private placement offer letter regarding legal proceeding involving the Co.

In view of the above, you are required to advise the Co. if the Co. had violated any of the applicable provisions as alleged by 2 persons.

(6 Marks)

2. Is SEBI regulating the entire securities market? If yes, under what laws? What is the authority of SEBI to regulate private placements? (6 Marks)
3. Write a critical comment on BSE Stock Brokers Forum and Ors v SEBI, Transfer Case (civil) 20 of 2000 and Writ Petition (civil) 502 of 2000 (4 Marks)
4. List out the short title of the relevant Acts, Rules and Regulations applicable to issue of equity and debt instruments in India. (4 Marks)

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Fourth Year – Seventh Semester, Mid-Semester Examinations (Odd-Semester), September 2019

CYBER LAW

Time: 1½ Hours

Maximum Marks: 20

PART – A (3 X 1 = 3 Marks)

Answer ALL the questions. State whether the following statements are true or false with reason:

1. "Self-regulated cyber space is similar to unregulated cyber space; self-regulation cannot curtail cybercrimes".
2. "All the provisions in the Information Technology Act 2000 was drafted based on the UNCITRAL Model Law on E-commerce".
3. "Surface linking and deep linking can be considered as violation of Online Trade Mark Infringement".

PART – B (2 X 1 = 2 Marks)

Answer the following questions in not less than 20 words and not more than 50 words.

4. What is the role of Hash Value and Hash Result in validating a digital message or digital signature?
5. State the difference between ICANN and .IN Registry.

PART – C (2 X 5 = 10 Marks)

Answer any TWO of the following questions:

6. Define intermediary and discuss the Manila principles and its incorporation in the Intermediary guidelines 2011 & proposed Intermediary guidelines draft 2018.
7. "Domain name infringement and Trade mark infringement are one and the same" – Elucidate with relevant case laws.
8. State the difference between offline and online contracts and explain about any one type of online contract in detail with relevant case laws.

PART – D (1 X 5 = 5 Marks)

9. Answer the following question. State the relevant legal provisions, case laws wherever necessary:

a) Thamizhini Seyyon (TS) was a Famous Fiction novel author and a lyricist in India. She has published many Fiction Novels in India through Penguin Publications (PP). One of her Famous Novel "KUNDAVAI THE BRAVE CHOLA PRINCESS", published by (PP) became a huge hit in India. The Novel was written in 10 parts, each part consisting of 600-700 pages. From January 2013, 2 volumes of the Novel were published every year and the final volume was released in January 2019. Bundlebooks.com is a website which allows free download of Novels and academic books. Pdf of any books will be available for free download within 3 months of the publication in India and books published in other countries will be available within 1 month from the date of publication. From February 2019 all 10 volumes of the Novel "KUNDAVAI THE BRAVE CHOLA PRINCESS" was available for free download at Budlebooks.com.

i. State whether Bundle books.com has committed a copyright infringement?

ii. State whether they can claim fair use exception?

b) SUNNY pictures approached TS for reproduction rights of the Novel "KUNDAVAI THE BRAVE CHOLA PRINCESS" and promised a Royalty of 30% and also stated that she can pen the lyrics for 3 songs for the movie Titled "CHOZHA ILAVARASI KUNDAVAI". The Musical rights for production, distribution and reproduction of the songs for the Movie "CHOZHA ILAVARASI KUNDAVAI" were exclusively granted to "REDD NOW MUSICALS". During the audio launch of the movie REDD NOW MUSICALS stated that the songs of the movie can be downloaded only from REDDNOWMUSICALS.com by paying rupees 40 per song. The three songs written by TS became a huge hit after the audio launch on 5th JULY 2019.

Ms. Swethlana downloaded all the songs of the movie "CHOZHA ILAVARASI KUNDAVAI" by paying the requisite amount from REDDNOWMUSICALS.com. REDD NOW in its terms and conditions clause, have stated that, any person who downloads the song from REDDNOWMUSICALS.com can use it only for their personal use and should not upload/sell/distribute/share the downloaded songs without obtaining prior and proper permission from REDD NOW MUSICALS. Swethlana, was a registered user of Tamsilongs.com uploaded the songs in the website. Tamsilongs.com was a website which allowed only registered users to upload

a file. Tamsilongs.com has mentioned in its terms and conditions that the website will not entertain any form of IPR violations and if notified by authorized users/owners about any kind of violation the songs will be removed within 24 hours. On 18th July 2019 when TS was surfing the net she found out that the three songs which she had penned for SUNNY pictures were available for free download at www.Tamsilongs.com. TS thought that it is a copyright infringement and informed SUNNY pictures and REDD NOW MUSICALS. Musicals sent a notice of removal and the link was removed by Tamil Songs, but the link reappeared within 24 hours again. REDD NOW MUSICALS sued Tamil Songs for violation of copyrights.

iii. Analyse whether www.Tamsilongs.com can be sued for online copyright infringement.

iv. Can Tamsilongs.com claim the defence of safe harbor?

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

Year – Ninth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

ELECTION LAW

Time: 1½ Hours

Maximum Marks: 20

Instructions

- a. All the questions are compulsory.
- b. All the questions should be answered by quoting relevant legislative provisions and at least two relevant judicial precedents. The problem-based questions should be preferably answered in the *IRAC Method*.

PART – A

Answer ALL the questions:

1. Which of the following statements about the *Election Commission of India (ECI)* are correct? Substantiate your answer with cogent reasons: **(6 Marks)**
 - a) It is a permanent and independent body.
 - b) It is responsible for conducting the elections of President, Vice President and Municipal Corporations in India.
 - c) The Indian Constitution envisages Election Commission to be a multi member body.
 - d) Election Commission is an all-India institution.
2. *Mr. Crower* is the Chief Minister (CM) of the *State of Dravidnataka*. One year after assuming office, dissidence developed among ruling party MLAs, as the media reported that CM could not satisfy some of the MLAs who were aspiring for Minister posts. *Ms. Ricky*, one of the dissident MLAs always criticized the CM and his style of leadership. She publicly supported the opposition by attending the Opposition Party (OP) leader's meetings and functions. *Ms. Rekka*, another dissident MLA wrote a letter requesting the Governor to call on the Leader of the OP to form the Government.

The Speaker of the House took notice of the developments and initiated a *suo moto* defection proceedings against *Ms. Ricky* and *Ms. Rekka*. After the enquiry, the Speaker disqualified both the MLAs on the ground that their conduct amounts to voluntarily giving up the membership of the political party to which they belong to by inference.

The two disqualified MLAs have now approached the *High Court of Dravidnataka* on the ground that their conduct does not amount to defection and in any event, they have a fundamental right to switch political affiliations and consequently, their disqualification order is a gross misuse of the anti-defection law by the Speaker. However, the Speaker argues that his decision is final and is outside the scope of judicial review. Decide. (7 Marks)

PART - B (2 X 3½ = 7 Marks)

Write critical legal notes:

3. Gerrymandering.
4. Right to Vote vs. Right to Enrol as a Voter.

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

Year – Ninth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

BANKING LAW

Time: 1½ Hours

Maximum Marks: 20

Answer ALL the questions:

1. On 26th August 2019, the Central Board of the Reserve Bank of India (RBI) has accepted the recommendations of the Bimal Jalan Committee on Capital Transfer and decided to pay Rs 1.76 lakh crores for the current fiscal year to the Central Government, putting an end to nearly a year-old debate between the regulator (RBI) and its only shareholder on the quantum of dividend to be paid to the Government. The issue of transferring the reserves of RBI to the Central Government has been a hot debate in the past few months. Was the RBI's surplus capital shared in accordance with the statutory provisions? Comment. (6 Marks)
2. July 19, 2019 marks fifty years of nationalisation of banks in India. Such efforts are considered to be the most significant economic event after the India's Independence. Moreover, the efficiency of the banking system has been considered to have improved due to the nationalisation of banks. Has the Government of India succeeded in implementing its development agenda through the banking system in India? (5 Marks)
3. Answer any THREE of the Following (3 X 3 = 9 Marks):
 - A. Why is RBI known as a Lender of Last Resort?
 - B. Difference between Statutory Liquidity Ratio and Cash Reserve Ratio.
 - C. RBI's Quantitative Control of Credit.
 - D. Classification of Banks.

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

Year – Ninth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

MEDIA LAW

Time: 1½ Hours

Maximum Marks: 20

Instruction:

Follow IRAC wherever applicable and answer each question in 150 words

PART – A (1 X 5 = 5 Marks)**Answer any ONE of the following questions:**

1. *Freedom of the Press is essential to the enlightenment of free people and in restraining those who wield power* [Per Frankfurter J. in *Bridges v California* 314 US 252 (1919)]. In this context, define 'Press'.

(OR)

2. 'Contempt' is a reasonable restriction on 'free speech' under Article 19(2) of the Constitution of India. What is the rationale behind the law of 'criminal contempt'?

PART – B (2 X 5 = 10 Marks)**Answer any TWO of the following questions:**

3. Discuss the 'tests' and 'standards' evolved by the Supreme Court to interpret 'reasonableness' envisaged under Article 19(2) of the Constitution of India.
4. With reference to the scope of free speech in relation to 'public order' envisioned in Article 19(2) and 'sedition' in Section 124 A, a key question has been how Courts conceptualise the relationship between 'speech and effect'. In this context, attempt the following questions:
 - A. Is someone who advocates the use of violence to overthrow the government entitled to protection under Article 19(1)(a)? Discuss.
 - B. Does a harsh criticism of the government amount to an act that undermines the security of the State or a disruption of public order? Discuss.

5. In *Abrams v. United States* [250 US 616 (1919)], Holmes J. argued that there is a 'free trade in ideas' within the 'competition of market'. The ultimate good desired is better reached by free trade in ideas. Since then the 'marketplace of ideas' argument has been often invoked in the debates concerning free, unrestricted speech and freedom of the Press. What are the difficulties with this 'argument' in the age of Social Media?

PART – C (1 X 5 = 5 Marks)

Compulsory Question

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

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

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

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

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

Year – Ninth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

INTERNATIONAL TRADE LAW

Time: 1½ Hours

Maximum Marks: 20

PART – A (8 X ½ = 4 Marks)

Answer ALL Questions. Each Question carries equal marks.

1. Match of the following:

- a) Raymond Vernon - Wealth of Nations
 b) David Ricardo - International Trade Organisation
 c) Adam Smith - Product Life Cycle Theory
 d) Havana Charter - The Principles of Political Economy and Taxation

2. The Factor Endowment Theory was introduced by -----

- a) Adam Smith b) John H. Jackson c) Pascal Lamy d) Heckscher-Ohlin

3. The International Monetary Fund (IMF) determined money value based on

- a) Gold b) Silver c) Gold and Silver d) British Pound and US Dollar

4. State and mention the outcome of Bretton Woods conference

- a) ----- b) -----

5. Amongst the following which one is incorrect with regard to purpose and object of the General Agreement on Tariff and Trade:

- a) Raising standard of living
 b) Full use of resources of the world
 c) Impose and collect uniform pattern of tariff
 d) Ensure full employment

6. Match of the following:

- a) Article III - Quantitative Restrictions
 b) Article VI - Countervailing Measures
 c) Article XVI - National Treatment
 d) Article XI - Subsidies

7. Trade and Development of covered in which one of the following Part of the General Agreement on Tariffs and Trade (GATT)

- a) Part I b) Part II c) Part III d) Part IV

8. Assertion (A): The General Agreement on Tariff and Trade is unable to achieve the purpose serve in its fullest sense.

Reason (R): There is no proper dispute settlement mechanism in the General Agreement on Tariffs and Trade.

- (i) Both (A) and (R) are true and (R) is correct explanation of (A)
(ii) Both (A) and (R) are true, but (R) is not correct explanation of (A)
(iii) (A) is true, but (R) is false
(iv) (A) is false, but (R) is true

PART – B (3 X 3 = 9 Marks)

Answer any THREE of the following. Question No 2 is compulsory:

9. Government of India had adopted a policy proposing to give subsidy more than 10% on sugar-related products and local producers of the solar power panels. Aggrieved by the decision, various governments have filed a petition challenging the sugar and solar panel policies that are inconsistent to the provisions of WTO and its covered agreements. The Government of India contended that the national governments are authorised to adopt unilateral trade measures. Whether the contention is sustainable? Decide.
10. What do you mean by Product Life Cycle Theory and analyse its various stages?
11. Analyse the relevance of UNCITRAL in international Trade law.
12. Evaluate general exceptions in international trade?

PART – C (1 X 7 = 7 Marks)

Answer any ONE of the following questions:

13. Critically evaluate the contribution of International Monetary Fund (IMF) in regulating trade, goods and services and challenges faced during the regulation.
14. What do you mean Most Favoured Nation (MFN) Clause? Examine the provisions relating to exceptions to Most favoured Nations (MFN) Clause in the General Agreement on Tariffs and Trade (GATT).

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

Year – Ninth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF INTERNATIONAL ORGANISATIONS

Time: 1½ Hours

Maximum Marks: 20

Answer any FIVE of the following questions (5 X 4 = 20 Marks):

1. There has been a perpetual increase in the number of international organizations in the post-World War II era. States that become a member of an international organization part away with a share of their sovereignty and may not get it back because of complex withdrawal procedures in these international organizations. Do you think that the state sovereignty is diminishing or transforming in the globalized world?
2. What do you understand by the concept of 'legal personality' in international law? Can an inter-governmental organization have the same legal personality before two distinct adjudicatory bodies? If not, why? How the concept of 'legal personality' changes its meaning in municipal law and international law?
3. Why do you think it is important for us to read about the League of Nations in the 21st century? What were the biggest achievements and failures of League of Nations? How do you think the United Nations is different from the League of Nations? What do you think are the biggest reasons due to which the United Nations didn't fail?
4. Discuss the evolution of UN peace operations. What are the three basic principles of UN peacekeeping? Where does the UN draw its authority to constitute peacekeeping operations as UN Charter does not talk about peacekeeping missions? What new mandates are now being provided to peacekeeping operations in the post-Cold War era? Discuss with reference to the first two peacekeeping missions constituted by the UN.

5. Where do international organizations derive their powers from? What is the difference between doctrine of attributed powers and doctrine of implied powers of international organizations? Discuss about the origins and scope of the powers of international organizations with special reference to the International Labour Organization (ILO) case *Advisory Opinion of 12 August 1922*.
6. Write a short note on any **THREE** of the following four cases. Do highlight the principle legal issues in these cases and what jurisprudence did the court employ to arrive at the
- Reparation for Injuries Suffered in the Service of the United Nations (*Advisory Opinion of 11 April 1949*).
 - Certain Expenses of the United Nations (*Advisory Opinion of 20 July 1962*).
 - Yassin Abdullah Kadi v. Council of the European Union and Commission of the European Communities [2005] ECR II-3649 (*Kadi I CFI*); Cases C-402/05 P and C-415/05 P; [2008] ECR I-6351 (*Kadi I ECJ*).
 - Mothers of Srebrenica v. The Netherlands and the UN, LJN: BW1999, *Dutch Supreme Court, 13 April 2012*.

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

Year – Ninth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

LAW OF INDIRECT TAXATION

Time: 1½ Hours

Maximum Marks: 20

PART – A (4 X 4 = 16 Marks)

Answer ALL the questions:

1. Argument: 1

Indirect tax maintains the fiscal federalism in regard to collection and distribution of revenue between the Union and State.

Argument: 2

Collection and distribution of revenue is given a more power to Union and less power to the States. Whether is it affects the original constitutional status to the States?

Which of the two arguments are correct? Decide the precision of the correct argument drawing possible instances from judicial decisions in India. How the fiscal federalism established before or after indirect tax restructure?

2. Mr.Vengatesh provides you following information of his transactions for February, 2016:

S. No	Particulars (Rent Received)	Amount (Rs.)
1	Factor building	20,000
2	Machinery in factory	50,000
3	Residential house	25,000
4	Furniture in residential house	20,000
5	Furniture used for residential purpose	5,000
6	Open plot of land rented to circus	1,00,000

S. No	Particulars (Rent Received)	Amount (Rs.)
7	Agricultural land	3,00,000
8	Hotel room	30,000
9	Hostel for working women	25,000
10	Renting building to Mangakar karsi school	50,000
11	Renting premises for Buruda Bank (ATM)	10,000
12	Open plot of land for Animal Husbandry	50,000
13	Renting premises to Union Nations	55,000
14	Service provided as member of Parliament	1,00,000
15	Pension received by ex-service man	2,20,000

As per provision of Finance Act, 1994 classify above items as taxable or non-taxable services and calculate the value of taxable services with threshold exemption also.

- Discuss the term of manufacture and deemed manufacture with respect to the Central Excise Act, 1944 by citing relevant judicial decisions.
- Explain the benefits of indirect taxation. What is the effect of Pre-GST and Post-GST?

PART - B (2 X 2 = 4 Marks)

Write Notes on any TWO:

- Distinguish between Zero Rated Sale and Exempted Sale with specific reference under Tamil Nadu Value Added Tax Act, 2006.
- What are the methods involving the valuation of excise goods?
- Explain the taxability of container and packaged material under Central Excise Act, 1944 and Central Sales Tax Act, 1956?

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Year – Ninth Semester, Mid-Semester Examinations (Odd-Semester), September 2019

ADVANCE COURSE ON PATENT LAW

Time: 1½ Hours

Maximum Marks: 20

Instructions:

- Bare Acts and electronic gadgets are not allowed.
- Support your answers with suitable legal provisions and relevant case laws.
- Use IRAC/IRAD method for solving the problem question.
- Answers without the question number shall be marked as zero.

PART – A (1 X 10 = 10 Marks)

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

- Critically analyze the impact of 'TRIPS' agreement on the 'Indian Patent Law' and comment on the 'TRIPS flexibilities' incorporated under the provisions of the Indian Patent Act, 1970.
- Compare and contrast the concept of inventive step/non-obviousness requirement under the patent law of the United States, United Kingdom, and India in the light of judicial decisions.

PART – B (1 X 10 = 10 Marks)

Answer any ONE of the following in IRAC method:

- Ashwin, a scientist invented a new material named as 'Rubberised Asphalt Concrete' (hereinafter RAC) which is claimed as an alternative to conventional asphalt and concrete roads used for a public purpose. The claimed invention has high durability, lesser maintenance and resistant to automobile fuel spillage and extreme weather. The process of laying the road with the claimed invention is greener than the conventional one. To prove his claims, he has no other choice but to conduct the experiments with the claimed invention on public roads. The nature of experiments he conducted so far compels him to conduct it on a public road and that too very often. After successful trial results, he filed for a patent before the Indian Patent Office. At this juncture, Shyam a civil engineer by profession, who resides in the same locality where Ashwin conducted the experiments in public road alleged that the invention lacks

novelty and filed a pre-grant opposition against Aswin's patent application on the ground that the claimed invention is anticipated by prior use in public. Decide.

4. Srimathi, a research scholar pursuing her doctoral research in IIT Madras on quantum mechanics published her research findings in a journal recognized by UGC. This academic journal is exclusively run by professional scientific editors and the submissions made by research scholars are subject to double-blind peer review policy. The transactions of the journal are accessible to the public for a fee. After the publication of her research findings in the academic journal, she applied for a patent on her invention before the Indian Patent Office. But the patent examiner rejected her patent application on the ground of lack of novelty through anticipation by prior publication. She seeks your legal opinion in this regard. Advice.

