



(Please write your Exam Roll No.)

Exam Roll No. 01490103819

# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] JULY-2023

Paper Code: LLB-404

Subject: Labour Law-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt all questions as directed. Internal Choice is indicated.

## PART-A

- Q1 Write notes on: [5x5=25]
- Concept of fair wages under Minimum Wages Act 1948.
  - Concept of factory under Factories Act 1948.
  - Concept of Wages under Payment of Wages Act 1936.
  - Concept of partial disablement as per Employee Compensation Act 1923.
  - What are the doctrine of Notional Extension?

## PART-B

### UNIT-I

- Q2 Discuss the concept of minimum wages and the need based minimum wages under Minimum Wages Act 1948. Elaborate the constitutional validity of the Act with the help of case law. (12.5)

OR

- Q3 Elaborate the procedure for fixation and revision of minimum wages. Discuss the procedure for hearing and deciding claims related to minimum wages under the Minimum Wages Act 1948. (12.5)

### UNIT-II

- Q4 What is the object and purpose of the Payment of Wages Act 1936? How wages are defined and wages period are fixed? (12.5)

OR

- Q5 Discuss the procedural requirement for fixing the time of payment under the Payment of Wages Act 1936? What nature of deduction from the payment of wages are allowed under the Act and what is the minimum amount allowed to be deducted from wages? (12.5)

### UNIT-III

- Q6 What are the procedural requirements for establishing factories as per the Factory Act 1948? How the concept of 'factory', 'manufacturing process', 'workers' are defined? (12.5)

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**OR**

- Q7 As per the Factories Act 1948, what measures are required to be taken in factory for health, safety and welfare of women workers? **(12.5)**

**UNIT-IV**

- Q8 How compensation for the employee is to be decided who met with an accident outside the premises of Factory during the course of employment under Employee Compensation Act 1923? Provide answer with case laws on the issue. **(12.5)**

**OR**

- Q9 How amount of compensation is decided and distributed under the Employee Compensation Act, 1923? In what circumstances the employer is not liable to pay any compensation? **(12.5)**

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] JULY-2023

Paper Code: LLB-406

Subject: Interpretation of Statutes

Time: 3 Hours

Maximum Marks :75

Note: Attempt five questions in all including Q. no.1 which is compulsory. Select one question from each unit.

## PART A

(5x5=25)

- Q1 (a) Discuss the scope and relevancy of construction of Noscitur Sociis?  
(b) Can the court interpret against established international law in case of vacuum in national law?  
(c) What do you mean by "Construction Contemporanea exposition est fortissimo in lege"?  
(d) What is the role of punctuation in interpretation?  
(e) Explain codifying and consolidating statutes.

## PART B

### UNIT-I

- Q2 "The problem of interpretation is a problem of meaning of words and their effectiveness as medium of expression to communicate a particular thought". Elaborate the meaning of interpretation in the light of the above statement. (12.5)
- Q3 When constitutional provisions are interpreted it has to be borne in mind that interpretation should be such as to further incorporation. Elaborate.

### UNIT-II

- Q4 What is the role of Marginal notes in Interpretation? Why is their difference in judicial approach with respect to role of marginal notes of a statute and Constitution. (12.5)
- Q5 The paramount object of statutory interpretation is to discover the intention of the legislature. Discuss.

### UNIT-III

- Q6 Explain the scope of Historical Background and legislative History as an external source of interpretation. (12.5)
- Q7 A Minister moved a bill in Parliament regarding the Privileges of the members of the Parliament. He made certain statements in the Parliament about objectives intended in the bill. Due to Opposition it was referred to the Select Committee and after its report a fresh bill was introduced and passed. State with reasons whether the statement of the minister and the view to the select committee may be taken in to account for the purpose of interpreting the provisions of the enactment.

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**UNIT-IV**

- Q8 (a) In what Circumstances can the courts apply Mischief rule of construction of Statutes?  
(b) Explain the Golden rule of Interpretation with the help of decided cases?
- Q9 A Minister moved a bill in Parliament regarding the Privileges of the members of the Parliament. He made certain statements in the Parliament about objectives intended in the bill. Due to Opposition it was referred to the Select Committee and after its report a fresh bill was introduced and passed. State with reasons whether the statement of the minister and the view to the select committee may be taken into account for the purpose of interpreting the provisions of the enactment. **(12.5)**

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# END TERM EXAMINATION

EIGHTH SEMESTER [BALLB/BBALLB] JULY 2023

Paper Code: LLB402

Subject: Intellectual Property Rights

(BATCH 2014 ONWARDS)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No 1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write **Short Notes** on the following: (5x5=25)
- Unconventional Trademarks
  - Non-patentable inventions
  - Piracy of registered designs
  - Fair dealing as an exception to Copyright Infringement
  - Parallel imports

## PART-B

### UNIT-I

- Q2 What constitutes infringement of a copyright? What are the remedies available for such infringement? (12.5)
- OR
- Q3 The advancement of digital technology has brought with it the biggest threat to the copyright. Discuss this statement in relation to issues related to Digital Copyright. (12.5)

### UNIT-II

- Q4 Elaborate the grounds of refusal for registration of a trademark? Whether the same grounds of refusal are applicable on well know trade mark? Justify your answers with the help of case laws. (12.5)
- OR
- Q5 Elucidate the differences between passing off and infringement with the help of decided cases and relevant provisions in the statute. (12.5)

### UNIT-III

- Q6 What are the rights of a patentee? Whether the provisions of Compulsory Licencing take away the rights available to patentee? Discuss with special focus on Indian public health sector. (12.5)
- OR
- Q7 What are patentable and non-patentable inventions? Discuss the grounds on which registration of a patent may be refused in India. (12.5)

### UNIT-IV

- Q8 Discuss the procedure for registration of designs in India. On what grounds, the registration of design can be cancelled under Section-19 of the Designs Act,2000? (12.5)
- OR
- Q9 In India, Copyright and trademarks are given protection even without registration. What is the status of unregistered designs in India? Discuss in light of applicability of section 22 of the Designs Act, 2000. (12.5)

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# END TERM EXAMINATION

EIGHTH SEMESTER [LLB] JULY 2023

Paper Code: LLB408

Subject: International Trade Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No 1 of Part A which is compulsory. Select one question from each unit of Part B.

## PART-A

- Q1 Write notes on: [5x5=25]
- Concept of mercantilism.
  - Concept of *Lex Mercatoria*
  - Concept of dumping in International Trade Law ie., WTO.
  - Types of services under trade as per GATS.
  - Regional trade Agreements vs. Multilateral Trade Agreements.

## PART-B

### UNIT-I

- Q2 Elaborate the application of following theories in International Trade: [12.5]
- Absolute Cost Advantage Theory
  - Comparative Advantage Theory
  - National competitive Theory

### OR

- Q3 Elaborate the basic principles applicable in international trade laws for the smooth functioning and operation of international trade. [12.5]

### UNIT-II

- Q4 Discuss the evolutionary phase of international trade law from GATT 1947 to World Trade Organisation, 1994. [12.5]

### OR

- Q5 Discuss the procedure and effectiveness of dispute settlement mechanism under WTO. What is the mechanism for the enforcement of settlements of international trade disputes? [12.5]

### UNIT-III

- Q6 Discuss how the agriculture policy of the State has repercussion on the International Trade. How Agreement on Agriculture under WTO balance the regional differences with regards to agriculture? [12.5]

### OR

- Q7 Government as per their national policy regarding business provides various kinds of subsidies. How WTO creates uniform standard of rules with regards to the issue of various kinds subsidies in the promotion of international trade? [12.5]

### UNIT-IV

- Q8 Do you think that the trade has any impact on environment. What are the measures the WTO takes in maintaining balance between trade and environment. [12.5]

### OR

- Q9 Write notes on SAPTA and Doha development agenda with regards to international trade. [12.5]

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# END TERM EXAMINATION

EIGHTH SEMESTER (LLB) JULY-2023

Paper Code: LLB-410(b)

Subject: Election Law

Time: 3 Hours

Maximum Marks :75

**Note: Attempt five questions in all including Q. no.1 which is compulsory. Select one question from each unit.**

## Part - A

- Q1 Write short notes on – (5x5=25)
- (a) Election to the Office of President and Vice-President of India
  - (b) Disqualification for Government Contracts
  - (c) The Symbols Order, 1968
  - (d) Parties to an election dispute
  - (e) Electoral Offences

## Part - B

### UNIT - I

- Q2 "The law is well-settled that ordinarily the bar to interference by courts in electoral matters as contained in Article 329 (b) shall apply once the mechanism of election begins but the jurisdiction of the High Court under Article 226 or of the Supreme Court under Article 136 is not ousted if without interrupting, obstructing or delaying the progress of the election proceedings, assistance of the Court is sought on certain specific reasons." Explain.

OR

- Q3 Discuss the composition, powers and functions of the Election Commission of India. (12.5)

### UNIT - II

- Q4 Explain the Anti-Defection Law.

OR

- Q5 Over the last seven decades, various tests have been laid down by the Supreme Court to ascertain as to whether an 'office' is an 'office of profit' incurring constitutional disqualification in respect of a legislator. Identify them. (12.5)

### UNIT - III

- Q6 State, in brief, the provisions regarding nomination of candidates, in particular, requirements of a valid nomination.

OR

- Q7 Explain the concept of 'Right to Information' under the Representation of People's Act, 1951. (12.5)

### UNIT - IV

- Q8 'Appeal to vote or refrain from voting for any person on the ground of religion, etc., so also promotion of feelings of enmity or hatred between different classes or citizens on grounds of religion, etc., are deemed to be corrupt practices under the law entailing declaration of election to be void.' Explain.

OR

- Q9 Explain the role of Supreme Court to check criminalisation of politics in India. (12.5)

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# END TERM EXAMINATION

EIGHTH SEMESTER (LLB) JULY-2023

Paper Code: LLB-410(c)

Subject: International Humanitarian Law

Time: 3 Hours

Maximum Marks :75

Note: Attempt five questions in all including Q. no.1 which is compulsory. Select one question from each unit.

## Part-A

- Q1 Write short notes on following: (5x5=25)
- Principle of Distinction
  - Principle of Proportionality
  - POWs
  - Effective Control Test
  - Henry Dunant

## Part-B

### UNIT I

- Q2 "For thousands of years, different societies have recognized that there are certain acts that are, and others that are not, permissible in war." (Emily Crawford). In the light of the above statement discuss the means and methods of warfare. (12.5)
- Q3 Trace the history and evolution of Modern International Humanitarian Law. (12.5)

### UNIT II

- Q4 In the light of the international armed conflict between Russia and Ukraine discuss the role of civilians in an armed conflict. What protection is guaranteed to civilians? Explain with the help of relevant provisions maintained under the Geneva Conventions. (12.5)
- Q5 Discuss the salient features of GC I and GC II. (12.5)

### UNIT III

- Q6 "Any difference arising between two States and leading to the intervention of members of the armed forces is an armed conflict within the meaning of Article 2, even if one of the Parties denies the existence of a state of war. It makes no difference how long the conflict lasts, or how much slaughter takes place." (Jean Piquet) In the light of the above statements explain what is an international armed conflict. (12.5)
- Q7 What is a non-international armed conflict? What would be the nature of a conflict between two factions of the armed forces of a State? Explain in the context of the armed conflict between Sudanese Armed Forces i.e the military and the Rapid Support Forces i.e the paramilitary group along with the relevant provisions of the treaty IHL. (12.5)

### UNIT IV

- Q8 How are individuals held accountable for crimes under international law? Discuss with examples. (12.5)
- Q9 Discuss the role and importance of ICRC in an armed conflict. Cite recent examples if any. (12.5)

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EIGHTH SEMESTER [LLB] MAY-JUNE 2016

Paper Code: LLB-412(A)

Subject: Women and Law

Time : 3 Hours

Maximum Marks :75

**Note: Attempt any five questions including Q no.1 of part A which is compulsory. Select one question from each unit of Part B.**

### PART-A

Q1 Write short notes on the following:-

(5x5=25)

(a) Patriarchy

(b) Gender Equality

(c) Adultery

(d) Freedom of Choice

(e) CEDAW

### PART-B UNIT-I

Q2 Give an appraisal of the excesses faced by women in India and explain the extent of protection available to them under the Constitution of India. (12.5)

Q3 Discuss the rights available to women under International Bill of Rights mainly focusing on their economic rights. (12.5)

### UNIT-II

Q4 Critically examine the property rights of women under different personal laws applicable in India. (12.5)

Q5 How is judicial recognition of 'living-in-relationship' and 'irretrievable break down of marriage' in conformity with the goal of gender justice? (12.5)

### UNIT-III

Q6 Discuss the suitability and appropriateness of changes brought about in the criminal law of India after Nirbhaya incident of December 2012 in Delhi. (12.5)

Q7 Describe the salient features of the Protection of Women from Domestic Violence Act, 2005. Evaluate its working and impact in the last one decade. (12.5)

### UNIT-IV

Q8 Elaborate the reasons of the failure of Dowry Prohibition Act, 1961 in controlling the menace of dowry. Especially underline the deficiencies in this law. (12.5)

Q9 Give a concise view of the labour welfare legislations which, if implemented well, can ensure women a dignified life. (12.5)

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