



TAMIL NADU NATIONAL LAW UNIVERSITY
TIRUCHIRAPPALLI



QUESTION PAPERS

[Signature]
FACULTY-IN-CHARGE OF EXAMINATIONS
TAMIL NADU NATIONAL LAW UNIVERSITY
TIRUCHIRAPPALLI - 27

REPEAT (EVEN-SEMESTER)
EXAMINATIONS, JUNE - 2019

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

ADMINISTRATIVE LAW

Time: 2¾ Hours

Maximum Marks: 70

PART - A

Question 1: Answer EITHER A OR B:

A. (i) The delegation of 'essential powers' and 'non-essential powers' of delegated legislation to the executive by the legislature is a judicially created mechanism to check and ensure the theory of Separation of Powers in India. Discuss this statement with reference to In Re Delhi Laws Act and other relevant case law. (7 Marks)

(ii) What is the meaning of the doctrine of substantive ultra-vires with respect to delegated legislation? (7 Marks)

(OR)

B. (i) The Ombudsman was first constituted in Sweden in 1809. While discussing the original concept of the Ombudsman, explore how it has been adapted to India in the form of the Lokpal Act, 2013. (7 Marks)

(ii) How does the Right to Information Act, 2005 define 'information'? What kinds of information are exempt from disclosure under the Act? (7 Marks)

Question 2: Answer ANY FOUR OUT OF SIX (4 X 5 = 20 Marks):

A. Post Decisional Hearing

B. Tortious Liability of the State

C. Scope of Delegated Power of 'Extension with Restrictions and Modifications'

D. Necessity as an Exception to Bias

E. Thick and Thin Conceptions of Rule of Law

F. Fetters on Administrative Discretion

PART - B

Question 3: Answer ANY THREE SETS:

A. Decide the following with respect to Excessive Delegation (2 X 6 = 12 Marks):

- (i) The Municipality of X is empowered by the Local Taxes Act, 2019 to 'impose taxes on irrigated and unirrigated land up to 5 rupees per acre and 3 rupees per acre respectively'. Decide whether the power to impose a tax is excessive delegation or not.
- (ii) There is an acutely short supply of coal available for consumption in country Y. The Parliament in stating this as the object of the enactment Coal Supplies Act 2019, empowers the Central Government under Section 3 to take 'such measures as it finds necessary and expedient to control the supply, demand and production of coal'. Decide whether Section 3 is an instance of excessive delegation or not.

B. Decide the following with respect to the Principles of Natural Justice (2 X 6 = 12 Marks)

- (i) 10 girls entered the boys hostel and stole their clothes as a joke. The boys complained and disciplinary actions were instituted against the 4 girls the boys could identify. During the inquiry proceedings, during which the girls were given full opportunity to represent themselves, they asked to cross examine the boys. The inquiry committee disallowed the application citing *Hira Nath Mishra*. Decide whether cross examination should have been allowed.
- (ii) X's application for a mining lease was denied by the State Government. X appealed to the Central Government. The Central Government dismissed the application without giving separate reasons but in a single line stated that it agreed with the State Government's decision. Decide whether the Central Government ought to have given reasons.

C. Decide whether the following with respect to exercise of Administrative Discretion (2 X 6 = 12 Marks):

- (i) Ms. M, an employee at the Supreme Court filed a complaint stating that a senior judge had sexually harassed her. The inquiry committee constituted found that the allegations could not be proved and also found that Ms. M had taken five days of leave without permission. As a result they dismissed Ms. M from service. How will you decide whether the punishment is proportionate?
- (ii) A company ABC Guns had been supplying 50 guns to the Government every month for ten years. A new policy was framed whereby the private manufacture of guns would be controlled more strictly. As a result, the

Government now changed the ABC Guns quota to only 5 guns a month. Decide whether the Government has exercised its discretion correctly, and if not, how they can remedy it.

D. Decide the following with respect to Control of Delegated Legislation (2 X 6 = 12 Marks):

- (i) The State Government of Gujarat published a notification in the English edition of the Times of India stating that certain items such as ginger and garlic could not be sold in excess of the price notified in local markets. Persons who disobeyed this rule were liable to a ten thousand rupee fine. The parent act is silent with respect to publication. Decide whether the publication is adequate and reasonable.
- (ii) The Parks and Recreation Act, 2016 empowered the Central Government to make rules with respect to the use of open spaces. Section 10 provided that 'every such rule made under the Act shall be laid before both Houses of Parliament as soon as may be after they are made'. The Central Government made several rules but has not laid them before the Parliament. Decide whether the rules are operational and in force without having been laid before Parliament.

E. Decide the following with respect to Conferral of Administrative Discretion (2 X 6 = 12 Marks)

- (i) Under the MNEK Educational Institutions Act 2014, in order for a school to be set up, permission had to be taken from the Commissioner. Section 4 of the Act stated that an application has to detail the number of students admitted, the number of labs, teachers to be recruited etc. Under Section 6, the Commissioner has the power to reject the application as he deems fit. Decide whether the power under Section 6 is uncontrolled discretion or not?
- (ii) Under Clause 4 of the Coal Control Order 2019, the Licensing Authority was given the power to fix the price of coal and add incidental charges with respect to the local conditions prevailing in the State. Coal traders in Tirth State were upset that the price of coal in that state was higher than the one in the State of Kaush. Decide whether their challenge to Clause 4 as conferring unguided discretion to fix prices will succeed or not.

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

Repeat Examinations (Even-Semester), June 2019

BUSINESS ECONOMICS

Time: 2¾ Hours

Maximum Marks: 70

Answer any FIVE of the following questions with not more than 600 words each: (5 X 14 = 70 Marks):

1. Explain Positive and Negative Externalities and ways and means to internalize externalities.
 2. Explain the Law of Demand and Law of Supply along its shifting factors using appropriate examples and figures.
 3. What are the characteristic features of a Monopoly? What is the slope of its supply curve and the market demand curve?
 4. An apple and an orange is not the same in terms of their nutrients. But in the measurement of GDP, rather than the nutrients the market value of apples and oranges are taken into consideration to quantify the growth of any economy. While elucidating about what is GDP elaborate on the components of GDP in an open economy.
 5. In the light of "Don't Panic - How to End Poverty in 15 Years" a documentary hosted by Prof.Hans Rosling and published by BBC broadcasted as part of BBC This World Series in 2015, explain productivity, its role in the development of any economy and the determinants of productivity.
 6. Write about Stable prices and Stable growth at Full employment.
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Repeat Examinations (Even-Semester), June 2019

**CLINICAL-II (DRAFTING, PLEADING AND CONVEYANCE)
(including Limitation Act, The Registration Act & The Stamp Act)**

Time: 2½ Hours

Maximum Marks: 50

PART – A (2 X 10 = 20 Marks)

Answer TWO questions from this Part:

1. Draft an appropriate Deed incorporating the details furnished by following the principles of Drafting of Deeds.

a) Mohan executes a Sale Deed in favour of Lokesh on 20.10.2018 in respect of his one acre of agricultural land worth Rs.30 Lakhs and the same has been got registered with the Sub registry at Melur, Madurai. But in the said registered Deed the name of the parents of the respective parties have been described wrongly besides the extent of the land. The parties having discovered these mistakes in the Deed approaches you to render help to rectify the mistakes crept in the Deed. Draft a suitable Deed of Rectification.

(OR)

b) Ramesh aged 75 years, is residing at Flat No. 1, Ground Floor, 'Ajit Residency, located at Tambaram in Chennai. He has 3 issues viz., 2 sons and a daughter. He has acquired a property in Tambaram, Chennai, covering an extent of 1 acre and has constructed a house therein. He executed a Will during his life time in the year 1999 stating that after his demise his wife Kamala shall become the absolute owner of the property. Kamala, who is now aged 85 years, is interested in executing a Will regarding the property at Tambaram, Chennai. She now desires this property to be equally shared by her 2 sons and the daughter. Draft an appropriate Will.

2. Draft a suitable pleading incorporating the particulars furnished in accordance with the procedural requirements laid down in Civil Procedure Code.

a) M. Gopal son of R, Mahesh residing, in 'Sivaji complex' at Chembur, Mumbai. required a loan amount of Rs. 5 Lakhs to perform his daughter's

wedding. He approached his friend T. Suresh, and obtained the loan amount of Rs. 5 Lakhs agreeing to repay the same with interest at 12% per annum, and executed a Promissory Note there for on 20.06.2015. Though the amount was borrowed in the year 2015, till date no amount has been paid either towards interest or towards the Principal. Hence, Suresh approaches you now to file an appropriate suit for the recovery of the amount due to hm. Draft an appropriate Plaintiff.

(OR)

- b) M/s.Shanti Carriers (P) Limited is carrying on a business in the carriage of goods of all descriptions to various places in India. M/s.Ram Pharma Ltd, a Pharmaceutical company, carrying on business of manufacturing medicines at Bangalore entrusted 5 cartons of medicines to the carrier for delivery at Chennai to M/s.Gopal Medicals, a Sole Proprietor concern. When M/s.Gopal Medicals, went to take delivery of the said 5 cartons, on 03.02.2018 the carrier was able to deliver only 3 cartons and thus shortage in delivery has taken place. M/s.Gopal Medicals, approaches you now too file a suit against the carrier to claim a sum of Rs. 20,000/- being the value of the goods short delivered. Draft an appropriate Plaintiff.

PART - B (3 X 10 = 30 Marks)

Answers to each question not to exceed 400 words:

3. Discuss the usage of impressive stamps and adhesive stamps as given in Sections 11 and Section 13 respectively of the Stamp Act, 1899.
4. (a) A suit was filed in the Sub Judge's court at Agra on June 2, 1913. Limitation expired on June 1, which was a holiday. The Court at Agra determined that it had no jurisdiction and returned the plaint on 21st January 1914 for presentation to proper court at Aligarh. It was accordingly presented on 22nd January. Discuss whether the suit can be entertained or not?

(b) What is the stipulation of exclusion of time when the suit is filed as a pauper?
5. Enumerate and explain the documents for which registration is optional and persons eligible to present documents under the registration Act.

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Repeat Examinations (Even-Semester), June 2019

COMPARATIVE CONSTITUTIONAL LAW

Time: 2¾ Hours

Maximum Marks: 70

Part – A (4 X 15 = 60 Marks)

Answer any FOUR of the following questions:

1. In *Roper v. Simmons*, 543 US 551 (2005), the debate over the migration of constitutional ideas was concluded by Justice Kennedy that ‘while foreign sources does not control our outcome, ... they do provide respected and significant confirmation for our own conclusions.’

In this background, explain ‘the exchange of constitutional ideas’ that helps in constitutional design and transformation.

2. Miguel Schor in an Article titled, “Mapping Comparative Judicial Review,” states as follows:

...[B]oth camps fail to adequately grapple with how courts facilitate or erode the values needed for democracy to survive for the long haul. Both camps also draw judicial review with too broad a brush and ignore important variations in the political accountability of courts.

What are the two camps author is referring to? How does judicial review interact with democracy? Discuss in the background of the given statement.

3. Explain the types of Constitutionalism. What is Jeremy Waldron’s take on it?
4. Explain the origin of and theories underlying the principle of subsidiarity. Connect it to federalism and governance.
5. South Africa is considered to be the forerunner of the idea of Transformative Constitutionalism. Explain the concept, why is South Africa considered so? Can Indian Constitution be said to be transformative in nature? If so, why and how? If not, for what reason?

Part – B (2 X 5 = 10 Marks)

Answer any TWO of the following questions:

6. Explain the executive and the legislative models of emergency.
7. Judges’ role in Transformative Constitutionalism.
8. Explain why India chose to have a quasi-federal structure.

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Repeat Examinations (Even-Semester), June 2019

COMPETITION LAW

Time: 2¾ Hours

Maximum Marks: 70

Instructions:

- a. The problem based questions should be preferably answered in the *IRAC Method* by quoting relevant judicial precedents.
- b. All other questions should be answered by quoting at least three relevant precedents and/or illustrations.
- c. All questions are compulsory. You are strictly directed to follow the Question Number as given in the Question Paper.

Answer ALL the Questions:

1. Critically analyse the following cases by comparing the relevant provisions of the *Competition Act, 2002* and the *Monopolies and Restrictive Trade Practices (MRTP) Act, 1969*:
 - 1.1 Whether *Public Works Department (PWD)* can be considered as an 'enterprise'? In addition to the Indian cases, substantiate your answer by explaining how the term 'undertaking' has been interpreted by the foreign competition authorities. **(6 Marks)**
 - 1.2 The *Silk Producers of Salem* have formed an association to control production and supply of silk within the State of Tamil Nadu. Examine whether the activities of this association will be considered as a 'cartel' within the meaning of Section 2(c) of the *Competition Act*? What orders can the *Competition Commission of India (CCI)* pass on completion of the inquiry? **(6 Marks)**
2. *Camway India Enterprises (P) Ltd.* (hereinafter 'Camway') is engaged in the business of selling variety of food products including dietary supplements through direct sale and network marketing. One of their famous products is *Nutritia Protein Tin* which was advertised as an energy drink for weight loss measures. As per the label of the tin, the energy drink consists of 0.5% fat and permissible Class – I preservatives. 'A' bought this product in February 2018

and realised that despite using the product for over a year, his weight has not reduced. Therefore, he approaches a NGO by name Consumer Guidance Society, Tiruchirappalli (hereinafter 'CGST'). CGST finds out that *Nutritia* contains more % of fat content than what is declared in the label. CSGT also finds out that the tin contained Class – II preservatives, which were not declared on the label. Hence, CGST files a complaint before the District Consumer Forum alleging that *Camway* has indulged in unfair trade practices by misbranding of products and deceptive advertisement. Decide. Alternatively, explain whether this case can be filed before the CCI? (12 Marks)

3. CCI has received complaints from three passengers 'A', 'B' and 'C' that the *Indian Railway Catering and Tourism Corporation (IRCTC) Ltd.*, has been abusing its dominant position in the railway industry. The complaints *inter alia* allege the following unfair and restrictive practices followed by the *IRCTC*:

- a. *unfair/discriminatory conditions in connection with the online passenger reservation system;*
- b. *the compulsory provision of food on special trains like Rajdhani and Shatabdi;*
- c. *monopoly on food courts at large railway stations; and*
- d. *restrictions against private players providing meals through e-catering in trains with no pantry facility.*

Explain in detail the procedure to be followed and the various factors that will be considered by the CCI to ascertain whether *IRCTC* enjoys a dominant position in the railway industry. What orders can the CCI pass on completion of the inquiry? (12 Marks)

4. "Agreements which may otherwise be lawful and enforceable under the general law – such as the Indian Contract Act, 1872 – may still be anti-competitive and fall foul of Section 3 of the Competition Act, 2002. Similarly, a practice or conduct which may be considered as an abuse under Section 4 of the Competition Act may otherwise, but for the said provision be legitimate under the general law. Equally, mergers and amalgamations that are permissible under the general law may result in aggregation of market power that may not be permitted under the Competition Act." (emphasis added). In light of these observations by the Delhi High Court in *Telefonaktiebolaget LM Ericsson (PUBL) vs. CCI and Another* [W.P.(C) 464/2014 & CM Nos.911/2014 & 915/2014],

4.1 Briefly explain the interplay between CCI and other sectoral regulators; (6 Marks)

4.2 What happens when there is a conflict between the provisions of the *Competition Act, 2002* and any other legislation? (6 Marks)

Write Short Notes on All of the following:

5. *Shamsher Kataria vs. Honda Siel Cars India Ltd.* (8 marks)
 6. Whether collective dominance is prohibited under the *Competition Act*? (7 Marks)
 7. Any seven differences between *M RTP Act* and *Competition Act*. (7 Marks)
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Repeat Examinations (Even-Semester), June 2019

CONSTITUTIONAL LAW -II

Time: 2¾ Hours

Maximum Marks: 70

Question No.1 is Compulsory. Out of the remaining, answer any FIVE questions:

1. Write short notes on (any FOUR): (4 X 5 = 20 Marks)

- a. Five features of federalism in the Indian Constitution
- b. Ancillary Powers
- c. Doctrine of *Territorial Nexus*
- d. Jurisdiction of Supreme Court in Inter-State water disputes
- e. Doctrine of Pith and Substance

2. During a 'national emergency', a citizen has no *locus standi* to move before a Constitutional Courts to enforce his or her certain fundamental rights. Reflect on this statement and discuss about the innate relationship between fundamental rights during National Emergency. Justify your answer with relevant case laws. (10 Marks)

3. With the help of pertinent provisions, case laws and committee recommendations if any, write a detailed note on the role of the Governor in the appointment of the Chief Minister of the state. (10 Marks)

4. "Contempt of Court is a power inherent to a court of record." In this regard discuss the sweep of power of the Supreme Court and the High Courts to punish for their contempt. (10 Marks)

5. A. In the light of Parliamentary privileges envisaged under the Constitution of India, express your opinions for or against the need for codification of Parliamentary privileges in India. (5 Marks)

B. Examine the scope of Parliamentary privileges with respect to Part-III of the Indian Constitution. Can the privileges be subjected to judicial review? (5 Marks)

6. A. What is meant by 'individual responsibility and 'collective responsibility' of the Council of Ministers? What would be the consequence of 'individual responsibility' in case a Minister of the Government is found guilty of tort of misfeasance by the Supreme Court of India? Comment. **(5 Marks)**
- B. The President of India appoints a disqualified person to a constitutional office. Discuss the validity of the decision given by the President with the help of Constitutional provisions and case laws. **(5 Marks)**
7. Explain the Pardoning power of the President of India under Article 72 of the Constitution? Discuss with reference to Supreme Court case the extent to which the exercise of this power can be subjected to judicial review. **[10 Marks]**
8. Critically analyze the legal framework regarding the impeachment of judges in the higher judiciary. **[10 Marks]**
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Repeat Examinations (Even-Semester), June 2019

CORPORATE FINANCE LAW

(Law relating to primary market of issue of corporate securities and foreign direct investment)

Time: 2¾ Hours

Maximum Marks: 70

Instruction:

This is an open book examination. Corporate Laws and SEBI Manuals without any printed notes on case laws added by publisher, Acts, Rules, Regulations, By-Laws, Circulars, Notifications, Law Review articles, full text of the judgments may be carried to the examination hall. Class notes, handwritten or photocopy and text or reference book(s) shall not be allowed.

Answer ALL the questions:

1. Critically comment on the regulatory model in India as regards primary market transactions with a special reference to informed consent of the investors. (15 Marks)

(OR)

Critically comment on *Sahara India Real Estate Corporation Ltd. & Ors. v. Securities and Exchange Board of India & Anr.*, Civil Appeal No. 9813 of 2011 with Civil Appeal No. 9833 of 2011, Supreme Court of India. (15 marks)

2. Ponni Acqua Ltd. (PAL) had filed draft offer document with SEBI to issue equity shares. The objective of the company is to start water purification and bottling plant in Trichy. In the meanwhile, due to alarming level of ground water depletion, the State has passed a new law prohibiting extraction of ground water by companies such as PAL. Hence, PAL was compelled to change its objectives. Instead of altering the objects clause in the MoA, PAL filed a writ petition before the High Court challenging the constitutionality of the new law. Pending the outcome of the writ petition, PAL continued with the issue process and issue was opened to subscribers. Is this action of PAL valid under the extant market regulations? Substantiate your answers with reason(s). What steps, if any, permissible in law, will you take in this situation if you receive the Offer Document in your capacity as the Registrar of Companies having jurisdiction over the territory in which the registered office of PAL is situated? (15 Marks)

3. ULNNT Ltd. proposes to issue equity shares to raise INR 500 Crores. The company was cautioned about the present market conditions and that the company may not get the adequate subscription if the issue price of each share is kept higher than the prevalent market rates. In the event of over pricing the company may not get adequate subscription. However, the board of directors could not arrive at the prevalent market price unanimously and a group of directors were of the view that the price should be kept lower than what was proposed by majority. Advise the company to manage the risk of not getting minimum subscription due to over pricing of shares and a suitable method of IPO. (10 Marks)
4. TPJ Ltd. (TPJL) was started by a group of very energetic youngsters about 3 ½ of years ago to start organic country egg production. At the time of initial financing of TPJL, Sidtanoj, a HNI, who invested a sum of INR 10 crores in the venture and who got 10 crores of shares issued by the company, had negotiated for exit through the IPO at the end of 4 years from the date of investment. The said agreement also requires other investors to take the shares from Sidtanoj in case the exit through IPO was unsuccessful for whatever reason. As on date, TPJL has a net tangible asset of 5 crores. Of these 5 crores, 3 crores are held in monetary assets. In view of the above facts you are required to draft relevant clauses including disclaimer clause of the offer document to be sent to SEBI proposing IPO of all shares held by Sidtanoj and fresh issue of shares for raising a sum of INR 500 crores from public. (15 Marks)
5. Ariyalur Cement Co. Ltd. proposes to issue convertible debentures worth 500 crores to public. Accordingly, it has prepared a draft offer document to be sent to SEBI. However, the issuer is not sure whether or not in-principle approval for listing of these debentures are required to be obtained from any of the recognized stock exchanges having nationwide trading platform. You are the merchant banker and you have been approached for opinion. Please advice. (10 Marks)

6. Write short notes on the following:

Liability of existing members to subscribe to shares issued through rights issue.

(5 Marks)

[OR]

Extent of regulation of Foreign Direct Investment by the Reserve Bank of India.

(5 Marks)

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Repeat Examinations (Even-Semester), June 2019

CORPORATE LAWS-II

Time: 2¾ Hours

Maximum Marks: 70

Part-A (4 X 10 = 40 Marks)

Answer any FOUR of the following questions:

1. Pogo Company Limited is listed company having 9 directors i.e. Mr.Oswald, Ms.Daisy, Mr.Noddy, Mr.Bean, Mr.Barney, Ms.Sabrina, Ms.Tweety, Ms.Emmy, Mr.Max. The Company intended to have the maximum number of Directors allowed by law. They are looking for prospective candidates to fill up their posts. You are advised to clarify these queries citing relevant legal provision.
 - a. What is the maximum number of directors that Pogo Ltd. can appoint? Can all the remaining directors be appointed in a single resolution? How many independent directors are required on board assuming that they don't have any independent director now? **(2 Marks)**
 - b. Mr. Barney, a citizen of UK was appointed as one of the director in the Company. Is this appointment valid? **(1 Mark)**
 - c. Mr. Bheem, a young dynamic professional aged 28 Years, has stayed in India for the past 150 days. He does not hold any shares in Pogo Ltd. Small shareholders have decided amongst themselves that he is proposed to be appointed as small shareholders director who shall not be liable to retire by rotation and his tenure shall be for five years from the date of joining the office of director. **(2 Marks)**
 - d. Ms. Cassie along with her daughter held 3% of the Total voting Power in Pogo Limited in the year preceding the current financial year. Can Ms. Cassie be appointed as an Independent Director? **(1 Mark)**
 - e. Mr.Max, the Managing Director of ABC Limited who was also the Chairman of the Board has resigned from the Managing Directorship of the company. He, however, wants to continue as a director in the company. Referring to the provisions of the Companies Act, 2013, state whether MD and Chairperson can be the same person. Also, state whether Mr.Max can continue as a director in the company. **(2 Marks)**

- f. Pogo Ltd holds 75% shares in Rogo Ltd. Mr. Noddy, one of the directors, wants to inspect the books of Rogo Pvt Ltd. Is it tenable? **(2 Marks)**
2. Board of Directors of One Piece Ltd have met on 10th April 2019 to consider the yearly accounts of the company and to declare divided for the year. Advise the Board on following queries:
- a. What is a dividend? What is the status of dividend declared? **(2 Marks)**
 - b. Dividend Distribution Policy and its applicability **(2 Marks)**
 - c. Can a company declare dividends in case it has suffered losses? Discuss in detail relevant provisions? **(3 Marks)**
 - d. The Board is also concerned about the money remaining unpaid / unclaimed by way of interests or dividends or principal money. Can the Company retain such money and use for its own purpose? Discuss in detail as what can be done. Also point out relevant provisions. **(3 Marks)**
3. A Scheme of Merger of Company Sasuke Ltd with Company Sakura Ltd is proposed. Sakura Ltd is a subsidiary of Sasuke Ltd. Company Sasuke Ltd has approached you for advice in this regard. Do give your advice citing legal provisions.
- a. Discuss the procedure to be followed by the Companies to get approval for the scheme of merger. **(4 Marks)**
 - b. There are a few shareholders who dissent with this particular scheme. What, according to law, would you suggest the company do with their shares? **(3 Marks)**
 - c. What do you understand by the term “squeeze-out” and state the methods in which it can be carried out in the present case? **(3 Marks)**
4. XYZ Ltd. Has by a special resolution resolved that the Company be wound up by the tribunal.
- a. Elaborate the Procedure to be followed by the Company for winding it up. **(5 Marks)**
 - b. Discuss the provision regarding preferential payments. **(5 Marks)**
5. ABC Ltd decides to raise capital through Private Placement. However, 215 persons including 15 employees subscribe and invest in debentures of the Company. The Companies Act, 2013 prohibits issue through private placement to more than 200 persons. The Company comes to you for advice.
- a. Does Private Placement provisions under CA2013 apply only to shares. **(2 Marks)**
 - b. Whether SEBI has jurisdiction over unlisted Companies? **(2 Marks)**

- c. Is the private placement in accordance with the provisions of the Companies Act, 2013? Discuss the procedure to be followed for Private Placement under the Act and the Rules. (4 Marks)
- d. What is a Letter of offer? Mr. X, who has received the offer letter, wants to renounce this right in favour of Mr. Y. Can Mr. X do so? (2 Marks)

PART-B (4 X 5 = 20 Marks)

Answer any FOUR questions from this part:

6. Strong corporate governance is indispensable to resilient and vibrant capital markets and is an important instrument of investor protection. It is the blood that fills the veins of transparent corporate disclosure and high-quality accounting practices. It is the muscle that moves a viable and accessible financial reporting structure. Without financial reporting premised on sound, honest numbers, capital markets will collapse upon themselves. Discuss
7. Board of Directors of Tamil Ltd has decided not to preserve the books of accounts and other related records of accounts, for more than five years immediately preceding the relevant financial year of 2018-19 due to shortage of space in the office premises. Referring to the provisions of the Companies Act, 2013, examine the validity of the Board's decision and advise on alternatives to the current problem. Can these financial statements be amended? Explain the key differences between Revision and Recasting of accounts.
8. Jai Ltd has one of its office building situated at New York. The Bank has granted a term loan of Rs 50 Crores and wants to mortgage its New York Office. Whether a company can mortgage the office building. Can a charge be created on assets located outside India? What are the points to be kept in mind while creating a Charge?
9. Discuss in detail the salient features of the Takeover Code.
10. Explain what do you understand by the term "Shares" and its classification. Is ownership of shares same as an ownership of a tangible property?

PART-C (2 X 5 = 10 Marks)

11. Answer any FOUR questions from this part:

- a. Hybrid Instruments
- b. Insider Trading
- c. De-Merger
- d. DIN
- e. Liquidator
- f. Mismanagement

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

Repeat Examinations (Even-Semester), June 2019

COST AND MANAGEMENT ACCOUNTING

Time: 2¾ Hours

Maximum Marks: 70

Part-A (5 X 2 = 10 Marks)

Answer any FIVE of the following questions:

1. What is Prime Cost?
2. Explain the term Cost Apportionment.
3. From the following information calculate the labour turnover rate under Replacement Method and Separation Method.

Number of workers at the beginning of the period: 3800

Number of workers at the end of the period: 4200

During the year, 40 workers left while 160 workers are discharged 600 workers are recruited during the year, of these 150 workers are recruited to fill up vacancies and rest are engaged on account of an expansion of an expansion scheme.

4. In a factory workers are paid at Rs.50 per hour. During the month of April 2010, there were 25 working days of 8 hours each.

There is also a piece work plan where in Rs.10 is to be per piece produced.

During the month worker X produced on average 48 pieces per working day.

Ascertain the wages of worker X under

(a) Time Wages

(b) Piece Wages

5. A worker is paid at 25 paise per hour for completing a work within 8 hour. If he complete the work within 6 hours. Calculate his wages under Halsey plan when the rate of premium is 50%. Also ascertain the effective hourly rate of earning by the worker.

6. Ascertain the Gross profit Ratio from the following particulars:

Gross profit - Rs.27,000

Cost of Sales - Rs.33,000

Opening stock - Rs.12,000

Closing stock - Rs.16,000

7. State any three objectives of Management Accounting.

PART- B (4 X 5 = 20 Marks)

Answer any FOUR of the following questions:

8. Distinguish between Cost Accounting and Management Accounting.
9. From the following particulars find the amount required for cash payment of wages in a factory for a particular month:

Wages for normal hours worked	2,00,000
Wages for overtime worked	5,000
Leave Wages	4,000
Deduction for employees state insurance scheme	3,000
Employees contribution to provident fund	2,000

House rent to be recovered from 20 employees at Rs.50 per month.
Employer also contributes an equal amount towards ESI and PF.

10.

Fixed overhead	Rs.1,20,000
Variable overhead	Rs. 2,00,000
Direct Wages	Rs. 1,50,000
Direct Materials	Rs. 4,10,000
Sales	Rs.10,00,000

Calculate the Break – Even Point and the P.V Ratio.

11. Calculate the Minimum stock level, Maximum stock level and Re-order level from the following information:

Minimum consumption 100 Kgs per day, Maximum consumption 150 Kgs per day, Normal consumption 120 Kgs per day, Re-order period 10-15 days, Re-order quantity 1500 Kgs, Normal re-order period 12 days, Time for emergency supplies 3 days.

12. During the year 2008, X Ltd, produced 50,000 units of a product. The following were the expenses:

Stock of raw materials on 1.1.2008	– Rs.10,000
Stock of raw materials on 31.12.2008	– Rs.20,000
Purchases	–Rs.1,60,000
Direct Wages	–Rs. 75,000
Direct Expenses	– Rs.25,000
Factory Expenses	–Rs.37,500
Office Expenses	– Rs.62,500
Selling Expenses	– Rs.25,000

You are required to prepare a cost sheet showing cost per unit and total cost at each stage.

PART - C (4 X 10 = 40 Marks)

Answer any FOUR of the following questions:

13. Explain the various Premium or Bonus methods of payment to workers.

14. Discuss the various Elements of cost.

15. Strongman Ltd has three production departments A, B and C and two service departments X and Y. The following particulars are available for the month of March 2010, concerning the organisation.

Rent	15,000
Municipal taxes	5,000
Electricity	2,400
Indirect wages	6,000
Power	6,000
Depreciation on Machinery	40,000
Canteen Expenses	30,000
Other labour related costs	10,000

1,14,400

The following further details are also available:

	Total	A	B	C	X	Y
Floor space (sq.mts)	5,000	1,000	1,250	1,500	1,000	250
Light points	240	40	60	80	40	20
Direct Wages (Rs.)	40,000	12,000	8,000	12,000	6,000	2,000
Horse power of Machines	150	60	30	50	10	-
Cost of Machines (Rs.)	2,00,000	48,000	64,000	80,000	4,000	4,000

The expenses of service departments are to be allocated in the following manner

	A	B	C	X	Y
X	20%	30%	40%	-	10%
Y	40%	20%	30%	10%	-

You are requested to calculate the total overhead of the three production departments by preparing Primary and Secondary Distribution Summary.

16. The following balance sheets of Harper Steel Ltd are given for the years ending on 31st March 1998 and 1999.

Liabilities	31 st Mar.1998 (Rs.)	31 st Mar.1999 (Rs.)	Assets	31 st Mar.1998 (Rs.)	31 st Mar.1999 (Rs.)
Share Capital:			Fixed Assets :		
Equity Share capital	20,00,000	40,00,000	Land and Buildings	12,00,000	28,00,000
Reserves & Surplus:			Plant and Machinery	6,00,000	18,00,000
Capital Reserve	1,00,000	2,00,000	Furniture and Fixtures	2,00,000	3,00,000
General Reserve	6,00,000	5,00,000	Investments:		
Secured Loans:			Subsidiary in X Ltd.	1,00,000	1,00,000
10% Debentures		4,00,000	Immovable properties	8,00,000	4,00,000
Current Liabilities:	2,00,000		Current Assets:		
Sundry Creditors		8,20,000	Cash	2,00,000	20,000
	12,00,000		Book debts	6,00,000	2,00,000
			Stock- in – Trade	4,00,000	3,00,000
	41,00,000	59,20,000		41,00,000	59,20,000

Prepare a Comparative Balance Sheet of the company and study its Financial Position.

17. From the following balance sheets of Shri Company Ltd as on 31st Dec 1997 and 31st Dec 1998. Prepare: (i) A schedule of changes in working capital and (ii) Funds Flow Statement.

Liabilities	31.12.97	31.12.98	Assets	31.12.97	31.12.98
Equity share capital	3,00,000	4,00,000	Furniture (at cost)	1,00,000	1,20,000
Share premium	-	10,000	Less: Depreciation	56,000	68,000
General Reserve	1,00,000	1,20,000		44,000	52,000
Profit & Loss A/c	40,000	70,000	Goodwill	20,000	16,000
Debentures	2,00,000	1,50,000	Long term investments	80,000	1,04,000
Bills payable	50,000	40,000	Stock	5,08,000	5,78,000
Trade creditors	70,000	80,000	Debtors	62,000	56,000
Outstanding Expenses	4,000	2,000	Cash at bank	44,000	62,000
			Discount on Debentures	6,000	4,000
	7,64,000	8,72,000		7,64,000	8,72,000

18. From the following particulars, prepare a production budget of Arun Sales Corporation for the year ended June 30, 1987:

Product	Sales (Units) (as per sales budget)	Estimated stock (units)	
		July 1, 1986	June 30, 1987
A	1,50,000	14,000	15,000
B	1,00,000	5,000	4,500
C	70,000	8,000	8,000

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY

Time: 2¼ Hours

Maximum Marks: 70

Answer any SEVEN of the following questions, answers must be descriptive:

(7 X 10 = 70 Marks)

1. Criminology seeks to study the phenomenon of criminality in its entirety and factors related there with. Explain.
2. Point out the interaction of economic conditions on delinquency and suggest the remedies.
3. State the origin development and object of probation.
4. Discuss the role of prison education as rehabilitative device to criminals.
5. Define white collar crime and comment on the statement that there is a need of new criminal jurisprudence to effectively deal with this new class of criminality.
6. Compare the juvenile court system with the criminal court system with the help of the concerned provisions of Juvenile Justice Act, 1986.
7. Quite often the base of the organized crime is provided by the deadly combination of criminals and politicians. Explain.
8. Define Victimology and explain various victim compensation schemes under Indian laws.
9. Explain the contributions of classical school of criminology. What are the modifications made by Neo-Classical School of Criminology?
10. Define psychopathic personality and bring out the relationship between mental abnormality and crime.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

CYBER LAW

Time: 2¼ Hours

Maximum Marks: 70

Part – A (10 X 2 = 20 Marks)

Answer ALL the questions in not less than 50 words and not more than 100 words each:

1. What is Phishing and Vishing?
2. What is cyber governance? State whether E- Passport seva, Kisan 24x7 online portal are part of E-Governance?
3. What is the role of ICANN?
4. What are the two new concepts that were included in the 2018 EU Copyright Directive?
5. Explain space transition theory.
6. What is cryptography? State how it is used to create digital signature?
7. What is a computer? State whether a smart phone can be considered as a computer?
8. What is a digital signature?
9. What is electronic signature?
10. What is cyber terrorism

PART – B (5 X 10 = 50 Marks)

Answer any FIVE of the following questions:

11. "Right to privacy and Freedom of speech and Expression are two rights which are mostly affected in the cyber space" - Analyse this statement in the light of the two land mark decisions given by the Indian Supreme court, (Retd.) Justice Puttuswamy & Others v. Union of India and Shreya Singhal v. Union of India.
12. Explain the different types of online trademark infringements that occur in Cyber space.
13. What is E – Commerce? State the different types of E- Commerce methods.
14. Explain in detail about the Minimal Contacts theory.
15. What is a cybercrime? Write about any 5 cybercrimes in detail with case laws.
16. Explain the principle of safe harbor in detail.

Name : Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

ENGLISH-II / BUSINESS ENGLISH-II

Time: 2¾ Hours

Maximum Marks: 70

I. Read the passage given below and then answer the questions that follow
(5 X 2 = 10 Marks)

Equity is known as a maxim applied and instituted in the majority of Western legal systems. Aristotle first formulated it as a correlative, in the context of Greek tragedy, to the consideration of mitigating (or sometimes exacerbating) circumstances that connect criminal action with tragic error. As a mode of justice, Aristotle's notion of equity sometimes disregards the letter of the law, or its rhetoric, especially where the law does not honor consideration of character, as in the case of Antigone (Antigone in the play *Antigone*), or special circumstances, as in the case of Oedipus (Oedipus in the play *Oedipus Rex*). Both the letter of the law and equity supplement the law's "spirit" or the legislator's general intentions in creating a specific law. The sense of equity as a corrective can thus potentially blur clear-cut distinctions between "intension" and "letter". Equity may supplement the letter of the law in order to ensure that a given interpretation of the "letter" will express the "spirit" of the law. But equity may also supplement the spirit of the law, or even the very supplementary relation between "letter" and "spirit" in order to underscore a more fundamental mismatch between "letter" and "spirit".

It seems not entirely wrong, while certainly a gross oversimplification, to say that lawyers and legal theorists tend to deal with the first option—a rule bound jurisprudence of equity—and literary practitioners with the second—a less formal, more allusive supplementary notion of equity. But the question as to whether equity does or does not "belong" to the law is not just an institutional one. The answer also depends on whether equity is associated with something general, such as a universal rational order of justice, or something particular, such as the judicial discretion to interpret the law according to rules and precedents that can change over time. Similarly, it depends on whether the law is associated with something general, such as the predictability and security of rules, or something particular, such as the alterability and flexibility of rules and precedents over time. Thus, what is general about equity is its concern with what is universal; what is particular, its concern with what is flexible.

For Aristotle, equity was a means of adjusting Universalist human assumptions in legislation and legal practice to a cosmic order of justice. He considered the “poetic fictions” of Athenian tragedy an appropriate means (“mimesis”) toward that end. For him, the “particular”, incomplete, and non-absolute quality of justice and injustice that tragedy helped to express also shaped the function of narrative in the Athenian courts. To enhance public debate in the community, it was not enough to use such narratives simply to appeal, by means of persuasion, to the moral quality of certain rules or opinions. For rules and opinions were human-made, and as such fallible. Sometimes, the appeal to a universal, rational order of justice was needed. To the extent that “poetic” fiction (tragedies) performed such an appeal, they could then be considered an “equitable” form of legal fiction: they would be used to create a plot whose truth about human action is self-evident. When such an act of *mimesis* was successful, however, those fictions would also indicate the very limitations of public rhetoric, or persuasion, in creating justice. But in the early modern period, that sense of a universal order of justice suffered a gradual demise. Eventually, the “equitable “Aristotelian unity of “poetics” and the legal fictions fell apart as well. The traditional function of Aristotelian *mimesis* shifted towards that of representing, enacting, and supplementing the complex networks of institutions, practices, and belief that constituted Renaissance culture as a whole.

- 1) How do you understand equity in relation to legal and literary discourse?
- 2) How does Aristotle conceive the idea of justice?
- 3) How do literary practitioners use “equity” in legal fictions?
- 4) Comment on the representation of “equity” in the legal fictions.
- 5) What is “tragic error”, according to Aristotle? How it is connected to “criminal action”?

II. Do as directed: (5 X 1 = 5 Marks)

- 1) We all hope..... (Supply a noun Phrase)
- 2) It is ten o'clockmy watch. (Insert suitable Preposition)
- 3) The laws of most countries today are split into two kinds criminal law and civil law (Punctuate the given sentence)
- 4) I had spoken. (Change this statement into past perfect continuous)
- 5) It weighs *about* a pound (Name the part of speech of the italicized word)

III. Write a short critical note in 200-250 words on any one of the following: (1 X 5 = 5 Marks)

- 1) Humanism
- 2) Truth
- 3) Justice
- 4) Morality
- 5) Mercy

IV. Imagine that you are an editor-in-chief, of a leading national daily, hosting an interview with the newly elected Prime minister of India. Write down the interview script in conversational mode. (100-150 words) (1 X 5 = 5 Marks)

(OR)

Write a paragraph in about 100-150 words on the topic given below using the hints:

The benefits of reading fiction. (Source of pleasure / instruction /dialectical conflicts / inspiration / social-realism / life's philosophy /noble thoughts / ideas / creativity).

V. Give the importance of body language in the process of communication. (100-150 words) (1 X 5 = 5 Marks)

(OR)

Explain verbal and non-verbal communication.

VI. The act of translation aims at the transference of socio-cultural matrix. Explain. (1 X 10 = 10 Marks)

(OR)

Give a critical summary of Francis Bacon's essay "Of Judicature".

VII. Critically evaluate the character of Antigone (in the play *Antigone*) and Nora (in the play *A Doll's House*) with the general principles of feminism. (1 X 10 = 10 Marks)

VIII. How does Nora subvert the idea of marriage and the patriarchal norms in *A Doll's House*? (1 X 10 = 10 Marks)

IX. Annotate the following dialogues with special reference to the ideological conflicts between Antigone and Creon in the play *Antigone*. (1 X 10 = 10 Marks)

CREON: Never the enemy, even in death, a friend.

ANTIGONE: I cannot share in hatred, but in love.

CREON: Then go down there, if you must love, and love the dead.
No woman rules me while I live.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
B.A. LL.B. (Hons) / B.Com. LL.B. (Hons) Degree Programme
Repeat Examinations (Even-Semester), June 2019
ENVIRONMENTAL LAW

Time: 2¼ Hours

Maximum Marks: 70

Answer the following questions:

1. In the last five decades, the international environmental law has evolved rapidly because of the introduction of environmental risk. Analyse the evolution of international environmental law and discuss the possibilities and limitations of the law in addressing environmental problems at the global, regional and local level. **(10 Marks)**
2. Explain in brief “Indian Constitution and the Environmental Protection”. **(10 Marks)**
3. Discuss the powers and functions of the Central Pollution Control Board under the Air Act, 1981 and the Water Act, 1974. **(10 Marks)**
4. **Answer any SIX of the following (6 X 5 = 30 Marks):**
 - (a) Explain the factors responsible for Environmental Pollution.
 - (b) Chennai-Salem Eight-Lane Greenfield Expressway Project. Comment on the environmental perspective.
 - (c) Comment upon *Sterlite Industries (India) Ltd. v. Union of India* (2013) 6 S.C.R.573.
 - (d) Sustainable Development is considered to be an economic development without the depletion of natural resources. Comment.
 - (e) Explain the importance of Biomedical Waste Management and its Rules, 2018.
 - (f) Doctrine of Public Trust. Explain with judicial decisions.
 - (g) Explain the stages of Environmental Clearance.
 - (h) Role of United Nations in Environmental Protection.
5. **Answer any FIVE of the following (5 X 2 = 10 Marks):**
 - (a) Define ‘Environmental Pollution’.
 - (b) Bring out the difference between In-situ and Ex-situ Conservation.
 - (c) *Animal Welfare Board of India v. A. Nagaraja & Ors*, 2004 (7) scc 547.
 - (d) Noise Pollution Rules, 2000.
 - (e) Access and Benefit Sharing.
 - (f) Environmental Ethics.
 - (g) Classification of Forests.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

FAMILY LAW -I

Time: 2¼ Hours

Maximum Marks: 70

PART – A (3 X 10 = 30 Marks)

Answer the following questions:

1. Mrs. Dianaa, aged 28 years is a convict awaiting her death sentence for killing 3 policemen who had conducted investigations on her husband, a journalist by profession. Her husband had been alleged to undergo a custody trial and eventually died in police custody. Mrs. Dianaa had only one son who is just one year old when she was convicted. However, Mrs. Dianaa's elder brother who is married, has family and lives in the same city. Taking into the considerations these facts and circumstances, decide how the custody and guardianship of the infant child who is one year of age, will be determined as per the Hindu Minority and Guardianship Act, 1956?
2. Siddharthanand and Praavita are both Hindus and they got married under the Hindu Marriage Act, 1955 on 14th February, 2017. At the time of the marriage, but before the ceremony, Praavita tells Siddharthanand that she is attracted to both men and women. In June 2018, Praavita gives birth to a boy who the couple decides to call Gowthaman. In December 2018, Praavita comes to realize that she is a lesbian and is only attracted to women. Praavita wants to get a divorce from Siddharthanand and explore her sexuality in relationships with women. What are the options available to her under the Hindu Marriage Act, 1955?
3. Abbas and Maryam are a married Sunni Muslim couple who have been living in VasantKunj, New Delhi since 2016. On June 5, 2019, on the day of Eid, Abbas has a fight with Maryam over the food served at their Iftaar party. Frustrated, Maryam leaves the house, and goes to her parent's house in Defence Colony, New Delhi. Angry at Maryam, Abbas writes that he is ending his relationship with Maryam by pronouncing talaq on her on a postcard. He posts the card but accidentally writes the VasantKunj address on it, and it comes back to his house. At this time, on June 15, 2019, the parents of both Abbas and Maryam are visiting the VasantKunj house, and happen to see the card.

They try to attempt a reconciliation but Abbas does not agree. However, his parents convince him to at least tell Maryam in person about the divorce rather than sending a written *talaq* by post. He destroys the postcard, meaning to pronounce *talaq* to Maryam in person. When they return to Defence Colony, Maryam's parents do not tell her about the postcard but advise her to attempt a reconciliation with Abbas. Maryam messages Abbas on Facebook and gradually, they reconcile and Maryam decides to return to VasantKunj on December 25, 2019. At this time, what is the status of the relationship between Maryam and Abbas? Give reasons for your answer using decided cases.

PART – B (4 X 10 = 40 Marks)

Answer any FOUR of the following questions:

4. Opine as to whether registrations of marriages are regulated in India? Is it compulsory to register the marriages as per the existing personal laws?
 5. What are the essential differences between “Mahr” and “Maintenance”? Under the Mohammedan law, is it necessary to give both maintenance and Mahr after *Talaq* to a Muslim wife?
 6. Explain the rules relating to adoption as per the Hindu Adoption and Maintenance Act, 1956?
 7. What is meant by “Best Interest of Child”? How is it used to determine the Guardianship and Custody of a child?
 8. What are the different marital obligations between the spouses that arise from getting into ‘sahi’, ‘batil’ and ‘fasid’ marriages under Muslim Law?
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Name : Register No.: **TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI****B.Com. LL.B. (Hons) Degree Programme****Repeat Examinations (Even-Semester), June 2019****FINANCIAL MANAGEMENT AND PRACTICAL AUDITING**

Time: 2¼ Hours

Maximum Marks: 70

PART-A (5 X 5 = 25 Marks)**Answer any FIVE of the following questions:**

1. "Financial Management is nothing but managerial decision making on asset mix, capital mix and profit allocation". – Explain
2. What are the different risk factors will you considered while making capital market investment and how will you manage them?
3. Examine the different techniques employed to adjust the time value of money.
4. What is meant by the term "leverage"? What are its types? Explain them.
5. How will you classify the Modern Auditing? Briefly explain them.
6. Describe the qualifications and qualities of an Auditor.

PART – B (3 X 15 = 45 Marks)**Answer any THREE of the following questions:**

7. A company is considering two mutually exclusive projects. Both require an initial investment of Rs.50,000 each and have a life of five years. The cost of capital of the company is 10% and tax-rate is 50%. The depreciation is charged on straight-line method. The estimated net cash inflows (before depreciation and tax) of the two projects are as follows:

Year	Project A	Project B
1	20,000	30,000
2	22,000	27,000
3	28,000	22,000
4	25,000	25,000
5	30,000	20,000

Which project should be accepted as per Payback Period, Net Present Value and Internal Rate of Return methods?

8. Ram Brothers Private Ltd. sells goods on a gross profit of 25%. Depreciation is taken into account as a part of cost of production. The following are the annual figures given to you:

	Rs.
Sales (Two months' Credit)	18,00,000
Material consumed (One month credit)	4,50,000
Wages (One Month lag in payment)	3,60,000
Cash manufacturing expenses (one month lag in payment)	4,80,000
Administration expenses (one month lag in payment)	1,20,000
Sales promotion expenses (paid currently in advance)	60,000
Income-tax payable in 4 instalments of which one lies in next year	1,50,000

The company keeps one month's stock of each raw material and finished goods. It also keeps Rs.1,00,000 in cash. You are required to estimate the working capital requirements of the company assuming 15% contingency reserve.

9. ABC Ltd belongs to a risk class for which the appropriate capitalization rate is 10%. It currently has outstanding 5,000 shares selling at Rs.100 each. The firm is contemplating the declaration of dividend of Rs.6 per share at the end of the current financial year. The company expects to have a net income of Rs.50,000 and has a proposal for making new investments of Rs.1,00,000. Show that under the MM hypothesis, the payment of dividend does not effect the value of the firm.

10. ABC Ltd. has the following book value of the capital structure:

	(Rs.Million)
Equity capital (10 million shares, Rs.10 par)	100
Preference capital, 11% (1,00,000 shares, Rs.100 par)	10
Debenture, 13.5% (5,00,000 debentures, Rs.100 par)	50

The next expected dividend per share is Rs.1.50. The dividend per share is expected to grow at the rate of 7%. The market price per share is Rs.20. Preference stock, redeemable after 10 years is currently selling for Rs.75 per share. Debenture, redeemable after 6 years are selling for Rs.80 per debenture. The tax rate for the company is 50%. Calculate cost of Equity, Preference shares and Debentures.

11. Define the term "Auditing". Classify the Modern Auditing. Explain them with suitable examples.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

HEALTH CARE LAWS

Time: 2¾ Hours

Maximum Marks: 70

Part – A (3 X 10 = 30 Marks)

Answer any THREE of the following questions:

1. Mrs. Perna was pregnant with twins and was nearing her due date. Mr. Raghul, her husband, was getting tensed for Mrs. Perna's health as the doctor has confirmed that c-sec (Cesarean Section) is the only possible solution for a smooth delivery. Therefore, on the due date 23.06.2019 they both proceeded for the surgery. As Mr. Raghul was waiting for the c-sec to get over, he met Mr. Madan, who was also waiting for his wife's delivery to get over. Mr. Madan informs that they had lost 3 children previously in child birth due to birth complications and this child -4th one is their only ray of hope and he is very much tensed. Mr. Raghul reassured that there is nothing to worry and everything will be alright. However, unfortunately Mr. Madan's wife again had complications and delivered a still born baby. But Mrs. Perna delivered two healthy boy babies. Therefore, the doctor's suggest that one of the twin boys could be given to Mr. Madan as otherwise Mr. Madan's wife would go into severe depression and mental breakdown. The hospital team somehow convinces Mr. Raghul to agree for the same saying that Mr. Rahul can give one of his children to Mr. Madan without his wife's consent and later on make her understand why he took such a decision. Decide the ethical validity of the proposed activity on the part of the doctor.
2. Mr. Suhail aged 47 years, got admitted in the Seven Blessed Hospital, a private super specialty hospital for his varicose vein surgery. On the due date of surgery the Anesthetist came in and performed the Anesthesia and the surgery proceeded. Half way through the surgery, doctors realized that Mr. Suhail was stirring to consciousness, which led to the alarming situation and heavy blood loss and serious complications in the surgery. This ultimately led to the untimely death of Mr. Suhail. Discuss the liability of the medical professionals involved in the surgery and propose an effective remedy.

3. Mr. Joseph and his wife were married for almost 10 years. They already have 4 girl children. But the couple dearly wanted a baby boy and decided to give another chance. Hence, Mrs. Joseph conceived a baby in March 2019. They had consulted their gynecologist and determined their baby to be healthy. However, for their next scan which is scheduled in July, 2019 they decided they will request the gynecologist to reveal the gender of the baby. Discuss the implications of their decision and its permissibility under law.
4. Mrs. Radha, aged 30 years, is a daily wage employee working in 3-4 companies per day by doing cleaning and various such works. She is married and has 3 children who are studying in the Government Schools. Her husband is also a daily wage worker who goes for job in construction sites. They went to the Government Hospital and saw a poster on "Avail the benefits of Prime Minister's Health Insurance scheme for Rs.10/-". Explain the various schemes for health insurance that can be availed by them under the current Government Schemes.

PART-B (4 X 10 = 40 Marks)

Answer any FOUR of the following questions:

5. Explain the importance of clinical trials in India and how they are regulated in the country.
 6. How is the Indian Constitution protecting the right to health and health care of a person?
 7. Explain the laws on regulation of organ donation and its legality in India.
 8. What is the difference between Misbranded, Adulterated and Spurious drugs? How are they regulated under the Drugs and Cosmetics Act, 1940?
 9. Explain how the medical termination of pregnancy is regulated in the India? Do you think they are upholding the female's right to reproduction effectively?
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

HISTORY – I (INDIAN HISTORY)

Time: 2¾ Hours

Maximum Marks: 70

Part – A (10 X 2 = 20 Marks)

Write a short note of the following:

1. *Historiography*
2. History repeat itself
3. Guild laws
4. *Dharma shastra*
5. *Chehalgani*
6. *Ijma & Qiyas*
7. *Sufi* Movement
8. Ramakrishna Mission
9. Ryotwari settlement
10. Hunter Commission

PART – B (8 X 5 = 40 Marks)

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

11. History is Humanistic. Justify.
12. Write a short note on *Sangam* polity.
13. State the functions of Vedic Assemblies.
14. Bring out the characteristic and ideas of Ashoka's *Dhamma*.
15. Give an account on the Law of Manu.
16. Give an account on the features of Gupta's court.
17. Comment on the seven basic courts under Delhi Sultanate.
18. Examine the theory of kingship under Mughals.
19. State the provisions of Charles Wood's dispatch of 1854.
20. Analyze the religious and nationalistic ideas of Swami Vivekananda.

PART – C (1 X 10 = 10 Marks)

Answer any ONE of the following question in detail:

21. Discuss the Judicial system and court procedures in Ancient India.
22. Throw light on the Economic and Commercial policy of East India Company.
23. Explain the growth of Modern legal system under colonial rule.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

HISTORY-II (LEGAL HISTORY)

Time: 2¾ Hours

Maximum Marks: 70

Part-A (10 X 2 = 20 Marks)

Write a short note of the following:

1. *Book of Punishment*
2. *Code of Hammurabi*
3. Charter of 1600
4. *Chaultry court*
5. Court of Judicature
6. Charter of 1774
7. Legal Practitioners Act of 1879
8. Privy Council
9. Law Commission
10. Preamble

Part-B (8 X 5 = 40 Marks)

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

11. State the contributions of Henry Maine on Legal History.
12. Bring out the features of Twelve Table.
13. Give an account on the Jurisdictions of Mayor court.
14. Examine the different jurisdictions of Supreme Court of Calcutta.
15. Write a critical note on Patna case.
16. Write a short note on Legal Education in India before and after Independence.
17. List out the merits and demerits of Regulating Act of 1773.
18. Give an account on the provisions of Minto-Morley Reforms of 1909.
19. Indian Constitution is not a borrowed constitution. Justify.
20. Trace the role of Constituent Assembly.

Part-C (1 X 10 = 10 Marks)

Answer any ONE of the following question in detail:

21. Throw light on the evolution of a legal system with a special reference to Roman Law.
 22. Analyze the Jurisdiction of Indian High Court Act, 1861 with a special reference to the advantages of the unification of Supreme Courts and *Sadr Adalats*.
 23. Discuss the constitutional development in India between 1935 and 1950.
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

HUMAN RIGHTS LAW

Time: 2¼ Hours

Maximum Marks: 70

PART – A (5 X 4 = 20 Marks)

Answer any FIVE of the following questions:

1. Personal Laws v/s Uniform Civil Code
2. Terrorism and Human Rights
3. Euthanasia
4. UN Commission on Human Rights
5. Reservation of Provisions in Human Rights Treaties
6. Cultural Relativism
7. Emergency and human rights

PART – B (2 X 10 = 20 Marks)

Answer any TWO of the following questions:

8. Describe the nature, importance and development of the concept of human right.
9. Position of Women under the International Law.
10. Enumerate the international norms and rights of refugees.

PART – C (3 X 10 = 30 Marks)

Answer ALL the questions:

11. "Society for protection of Morality" is a group dedicated to the reintroduction of the criminalisation of homosexuality within India. As part of its campaign, Mr. Ramadasan, an active member of the Society, distributes leaflets describing how homosexuality is a threat to the society spreading disease and immorality and should be eliminated. The leaflet appealed to the members of the society to resort to violence and press the politicians to heed to their demand. Mr. Ramadasan is arrested by the police is charged and convicted under

incitement to commit offence. The members of the “Society for protection of Morality” had been under surveillance by police and it intercepted communications data on the plea that there was a threat to the public good. While undergoing prison sentence Mr.Ramadasan is subjected to a severe beating by other prisoners. The threat of torture and death continued to exist and was made known to the jail authorities. The prison authorities failed to engage any guard to protect him. This laxity from the part of the prison authorities resulted in further severe beating of Mr.Ramadasan by the prisoners who attacked him earlier. Mr.Ramadasan’s letter to his lawyer solicitor is intercepted and he is not given permission to see the lawyer. Evaluate the fact situation and bring about the probable human rights issues involved therein.

12. Eight persons suspected to have been involved in terrorist acts were detained indefinitely without charge or trial under Special Legislation which authorises the Executive authorities to do so. The Special Legislation in its preamble narrated the need for such extraordinary powers to save the nation from extreme threats. The suspects were not permitted to hear all the evidence against them, because of national security fears. Examine the legal implications of the fact situation in the light of Human Rights Law.
13. The City Commissioner of Police served a notice to Ms.Kausalyato show cause why she shall not be externed from the City as her presence in the city limits corrupts the morality as she habitually involves in prostitution. She raised an argument that indulging in prostitution is an aspect of the exercise of her personal autonomy and is not amenable for any restriction from the government. Examine the human rights implications such an argument.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

INTELLECTUAL PROPERTY LAW

Time: 2¾ Hours

Maximum Marks: 70

PART – A (5 X 10 = 50 Marks)

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

1. Critically analyse the traditional justifications for the existence of the national and international system to protect different types of intellectual property.
2. State in brief the patentability requirements under the Indian Patents Act, 1970 and critically examine the changes brought into it after the TRIPS Agreement, 1994.
3. “Computer programs have a number of important characteristics that have been difficult for legal commentators and decision makers to perceive.”
 - a. Explain the important characteristics of computer programs? (3 Marks)
 - b. Critically analyse the above said statement in the light of *Diamond v. Diehr* and *Alice v. CLS bank*? (4 Marks)
 - c. Do you think a patent protection to software is preferable over existing copyright protection in India? Why? (3 Marks)
4. “*One of the surest and the safest test to determine whether or not there has been a violation of copyright is to see if the reader, spectator or the viewer after having read or seen both the works is clearly of the opinion and gets an unmistakable impression that the subsequent work appears to be a copy of the original.*” In this context, do you think that this test is adequate and safe enough to protect the expression of an idea? Why?
5. What are non-traditional marks? State in brief the requirements for registration of a trademark and critically analyse the issue of registrability of non-traditional marks in the light of decided cases in different jurisdictions?
6. Is ‘Traditional Knowledge’ an Intellectual Property? Critically examine the role of the WIPO Intergovernmental Committee on protection of Genetic Resources, Traditional Knowledge and Folklore.
7. Examine in detail the importance of ‘Celebrity Rights’ and its protection under Intellectual Property laws?

PART – B (2 X 10 = 20 Marks)

Answer any TWO of the following:

8. Imagine you are a Trade Mark Examiner employed by the Indian Trade Marks Registry. You have received the following applications to register trademarks. Examine the applications and set out the grounds for any objections you may have to the registration of the proposed marks.
- a. **TM Application 1:** The name 'Bhatt' by Alia Bhatt, an actor.
 - b. **TM Application 2:** The name DROPOVIT for a drug manufactured by a pharmaceutical company
 - c. **TM Application 3:** The colour RED, by Vodafone India (P) Ltd.
 - d. **TM Application 4:** The Scent of a NUTMEG, by a furniture manufacturer
 - e. **TM Application 5:** A FOUR-NOTE JINGLE by One Plus that is played when the smartphone is switched on.

(Each sub question carries two marks)

9. Abhinandan is a famous advocate in Chennai, who started his sole proprietorship law firm, 'Abhi Associates' in 2004 and hired a certain number of lawyers as associates. Three of them namely Sanjay, Ranjan and Gopal parted ways sometime in 2018. They set up their own law firm. Interestingly, one Mr. Ranjan before leaving Abhinandan's law firm, after office hours copied all the confidential information from the LAN in a pen drive. Then he sent email attached with confidential information to his two other partners. Abhinandan came to know about this and asked three of them to refrain from using his material but they refused. Abhinandan claimed copyright in the material created and breach of confidence. Sanjay and others claimed that they were partners in the partnership firm and as they had prepared most of these documents, they had a right to use them. Decide.
10. The 'Kodaikanal Tea Trade Association' (hereinafter Tea Association) has registered the name 'Kodai TEA' as a geographical indication as well as certification trademark, under the respective Acts, in connection with "tea". The Tea Association sued the 'ITC Sunstar', a leading Chennai hotel, for naming its executive lounge, "Kodai Lounge". It claims that the use of "Kodai" in the name of the exclusive lounge is an infringement and passing off of the claimant's registration of a geographical indication and the certification mark and also a dilution of the "Kodai" brand. ITC contends that the 'Tea Association' had not registered its name as a holder of the mark "Kodai" in respect of hotel business but for the purpose of certification of tea as grown in Kodaikanal under the Trademarks Act, 1999. It also adds that the Tea Association is neither a trader of tea nor it is in the service of rendering hospitality. Decide.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

INTERNATIONAL AIR AND SPACE LAW

Time: 2¾ Hours

Maximum Marks: 70

Instruction:

- Please limit your answers to a maximum of 350 words
- All the questions are compulsory

1. Define Hague Notice. How does it affect the liabilities of a carrier? Does *consent of carriage* exonerate a carrier from its liabilities under the Warsaw Convention? Explain through decided cases. (10 Marks)
2. With the help of the norms and decided cases, contrast the regime in the Warsaw and Montreal Conventions on carrier liability in case of death and physical injury. (5 + 5 = 10 Marks)
3. The Liability Convention 1972 (LC) has been the only major document with respect to disputes regarding outer space activities and issues of jurisdiction among nations. Its 1967 predecessor attempted to lay down obligations without any enforcement mechanism. Do you believe that LC succeeded in doing so? In the light of your answer, critically analyse the dispute resolution mechanism in outer space laws. (10 Marks)
4. The recent space ventures of the eastern countries have added to the issue of environmental degradation of outer space and have been criticized globally for violating the customary international law as well as the principles envisaged in the binding instruments governing human activities in outer space. Do you agree with this statement? Explain. What are the state obligations vis-à-vis environmental protection of outer space under the Moon Agreement 1979? (10 Marks)
5. Despite the comprehensive regime on civil aviation laid down by the Chicago Convention of 1944 it has proved inadequate for scenarios involving overlapping functions of civil and state aircrafts. Do you agree with this statement? Explain with examples. (3 + 7 = 10 Marks)

6. *The use of nuclear power sources in outer space is a necessary evil-* Comment with the help of established legal framework. **(10 Marks)**
7. **Attempt any TWO (2 X 5 = 10 Marks)**
- a. Bogota Declaration of 1976
 - b. Province vs. Heritage Debate vis-à-vis legal status of moon and other celestial bodies
 - c. IP rights in outer space
 - d. The shift in legal regime on aviation from Warsaw to Montreal
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

INTERNATIONAL COMMERCIAL ARBITRATION

Time: 2¾ Hours

Maximum Marks: 70

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

1. Discuss the hybrid nature of the arbitration process.
2. With reference to FTA's and BIT's, elaborate upon commercial disputes.
3. Discuss the relationship between intellectual property and International commercial arbitration.
4. Discuss the duties of the Arbitral Tribunal.
5. Discuss the different kinds of reliefs and remedies provided under international commercial arbitration.
6. Discuss the significance of an arbitration agreement.
7. Jan Paulsen said, "International Arbitration is not Arbitration." Explain.
8. **Discuss the following cases:**
 - a. Sté PT Putrabali Adyamulia (Cass. Civ. 1, 29 June 2007)
 - b. AT&T Corporation v Saudi Cable Co ([2000] APP.L.R. 05/15)

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

JURISPRUDENCE

Time: 2¾ Hours

Maximum Marks: 70

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

1. In a probate suit, the plaintiffs, Mrs. Riggs and Mrs. Preston, sought to invalidate the will of their father Francis B. Palmer; testated on August 13, 1880. The defendant in the case was Elmer E. Palmer, grandson to the testator. The will gave small legacies to two of the daughters, Mrs. Preston and Mrs. Riggs, and the bulk of the estate to Elmer Palmer to be cared for by his mother, Susan Palmer, the widow of a dead son of the testator, until he became of legal age.

Knowing that he was to be the recipient of his grandfather's large estate, Elmer, fearing that his grandfather might change the will, murdered his grandfather by poisoning him. The plaintiffs argued that by allowing the will to be executed Elmer would be profiting from his crime. While a criminal law existed to punish Elmer for the murder, there was no statute under either probate or criminal law that invalidated his claim to the estate based on his role in the murder.

What do you think the court should rule in this case? Explain with reference to the Hart-Dworkin debate.

2. **Answer the following questions:**

- a. Describe the Hohfeldian conception of rights? Explain with an example which demonstrates each of the legal relationship.
- b. What is the difference between Will and Interest Theory of Rights? Explain the merits as well as demerits of each of the theories

3. Sandor Military Institute (SMI) is a male-only institute whose objective is to "train and discipline the future soldiers of the nation". Sandra, a person who was otherwise qualified for the course, was denied admission to SMI. Sandra sued SMI under the Sandorian Constitution which stated that "All persons shall

be treated equally except when the inequality has a rational basis and serves a legitimate objective”.

SMI argued that the basis of inequality was rational since:

- On average, men are perceived to be stronger than women and thus better suited to the military.
 - The institute had this policy for over 500 years since its inception
 - The institute would have to spend a lot of money on infrastructure such as women’s hostel, women’s toilets etc. if it admitted women
 - Women would face danger in both the institute as well as the military, in between so many men.
- a. What do you think the court should rule in this case? Explain taking into account Margot Stubbs’ critique of legal positivism.
 - b. How would categories of Feminist Legal Theorists as described by Martha Fineman.

4. Answer the following questions:

- a. Describe Austin’s Command Theory of Law. Explain how the theory fits into modern republican governments.
 - b. What is Hart’s critique of Austin’s Command theory
5. Regina is a benevolent Queen who believes that all his subjects should respect her. She passes a secret law, which states that anybody who sneezes in front of her should be punished by ten years of solitary confinement. She calls this law “No Sneezing in Front of the Queen Act, 2018 (NSQA)”.
- a. Is NSQA a valid law? Explain your position with reference to the Fullers inner principles of morality
 - b. What would be Hart’s response to Fuller’s argument? Explain with reference to the difference between the morality of duty and the morality of aspiration.
6. Explain Dworkin’s idea Rights as Trumps with reference to his critique of the Williams on Obscenity and Film Censorship. What are the reasons that Dworkin disagrees with the report?
7. Section 1 of the General Park Act of Rubidia states that "No vehicles are allowed in any public park." The statute immediately led to protracted litigation. The first of these cases was Raman v. Union of Rubidia, where the

court held that skates were not vehicles. "Although the Park Act does not define the word 'vehicle,'" the court stated, "we follow the plain meaning of the term. The word 'vehicle' calls to mind a motorized mode of transportation, not a human-powered one." The Second case was *Sanah v. Union of Rubidia* where the court held that an ambulance which was transporting an emergency patient was allowed in the park. The court held that "It is obvious that the purpose of the statute is to prevent pollution and noise in the park. Such a purpose cannot override the overall purpose of all laws, saving people's lives.

- a. Do you think the decisions are correct? What would Llywelyn and Frank argue that these cases demonstrate?
- b. Explain Hart's response to the American legal sceptics with reference to his idea of the "Open texture of law"
- c. Based on your idea of law, do you think it is illegal to take a horse-driven carriage to the park?

8. Answer the following questions:

- a. Explain Kelsen's pure theory of law. Why does Kelsen call his thesis a "pure" theory of law?
- b. What is the difference between Kelsen's Grundnorm and Hart's Rule of Recognition?

9. North Sentinel Island is one of the Andaman Islands, an archipelago in the Bay of Bengal which also includes South Sentinel Island. It is home to the Sentinelese, a people who have rejected, often violently, any contact with the outside world. They are among the last uncontacted people to remain virtually untouched by modern civilization.

Let us assume that when you visit the island, you notice a few strange practices.

- Each time a Sentinelese person meets another member of the tribe, they twirl around twice. However, when they meet outsiders they simply shout at them.
- Each time a Sentinelese child comes to take chocolates from you, the elders of the village scold them and throw the chocolate away.
- You also notice a strange tablet in the village temples, which says that it is a rule that all members of the Sentinelese tribe must kill any outsider who stays for more than 14 days at the island. A local guide, however, tells you that nobody really follows anything written in the tablet.

- a. Which of the practices of the Sentinelese people would you consider as “law”? What would you consider as “habit” or “custom”? Explain the difference between these two concepts with reference to Hart’s theory.
 - b. Would the degree of sanction (harshness of punishment) or the ubiquity of practice (number of people following) a rule have an effect on its legal validity?
 - c. Would the fact that Indian law prohibits murder have any effect on the customary rules of the island? Give reasons for your answer.
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

LABOUR LAW-II

Time: 2¾ Hours

Maximum Marks: 70

Instruction:

If you are assuming any facts not mentioned in the question, please state so in your answer.

PART-A (20 Marks)

Answer ALL the questions:

1. Zelda Pvt Ltd is a garment manufacturing company in Nasik established in the year 2000 directly employing 50 employees in their factory. Out of 50 employees, 35 are earning less than Rs 21,000. Within the premises of the factory, there is a canteen run by a contractor who has his own employees running the canteen. All the contract employees earn less than Rs 15,000. However, the management of Zelda Pvt Ltd had reserved the right to specify what types of things should be sold in the canteen and also retained the right to inspect the canteen at reasonable times. The Employee's State Insurance Corporation issued notices of demand calling Zelda Pvt Ltd to pay contributions under Employee's State Insurance Act, 1948 (ESI Act). The company denies being covered under the ESI Act and claims that they are not responsible to make contribution for both the direct employees and for the persons employed by the contractor in the canteen. Rupert is working as a tailor in the factory earning Rs 15000 per month and he gets hit by a car outside the gate of the factory while returning back from work. In this accident he lost both his hands through the shoulder joint and he had to be hospitalised for a month.

In light of the above facts answer the following:

- a) How is 'factory' defined under the Employee's State Insurance Act, 1948 (ESI Act)? How is it different from the definition of 'factory' under the Factories Act, 1948? Should Zelda Pvt Ltd make contribution under ESI Act for all the 50 direct employees? (3 Marks)
- b) Is Zelda Private Limited liable to make contributions for employees in the canteen employed by the contractor? Explain with relevant definitions and case laws. (3 Marks)

- c) Which authority under the ESI Act would decide whether Zelda Pvt Ltd is liable to make contributions under ESI Act? **(1 Mark)**
- d) What is the type of disablement suffered by Rupert? Does it amount to 'employment injury' under the ESI Act? What are the benefits available for Rupert under the Act due to his disablement? **(3 Marks)**
2. Otae is a sweet shop owner who makes cupcakes with the help of a cupcake maker that is specially designed and works on electricity. She has two employees who work with her in the ground floor of her establishment, who make the cupcakes in the cupcake maker along with Otae. They also serve customers who come into the cupcake shop in order to eat the cupcakes.

She also receives requests for handmade cupcakes which she does not make in the cupcake maker. She forwards these requests to three people who live in the first floor of her cupcake shop who make the cupcakes for her by mixing the ingredients by hand and then baked in an oven. The three people also deliver the cupcakes (both the handmade ones and the ones made in the cupcake maker) to customers who want home delivery of the cupcakes. The first floor has a sign outside that says 'All kinds of freelance work done here' but the three people have not had any work other than cupcake making for Otae in the past couple of years.

Since business is picking up, Otae wants to hire 5 more people in the cupcake shop, in order to help her make the cupcakes in the cupcake maker downstairs, serve customers, and do home delivery when needed. She wants to know whether hiring 5 more people would mean she would come under the ambit of different labour laws.

- a. Is Otae's cupcake making business a 'factory' under the Factories Act, 1948? Please explain why or why not using definitions used in the Act, case law, and your own reasoning.

If we assume that the business does qualify to be a factory, what area would come under the 'premises' of such a factory? **(7 Marks)**

- b. Assume that the cupcake making business does qualify to be a factory. Would the cupcake business be covered under the ESI Act? Why or why not? **(3 Marks)**

PART-B (50 Marks)

3. Explain the Employee's Provident Fund Scheme. Can the provisions of the Consumer Protection Act, 1986 be invoked against the Provident Fund Commissioner for delayed payment of provident fund to a member of the Employee's Provident Fund Scheme? Explain with the help of relevant case law. **(10 Marks)**

4. What do you understand by Set On and Set Off of Allocable Surplus under the Payment of Bonus Act, 1965? Can Customary Bonus be claimed as a matter of right even when the establishment is not making profit? Explain the factors determining whether a particular bonus is customary bonus or not with the help of case laws. **(10 Marks)**
 5. **Write Short Notes on the following: (5 X 2 = 10 Marks)**
 - a) Fixation and Revision of Minimum Rates of Wages
 - b) Social Security
 6. What is the objective of the Maternity Benefit Act, 1961? Explain how the scope of the Act has been broadened in light of the recent legislative amendments and liberal judgments of the judiciary? **(10 Marks)**
 7. Discuss the importance of qualifying criteria in a particular employment for the purpose of determining gender based discrimination under the 'Equal Remuneration Act, 1976. Kindly illustrate your answer with decided cases. **(10 Marks)**
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

LAW OF CONTRACTS-I (GENERAL PRINCIPLES OF CONTRACT)

Time: 2¾ Hours

Maximum Marks: 70

PART-A (4 X 7 = 28 Marks)

Answer in all FOUR of the following problems. Question No.1 is compulsory. Out of the remaining, answer any THREE questions. All questions in this Part are to be answered by applying the relevant legal principles and precedents.

1. (a) Raja is the absolute owner and in possession of 5 acres of vacant land located in Woriyur village, Trichy Mohan along with his henchmen trespasses into the property of Raja and refuses to vacate from the said property. Raja approaches you to file a suit against Mohan for the purpose of recovering the immediate possession of the property. State the provision of The Specific Relief Act, 1963, under which a suit will lie and if so state the time limit within which a suit is to be filed.

(OR)

- (b) Raghu, is the owner of 4 different lands located in 4 different places in Trichy District and he enters into a contract to sell these 4 lands to Prashant and 4 different agreements were entered into on 22nd January 2018. But, on 22nd March 2018 Raghu informs Prashant that he is willing to sell only 2 lands located in two places and not the two other lands located in two other places. But Prashant requires Raghu to specifically perform his part of the contract to sell to him all the 4 lands as per the agreements entered into on 22nd January 2018. Is Prashant entitled to do so? If not, what is the remedy available to Prashant?
2. Raman offered to sell his car to Kannan for Rs. One Lakh. Kannan accepts the offer to purchase it for Rupees 95,000/- and Raman refuses to sell the car for that price. Subsequently Kannan agrees to purchase the car for the original price quoted by Raman and Raman refuses to sell the car. Can Kannan compel Raman to sell the car?
3. Mani promises to paint a picture for Mala by a certain day at a certain price. Mani dies before that day. Can this contract be enforced either by Mani's representatives or by Mala?
4. Radha and Seetha jointly owe Rupees 10,000/- to Suguna. Radha alone pays this amount to Suguna and not knowing this fact, Seetha pays Rupees 10,000/- over again to Suguna. Is Suguna entitled to repay the amount to Seetha?

5. Vishal agrees to sell his scooter to Raj a month after the date of the contract. But after 10 days of the contract Vishal sells the scooter to Saran. Thereupon Raj sues Vishal for the breach of contract. Vishal contends that he should still perform the contract by repurchasing the scooter from Saran. Decide

PART-B (4 X 7 = 28 Marks)

Answer in all FOUR questions from this Part. Question No.6 is COMPULSORY. Answers to all the questions in this Part must be in about 400 words:

6. (a) The Law relating to Specific Relief endeavours to provide relief in specie. Against the backdrop of this statement state the circumstances in which contracts cannot be specifically enforced.

(OR)

- (b) The Specific Relief Act, 1963 contemplates *QUIA TIMET ACTION* under certain situations. Explain this type of action and specifically bring about the provision relating to grant of different kinds of injunctions.
7. 'Consideration' is the nucleus in a contract that creates the binding effect between the parties. Based on this principle elucidate the Doctrine of Stranger to Contract and its exceptions.
8. *Suppressio veri and suggestio falsi* form the basis of the vitiating factor amounting to fraud under Section 17 of the Indian Contract Act. Explain this statement and state the instances of fraud contemplated in the Section.
9. Wagering agreements and Contingent Contracts, though have similarities, the law declares the former agreements as void while the latter being valid in the eyes of law. Analyse this statement and bring out differences between the two.
10. 'No special damages without special mention of the circumstances necessitating the same'. Explain the significance of this rule and the circumstances under which this rule will find its applicability.

PART-C (7 X 2 = 14 Marks)

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

11. (a) Standing offer
(b) Printed Forms of Contract
(c) Doctrine of Restitution
(d) Means of Discovery of truth
(e) Rule in Clayton's case
(f) Remission of performance
(g) Finder of lost goods
(h) Rectification of Instruments
(i) He who seeks equity must do equity

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

LAW OF EVIDENCE

Time: 2¾ Hours

Maximum Marks: 70

Instruction:

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

PART – A (5 X 7 = 35 Marks)

Answer any FIVE of the following questions:

1. Examine the admissibility of dying declaration with the help of decided cases.
2. Explain in detail the privileged communication under Indian Evidence Act, 1872.
3. Define admission and confession and point out the difference between them.
4. State the specific principles of burden of proof under the Indian Evidence Act, 1872.
5. What are the difference between the public document and private document and state the methods to prove them?
6. Discuss the types of witness under Indian Evidence Act, 1872 and distinguish between competency and compellability of witness.
7. What is meant by *Res Gestae*? How it is worked out in the Indian Evidence Act, 1872.

PART – B (5 X 7 = 35 Marks)

Answer ALL the questions:

8. Raja, an accused of murder alleged that by grave and sudden provocation he was deprived of power of self control and murdered Syam. Discuss the principles relating to burden of proof in court while deciding if Raja is innocent or guilty.
9. Reema files a civil suit for damages against Sudhir for breach of promise to marry. Sudhir wants to justify his decision for committing a breach. He argued that since Reema is a woman of immoral character he breached his promise. State the admissibility of the statement given by Sudhir in the court.

10. Raghu killed Jaggu by stabbing with a knife. Sambu's son of 5 years saw that incident and communicated to his father. After knowing about the incident, Sambu rushed to the spot and found Jaggu's dead body on the floor with blood. Immediately, Sambu went to the nearest police station and lodged a FIR against Raghu. Discuss the admissibility of Sambu's statement with the help of the legal principles of Indian Evidence Act, 1872.
11. Bhanu married Samir on 6.3.2010. Soon after their marriage she was subjected to dowry torture by her husband and relatives of husband and she informed the same to her parents. After one year, the couple blessed with a baby and both of them started a healthy family life. Unfortunately, on 12.8.2014, Bhanu died in a car accident while the car was driven by Samir. Bhanu's parents lodge a FIR u/s 304 B IPC by stating that Bhanu's death is not an accident but it is dowry death. Decide the admissibility of the statement given by Bhanu's parent under Indian Evidence Act, 1872.
12. Rakesh went to Madurai on 16.6.2018 for his business. He met one of his clients at about 10 p.m. on the same day. He is alleged to have murdered Mr. Pandey in Trichy around 11.25 p.m on the same day. Is the evidence that Rakesh was in Madurai on the same day admissible under Indian Evidence Act 1872? Support your argument with the help of legal provisions.
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

MARKETING MANAGEMENT

Time: 2¼ Hours

Maximum Marks: 70

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

1. Define the term market and marketing. Bring out the functions of the modern marketing.
 2. Explain the concept of Marketing Mix and describe various factors that determine it.
 3. What are the psychological factors that influence in consumers' decision?
 4. List out and explain the various bases consider for segmenting the market
 5. Analyse the strategy of Product Mix adopted by any one of the leading FMCG producer in India.
 6. What is meant by Product Life cycle? Explain its concepts with examples.
 7. Describe the different Pricing methods available to the modern marketer who wants to introduce a new product in a highly competitive market?
 8. Discuss various approaches to the selection of Channels of Distribution which may be taken by manufacturing concerns.
 9. Enumerate various stages through which Marketing research is organized? Briefly describe them.
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

POLITICAL SCIENCE – II (POLITICAL OBLIGATIONS)

Time: 2¼ Hours

Maximum Marks: 70

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

1. The following are the true facts of United States v. Holmes, a case filed in the U.S. Supreme Court:

“On March 18, 1841, under the command of Captain George Harris, a ship called William Brown departed from Liverpool for Philadelphia with 17 seamen and 65 passengers. At about 10 p.m. on the night of April 19, William Brown struck an iceberg and sank. The first mate Francis Rhodes, nine crewmen and 32 passengers occupied the lifeboat.

At about 10 p.m., 24 hours after the sinking, the wind picked up, sending water over the life boat's gunwales, and it began to rain heavily. The first mate shouted, "This . . . won't do. Help me, God. Men, go to work." When the crewmen did nothing, he stated, "Men, you must go to work, or we shall all perish."] Then, the seamen, among them Alexander Holmes, forced 12 men out of the boat. All of the male passengers, except for two married men and a young boy, had been sacrificed while all of the crewmen remained aboard. Later that day, the survivors were picked up by the American ship Crescent and taken to Havre de Grâce, Seine-Maritime, France.”

What kind of *reasons* would you consider as valid were you in a Holmes' position? Is Francis Rhodes an *authority* on the ship? Does the claim that the first mate is an authority have any effect on the *autonomy* of the seamen? Explain using Raz's theory of Practical Norms and Reasons.

2. Write Short Notes on:

- a. Civil Disobedience by Henry David Thoreau.
- b. Fair Play/Reciprocity based theories of Political Obligations by John Rawls.

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

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

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

4. Explain the following theories of political obligations with examples. Also, explain what are the deficiencies with these theories.
- Divine Will theory
 - Prescription/Historical theory
 - Force/Might theory

5. "Santhara" is a Jain practice in which a follower completely abstains from food and water in order to wait for death. Following Santhara is said to purify practitioners of their sins and lead to salvation. A person is allowed to take up Santhara only in case of old age or if he or she is suffering from an incurable illness.

The democratically elected government of State of Westeros, concerned that the practice of Santhara was leading to several citizens committing suicide, passed a law banning Santhara.

Samara is a Jain monk, who has withdrawn from public life and has started Santhara. He has not voted in any election in Westeros, nor does he take the benefit of public facilities such as schools or hospitals. Do you think Samara has an *obligation* based to break his fast due to the law? Explain using the social contract theory of political obligation.

6. Solanum is an extremely rare (and fictional) virus that is described as follows:

"It begins to transform the host from human into a zombie once it is introduced into the body. Through means not yet fully understood, the virus uses the cells of the brains' frontal lobe for replication, destroying them in the process. Once the brain is infected, all bodily functions (including the function of the heart and lungs) cease, and all trace of personality, individuality, mercy and according to many, humanity, is irrevocably lost. The viral incubation period is variable, with some turning rapidly (most common in bite victims) and others not showing symptoms for a significant period. Combined with the ability to spread via non-obvious means, such as open cuts and not just clearly visible bites, this necessitates the careful screening of

individuals before allowing them into a safe area, sometimes necessitating the use of force if the individual will not comply.”

Solanum and its consequent Zombie apocalypse eventually lead to the death of most of the adult population of the world. A small group of survivors led by Rick Grimes are able to build a secure location called “New Haven” to protect themselves for the apocalypse.

Through experimentation and experience, it has been found that people who eat grass daily, have a 50% lower chance of contracting Solanum from all means. Consequently, a law is passed in New Haven that all persons must consume grass every day, even though this is an unpleasant experience.

As a resident of New Haven, apart from the obvious individual reasons to eat grass in order to protect yourself, what would Utilitarians argue are the other reasons that you should obey the law? Do these reasons provide a good reason for a general political obligation? What do you think are the defects of this model in justifying political obligation?

7. How would philosophical anarchist’s argue against general political obligations? Will a democratic government with free and fair elections necessarily entail that all citizens have moral reasons to obey the law?
8. The Kingdom of Azeroth is an absolute monarchy ruled by King Varian Wrynn. In the Kingdom, whatever the king commands is law, and is to be followed by his subjects dutifully. Anybody who disobeys a command of the King can be punished with death.

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

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

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

9. In September 2018, a judgement of the Supreme Court of India ruled that all pilgrims regardless of gender, including women in the menstruating age group, should be allowed entrance to Sabarimala. The Constitution bench of the

Supreme Court held that any exception placed on women because of biological differences violates the Constitution - that the ban violates the right to equality under Article 14, and freedom of religion under Article 25. This verdict led to protests by several people, who believed that the judgement interfered with strongly held religious beliefs.

Do the people have a political obligation to follow the law even if it is against their religious beliefs? If Yes, how should they legitimately protest against such law? Apply the principles you have learnt in this course to the Sabarimala issue.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

POLITICAL SCIENCE (POLITICAL THEORY AND ORGANIZATIONS)

Time: 2¾ Hours

Maximum Marks: 70

PART-A (2 X 15 = 30 Marks)

Answer any TWO of the following with not less than 600 words each:

1. Define Political Science and discuss its Nature and Scope.
2. Write about the main features, merits and drawbacks of the Federal Form of Government.
3. Define Public Opinion and discuss various agencies which mould Public Opinion.

PART-B (4 X 10 = 40 Marks)

Answer any FOUR of the following with not less than 400 words each:

4. Describe the Pluralistic Theory of Sovereignty. Explain the defects and good points in it.
 5. Define Law and discuss the kinds and sources of Laws.
 6. Explain the ideas of prominent anarchists and distinguish between Anarchism and Communism.
 7. Define Constitution and discuss the merits and demerits of Flexible Constitution.
 8. Write about the various factors which influence the independence of Judiciary.
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

POLITICAL SCIENCE-IV (PUBLIC POLICY AND PUBLIC ADMINISTRATION)

Time: 2¼ Hours

Maximum Marks: 70

PART-A (2 X 15 = 30 Marks)

Answer any TWO of the following questions with not less than 600 words each:

1. Define Public Policy and discuss the types and stages of Public Policy.
2. "Administrative accountability is enforced by means of Legislative and Executive Controls" – Explain the statement in detail.
3. Write about the Organization, Powers and Functions of National Human Rights Commission.

PART-B (4 X 10 = 40 Marks)

Answer any FOUR of the following questions with not less than 400 words each:

4. Explain the contribution made by Henry Fayol, Luther Gulick and L.F.Urwick to the classical theory of organization.
5. Explain 'Span of Control' as an important principle of Public Administration.
6. Write about the types, powers and functions of Chief Executive.
7. Enumerate the important features of the 73rd and 74th Constitution Amendment Acts.
8. Write about objectives, organization and functions of NITI Aayog.

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

REGULATION OF THE PROFESSIONAL SPORTS IN INDIA

Time: 2¾ Hours

Maximum Marks: 70

PART – A (5 X 5 = 25 Marks)

1. Write a short note on *any FIVE* not exceeding 300 words each:

- a) Sports Authority of India (SAI)
- b) Doping in Sports and its regulation
- c) Betting in sports (Game of Skill versus Game of Chance)
- d) Court of Arbitration in Sports
- e) Ambush marketing
- f) Sports Merchandising and remedy Passing off in sports

PART-B (3 X 15 = 45 Marks)

Answer *any THREE* questions not exceeding 700 words each:

2. Risk of injury is always there in the sports and the player those who are playing have accepted the inherent risk involved in the sport. If a player is getting injured while playing, to what extent it can be assumed that the player has given the consent for the injury. Discuss the doctrine of *volenti non fit injuria* in sport as defence and its limitations in determining civil liability.
3. There is a famous statement that football is not a sport but it has become a product. The statement reflects the commercialisation of sport in which big business entities are investing in the sports in order to in cash the mass appeal of the sports and players. Now, there is a need for protection of interest of these commercial entities who are investing in the sport. Discuss the role of different forms of IPR which protects the commercial interest of business entities.
4. Critically examine the role of the State and judicial intervention in the governance of Sports in India. To what extent judicial intervention should be allowed in sports? Opine, along with the case laws.

5. At the present time, a larger part of revenue in sports is coming from live broadcasting of sports events. There is a conflict of interest with the owner of the broadcasting right and freedom of expression.

In the light of the above statement, respond to following:

In case of live broadcasting of a sports event what are the rights are available to the broadcaster and what are the limitations over its right? To what extent, news reporting and sports reporting can use an excerpt of a live broadcast of a sports event? What are defences available to news reporters, discuss it along with case laws?

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

PROPERTY LAW

Time: 2¾ Hours

Maximum Marks: 70

Instruction:

Support your answers with relevant legal provisions, case laws and/or illustrations wherever necessary.

Part – A (5 X 10 = 50 Marks)

Answer any FIVE of the following questions:

1. What are the rights and liabilities of lessor and lessee? Enumerate the ways in which a lease is determined. Distinguish between lease, bare license and license coupled with a grant. (4+3+3 Marks)
2. What are easements? Explain the modes of acquisition of easements. Distinguish between easement and lease. (2+6+2 Marks)
3. Write short notes on any four of the following:- (2½+2½+2½+2½ Marks)
 - a) Charge
 - b) Actionable claim
 - c) Lis Pendens
 - d) Marshalling
 - e) Doctrine of Election
4. Explain the kinds of mortgages. What do you understand by the right of redemption of the mortgagor and right of foreclosure of the mortgagee? Can the right of redemption be taken away by agreement between the parties? (4+3+3 Marks)
5. What are the requisites of a valid sale? Do transactions like Sale agreement/General Power of Attorney/Will Transfers result in transfer of a valid title? Explain with help of relevant cases. (3+7 Marks)
6. Write a note on- (5+5 Marks)
 - a) Doctrine of Part Performance
 - b) Transfer by Oestensible Owner

Part – B (2 X 10 = 20 Marks)

Answer any TWO of the following questions:

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

In light of above facts, answer the following:

- a) What are the requisites of a valid gift? Is the gift made by Z in favour of her minor children valid? Explain with the help of cases. (7 Marks)
- b) What is the validity of the cancellation deed and the will executed by Z? Under what circumstances does a gift become revocable? (3 Marks)
8. X is a Hindu and son of Y. Y owns two plots of land 'M' and 'N'. While Y is alive, X sells plot 'M' to A for a consideration of Rs 30 Lakhs. A was aware that the plot belonged to Y at the time of sale. X also gifted plot 'N' to his best friend Z to whom X represented that he is the owner of the property gifted. Relying upon the representation made by X, Z accepted the gift. After one year of the said transfers, Y died and X inherited the said properties as an heir.

In light of the above facts, answer the following:

- a) Explain the validity of the transfers made by X. What is the consequence when X subsequently acquires title over the properties as an heir? Explain in light of Section 6 (a) and Section 43 of the Transfer of Property Act, 1882. (5 Marks)
- b) Does Section 6 (a) and Section 43 have independent field of operation and thereby can co-exist or are they contradictory? Analyse with the help of most appropriate case law. (5 Marks)
9. O has a son S and a daughter T. He also has an eight year old grand-daughter E, daughter of T and a nephew N. He owns four plots of land i.e. Plot A, Plot B, Plot C and Plot D. He also owns an apartment in a registered co-operative housing society, the bye-laws of which provide that apartments can only be sold to persons belonging to a particular 'x' religion only with prior permission of the committee of the society. O gifts Plot A to S for life and thereafter to S's eldest unborn child for life and thereafter to E absolutely. He gifts Plot B to T

for life and thereafter to her second child who is unborn at the date of execution of gift deed when he/she attains the age of 10. He gifts Plot C to E absolutely and gives the right of management of the property to T till E attains 18 years of age. He gifts Plot D to his nephew N for life and thereafter to N's eldest unborn child absolutely when he attains 25 years of age. O sells the apartment to his friend F who does not practice 'x' religion without permission of the committee of the co-operative society.

In light of the above facts, answer the following:

- a) Identify vested and contingent interests in the transfers made by O. (3 Marks)
 - b) Explain how transfer for the benefit of unborn persons takes place. Discuss the validity of the transfers made by O for benefit of unborn persons. (4 Marks)
 - c) Is the restriction put by the bye-laws of the co-operative housing society that the apartments can be sold only to persons belonging to a particular religion valid? Explain with help of case law. (3 Marks)
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Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

PUBLIC INTERNATIONAL LAW

Time: 2¼ Hours

Maximum Marks: 70

Part – A (3 X 12 = 36 Marks)

Answer any THREE of the following in not exceeding 800 words each:

1. A) International is a vanishing point of jurisprudence. Comment. (6 Marks)
B) Define Treaty. Analyse the modes for treaty interpretation in international law? (6 Marks)
2. Critically evaluate the Kinds of Theories of State Recognition and the legal effects of State Recognition in international law.
3. A) What are the kinds of state succession in international law? Examine the rights and obligations that are transferred to the successor state according to international law. (8 Marks)
B) Clean Slate Theory (4 Marks)
4. A) “Extradition begins Asylum ends”. Comment (6 Marks)
B) Critically evaluate the immunities and privileges of diplomats. (6 Marks)
5. The United Nations primary responsibility is to maintain international peace and security at all level. Do you agree? Examine this statement with reference to Composition, Power and Functions of the Security Council.

PART - B (3 X 8 = 24 Marks)

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

6. XYZ Limited, a registered mining industry in state ‘M’ has been discharging the untreated polluting waters into the nearby river of state ‘R’. This has lead to severe water problem in the state. State ‘R’ claimed reparation from State ‘M’ by referring various principles of international law. State ‘M’ contended that the claim is not sustainable? Decide.

7. A private steamship registered at Bilbao in the Basque province of Spain. In June 1937, following the capture of that region by the forces of General Franco, the opposing Republican government issued decree requisitioning all ships registered in Bilbao. Nine months later the Nationalist government of Franco also passed decree taking control over all Bilbao vessels. In the mean time, the *Arantzazu Mendi* herself was in London when the Republican government issued a writ to obtain possession on the ship. The owners of the ship opposed the Nationalist's requisition order. Is it valid? Decide.
8. Mr. Nalandan an Indian businessman moves to London in 1996 and he never returned to India. In 2019, he visits Trichy to attend one of his old friends family function. He is basically from Sri Rangam and also holds ancestral property there and he wishes to enroll his name in the voters lists and contest for the Tamil Nadu Legislative Assembly election to be held in the month of May 2021. He seeks your legal advice. Decide.
9. Mr. Nirmulane, a national of State X, committed political offence in his State, escaped from his State and seeks asylum in consulate of State M. The officials of the Consulate refused. Yet he somehow managed to enter the Consulate premises. When he is in the Consulate premises the investigating officials of the State 'X' arrested him. Is that arrest valid? Decide.
10. A) International Commission for Settlement of Investment Disputes (4 Marks)
B) Domestic Jurisdiction (4 Marks)

PART - C (4 X 2½ = 10 Marks)

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

11. A) *Pacta terris nec nocent nec prosunt*
 - B) Distinguish Exclusive Economic Zone and Continental Shelf
 - C) Comment upon *Right of Passage Over Indian Territory Case*, 1957 ICJ Rep. 25
 - D) Double Veto
 - E) Subsidiary Organs
 - F) International Tribunal for Law of the Sea
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Name : Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

RESEARCH TOOLS FOR BUSINESS DECISION MAKING

Time: 2¼ Hours

Maximum Marks: 70

Part – A (5 X 2 = 10 Marks)

Answer any FIVE of the following questions:

1. What is Statistical survey?
2. Write short notes on
 - (a) Tabulation
 - (b) Sampling
3. What is Positive Correlation?
4. What is Kurtosis?
5. Find the mean number of children per family from the following data.

No. of Children per family	4	6	3	8	9	5
No. of families	17	9	5	20	15	12

6. Draw a Trend line by the method of Semi- averages:

Years	1997	1998	1999	2000	2001	2002	2003
Production	90	110	130	150	100	150	200

PART- B (4 X 5 = 20 Marks)

Answer any FOUR of the following questions:

7. Explain the Methods of Data Collection.
8. Calculate Karl Pearson co-efficient of correlation between price and demand in the following series (Using direct method and by taking deviations from actual mean calculate co-efficient of correlation).

Price (Rs.)	3	5	6	9	10	12	15	20	22	28
Demand	10	12	15	18	20	22	27	30	32	34

9. From the following information, construct the index number for the year 2004, taking 2003 as the base:

Goods	Price in 2003 (Rs.)	Price in 2004 (Rs.)
Rice	10	115
Wheat	80	65
Sugar	75	70
Ragi	95	90
Oil	105	105
Dhal	35	20

10. Calculate Quartile deviation and its coefficient from the following data:

Height (in cms)	28	32	18	16	42	12	39
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11. Calculate Karl Pearsons Co-efficient of Skewness for the following data:

S. No	1	2	3	4	5
Marks	12	18	35	22	18

12. 150 boys scored an average of 45 marks with a standard deviation of 3 and 100 girls scored an average of 75 marks with a standard deviation of 5. Do you conclude that the marks scored by girls are more than boys at 0.05 level of significance? Use Z test (Table value of 5% level of significance is 1.96).

PART - C (4 X 10 = 40 Marks)

Answer any FOUR of the following questions:

13. Explain the different methods of sampling.
14. From the following data obtain the two Regression equation on Y on X and X on Y.

X	6	2	10	4	8
Y	9	11	5	8	7

15. A certain drug was administered to 300 people out of a total of 500 included in the sample to test its efficacy against Viral Fever. The results are given below:

	Viral Fever	No viral Fever	Total
Drug	100	200	300
No Drug	180	20	200
Total	280	220	500

On the basis of these data, can it be concluded that the drug is effective in preventing Viral Fever? Use Chi- Square Test. [Given that the significant value of Chi square at 5 % level of significance for 1 degree of freedom is 3.84 (Table Value)].

16. The following data represent the number of units of production per day turned out by 3 different workers using 4 different types of machines. Perform a Two – way ANOVA on the data given below:

Workers	Machine Type			
	A	B	C	D
I	36	40	42	38
II	42	40	47	34
III	40	36	41	42

Test whether the 3 men differ with respect to productivity. [Given that the significant value of F at 5 % level of significance for (3,6) degree of freedom is 4.76 and for (2,6) degree of freedom is 5.14 (Table Value)].

17. The marks scored by 10 students in a class is given below:

Marks	148	128	147	127	150	145	124	140	142	149
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In the light of the data, Using t – test, test that the average marks of the students in a class is 150. [Given that the significant value of t - test at 5 % level of significance for 9 degree of freedom is 2.26 (Table Value)]

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

Repeat Examinations (Even-Semester), June 2019

SOCIOLOGY-II (RESEARCH METHODS IN SOCIAL SCIENCES)

Time: 2¾ Hours

Maximum Marks: 70

PART-A (15 X 4 = 60 Marks)

Answer any FIFTEEN questions with appropriate examples. Each question carries four marks:

1. Explain Probability sampling methods.
2. Define Survey method and explain steps involved in execution of a survey.
3. Define Historical method and the steps involved in it.
4. Discuss all the published documents of the sources of data.
5. What are the three requirements in data for conducting Correlation Tests? Explain with examples.
6. What is Syllogism? Explain.
7. Define Interview and its types.
8. Discuss types of observations.
9. Explain Sociometric technique.
10. Discuss Scaling techniques.
11. What is Content Analysis?
12. Discuss Accuracy and Precision.
13. What is preparation of research design in phases of scientific procedure?
14. Discuss understanding Social reality according to C.H Cooley and C.W Mills.
15. What is systematic exploration and abstractness?
16. Explain Projective techniques.

PART-B (1 X 10 = 10 Marks)

Answer the following question:

17. Elaborate the contents of a research plan.
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Name : Register No.: **TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI****B.A. LL.B. (Hons) Degree Programme****Repeat Examinations (Even-Semester), June 2019****SOCIOLOGY-III (LAW AND SOCIETY)**

Time: 2¾ Hours

Maximum Marks: 70

Part-A (10 X 4 = 40 Marks)

Answer any TEN of the following with appropriate examples. Each question carries four marks:

1. Genealogy
2. Disciplinary Power
3. Delinquent
4. Prison
5. Exercise
6. Functional Imperatives
7. Emotional Actions
8. Personality system
9. Three points of Marx's Critique of Law
10. Reflexive Law
11. Fiduciary system
12. Any two pattern variables of Parsons

Part-B (3 X 10 = 30 Marks)

Answer any THREE of the following questions. Each Question carries ten marks:

13. Max Weber's Process of rationalization and types of Rationality.
14. Discuss in detail with examples Durkheim's theory of Social solidarity and Division of labor with appropriate examples.
15. Talcott Parson's Social System's theory and Social Action theory.
16. Karl Marx's five building blocks of Ideology.