TAMILNADU NATIONAL LAW UNIVERSITY

QUESTION PAPERS

UG Programme

END SEMESTER (ODD-SEMESTER)
EXAMINATIONS, NOVEMBER-2024

EN001-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

I Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

ENGLISH – I / BUSINESS ENGLISH - I

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions:

1. How does Sophocles play *Antigone* illustrate the conflict between divine/natural law and positive law, and in what ways do Antigone's actions challenge Creon's authority? Additionally, what do these conflicting ideologies reveal about the nature of justice in the play?

2. Analyse the relationship between cultural context and language proficiency in communication. How can cultural misunderstandings further complicate linguistic barriers?

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions

3. Evaluate how reading literature helps readers uncover universal themes and messages. How do these themes contribute to a better understanding of human experiences? Substantiate your arguments with any literary text(s) that you have read/studied.

4. How does Nora's decision to leave at the end of the play *A Doll's House* reflect her desire for personal freedom and self-discovery?

5. Discuss the role of Tiresias in *Antigone* as the prophet who warns Creon. How does his character embody the theme of fate versus free will?

6. Critically analyze the distinctive use of English by Justice V.R. Krishna Iyer in his judicial writings. How do his linguistic choices—such as vocabulary,

tone, rhetorical style, and extra legal resources—enhance the impact and accessibility of his judgments? Provide examples from his judgments to support your answer.

7. Explain Elaine Showalter's concept of gynocriticism as presented in *Towards a Feminist Poetics*. In what ways does she argue that male-centric approaches limit the understanding of female authors and their works?

8. Explain *Bottom-up processing* and *Top-down processing* in developing listening skills with proper examples.

9. Critically examine Aristotle's concept of "Catharsis" in relation to art/poetry. How does this idea contrast with Plato's view of art as potentially harmful?

10. Read the poem carefully and answer the questions that follow:

Stammer

Stammer is no handicap.
It is a mode of speech.

Stammer is the silence that falls
between the word and its meaning,
just as lameness is the silence
that falls between the word and the deed.

Did stammer precede language
or succeed it?
Is it only a dialect or a language itself?
These questions make the linguists stammer.

Each time we stammer
we are offering a sacrifice
to the God of meanings.

When a whole people stammer
stammer becomes their mother-tongue:
just as it is with us now.

God too must have stammered
when He created man.
That is why all the words of man
carry different meanings.

That is why everything he utters
from his prayers to his commands
stammers,
like poetry.

(a) Discuss the poet's portrayal of stammer as "a mode of speech" and how does this perspective challenge societal views on language and communication?

(150-200 words)

1 x 2.5 = 2.5

(b) Explain the lines "God too must have stammered / when He created man." How does this idea connect to the theme of imperfection in human expression?

(150-200 words)

1 x 2.5 = 2.5

SO001-24

Name :

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I Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

SOCIOLOGY- I (A Critical Introduction)

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer the any ONE of the following questions with appropriate examples. Please note that examples for every answer carry marks.

1. What are the different stages and Socialization in an individual's life and explain the C.H Cooley's *Looking Glass Self Theory*.

2. Explain the process Conflict with the types, characteristics and conditions/elements of the Social processes.

PART - B (6 x 5 = 30 Marks)

Answer the any SIX of the following questions with appropriate examples. Please note that examples for every answer carry marks.

3. Comment on Repressive and Restitutive Laws as per the theory of solidarity.

4. Discuss Anomic and Fatalistic Suicide in contemporary world.

5. Explain Hierarchy of Sciences by August Comte.

6. What is Indology? Evaluate the various Indological works of Sociologists to understand Indian Society.

7. Explain G.H Mead's theory of Role Playing.

8. What is Culture? What is Superorganic and Ideational characteristics of Culture?

9. What is Sub Culture? Analyse any two types of Sub Culture in detail.

10. Discuss Social process of Cooperation and explain in detail the Tertiary cooperation.

M/s. TNLS objects to this order on the ground that '*laptops*' cannot be equated to '*desktop computers*', even though they are capable of performing similar functions. Consequently, they preferred an appeal against the said order before the *Customs Excise & Service Tax Appellate Tribunal* [hereinafter, "*Appellate Assessing Authority*"] by raising various other grounds. Imagine yourself in the position of Appellate Assessing Authority and decide this case by clearly highlighting the relevant rules of statutory interpretation.

PART - B (6 x 5 = 30 Marks)

Answer any "SIX" of the following questions.

3. What do you understand by the term "*external* or *extrinsic aids*" and when they are admissible for statutory interpretation? Explain any one type of external aid with relevant precedents, illustrations and examples.

4. Explain how ambiguous clauses in a contract should be interpreted by analysing the rule of '*contra proferentem*'.

5. Prepare a research project synopsis on the need for '*anti-price gouging laws*' in India which would make it illegal for sellers to increase prices of goods and services above a certain limit.

6. Critically analyse the relationship between '*procedural law*' and '*substantive law*' by quoting relevant examples. Do you think a sharp divide should exist between the two systems of law?

7. 'Mr. X' an employee, who was on his way to his factory via his motor bike suddenly meets with an accident and suffers severe injuries. The accident spot is less than one km away from his place of employment. 'Mr. X' claims compensation as the injury occurred by way of an accident "*arising out of or in the course of employment*." His employer resists the claim. Decide the case by applying the beneficial construction rule in interpretation of labour welfare statutes.

8. Explain with examples the importance of '*stare decisis doctrine*' in a common law country like India by distinguishing the terms '*obiter dictum*' and '*ratio decidendi*'.

9. Article 329(a) of the Constitution of India, 1950: "*Notwithstanding anything in this Constitution, the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under article 327 or article 328, shall not be called in question in any court.*" In light of the '*non-obstante clause*' found in this provision, analyse to what extent Constitutional Courts can interfere in a delimitation decision taken by the election authorities.

10. Whether Advocates and Doctors are liable for '*deficiency in service*' under the *Consumer Protection Act, 2019*? Justify your answer with recent examples.

PO001-24

Name :

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November 2024

POLITICAL SCIENCE – I (Political Theory and Organizations)

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 Marks)

Answer any one of the following questions in not more than 600 words.

1. *"Socialism is dominated by the work of Karl Marx, who described his socialism as scientific as opposed to the utopian variety of those socialists who preceded him"*- Critically analyze the ideas of Karl Marx.

2. Political thinkers and statesmen have alike stressed the importance and utility of taking into consideration the reactions and responses of their subjects while formulating and implementing their policies. What you consider are those important factors which could influence the reactions and responses of the subjects and how they influence?

PART – B (6 x 5 = 30 Marks)

Answer any Six of the following questions in not exceeding 400 words each.

3. *"Anarchism regards political authority, in any of its forms as unnecessary and undesirable (Coker)"*- Critically analyze the statement and also give a description of the Anarchists' ideal society after the abolition of the State.

4. What is Constitutionalism? Explain different types of Constitutions.

5. *"It is almost a dogma of Political Science that the Legislature ought to consist of two Chambers"*- Analyze the statement and give the arguments advanced in support of the statement.

6. Write about the principal functions of Judiciary and suggest conditions for the maintenance of independent and impartial Judiciary in the country.

7. *"However organized and established the government may be, it cannot attain the status of statehood"*- substantiate the statement with relevant reasons.

8. What is a Federation and what are the important points of differences between a Unitary and Federal form of governments.

9. Write about an important way to find out whether there exists a parliamentary form of government or presidential form in a state and explain important features of a parliamentary form of government.

10. What are the aims of Civil Society Groups and explain how a strong Civil Society ensures democracy?

EC001-24

Name :

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

End Semester (Odd-Semester) Examinations, November 2024

ECONOMICS – I (Principles of Economics)

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 Marks)

Answer any ONE of the following questions:

1. Considering the features of Monopoly Market, explain the types of monopoly market in detail. M/s. BORLO International Publishing house faces following demand schedule for the next novel from one of its popular authors:

Price in Rupees	Demand for Novels
800	0
700	50
600	100
500	150
400	200
300	250
200	300
100	350

Compute Total Revenue (TR), Marginal Revenue (MR), Average Revenue (AR). What quantity would a profit maximizing publisher choose and what price would it charge. Assume the Cost (C) of publishing is 200 rupees per unit, how much profit the firm could generate on that price and what would be the Total Cost (TC). Explain with the help of graph to the Investor who has invested in your firm.

2. How does the distinction between economic growth and economic development reflect in real-world examples, what metrics best capture each within an industry context and illustrate the distinction between the two

concepts with the help of a suitable example. What are the potential consequences of focusing solely on economic growth without adequate attention to economic development. Suggest policies that can optimize this dual impact.

PART – B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Examine the three primary regulatory strategies employed by governments to control and oversee monopoly producers. A common approach involves imposing price controls to limit monopolistic pricing power. Using a detailed graphical illustration, explain the mechanism of government-imposed price regulation. Further, analyze the extent to which the government can influence monopoly pricing while preserving market equilibrium conditions.

4. Examine the concept of an oligopoly market, focusing on its types and defining characteristics. How does the collusion model function within oligopolistic markets. What objectives drive firms toward collusive behavior? Provide a detailed analysis of cartel formation and operation, using graphical representation to demonstrate the effects of collusion. Evaluate the economic implications of cartel behavior, including potential challenges and regulatory concerns within oligopolistic industries.

5. Analyze the concept of a public good, highlighting its key features. How do public goods differ from private goods, common resources, and club goods in terms of characteristics? Examine the challenges associated with providing and financing public goods. Analyse the implications of these distinctions for resource allocation and economic efficiency in an economy.

6. How do Corrective Taxes/Subsidies (Pigouvian Tax) and Tradable Pollution Permits differ in addressing negative externalities. What are their impacts on

market efficiency and social welfare? Illustrate the functioning of tradable pollution permits with an example and provide a graphical illustration.

7. In Akerlof's seminal work on "The Market for Lemons," information asymmetry is identified as a critical factor leading to adverse selection and, ultimately, market failure. Critically analyze how information asymmetry influences buyer and seller behavior in markets with quality uncertainty, and evaluate how this dynamic contributes to Adverse Selection. To what extent does this mechanism restrict market efficiency, and are there regulatory or institutional interventions that could mitigate these effects? Use specific examples to illustrate the broader implications of information asymmetry on both consumer and producer welfare across different industries.

8. How do the perceived benefits of outsourcing, align with the challenges it presents on external vendors, and what strategies can organizations implement to balance these factors effectively, Illustrate with the help of suitable examples.

9. Many countries aim to minimize their imports as part of their economic policy. Provide reasons why an economy might adopt such a strategy. Support your answer with examples of countries that have pursued policies to reduce imports and encourage domestic production. Evaluate both the potential benefits and risks associated with reducing imports.

10. Why does the "Tragedy of the Commons," introduced by William Forster Lloyd in 1833, continue to persist worldwide despite advances in resource management and environmental awareness, and how do real-world examples illustrate the ongoing struggle to balance individual gain with collective responsibility for shared resources.

BO004-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

I Year B.Com. LL.B. (Hons.) Degree Programme
End Semester (Odd-Semester) Examinations, November 2024

BUSINESS ORGANISATION AND MANAGEMENT

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10= 10 Marks)

Answer any ONE of the Following questions.

1. *"The list of fourteen principles of management given by Henry Fayol is widely accepted."* Explain in detail.

2. The management of human resources consists of several inter related functions. These functions are common to all organizations though every organization may have its own human resource management programme – Discuss in detail

PART – B (6 x 5= 30 Marks)

Answer any SIX of the Following questions.

3. What factors should a businessman keep in mind while selecting the form of business organization?

4. Explain the changing concepts of business.

5. What do you understand by social responsibilities of business? Explain the social responsibilities of business towards its employees and community at large.

6. Explain the various approaches to the study of management.

7. *"Management is the coordination of all resources through the process of planning, organising, staffing, directing and controlling in order to attain the objectives"*- Comment.

8. Critically examine the Maslow's and McGregor's theory of motivation.

9. *"A wide range of training methods and techniques have been developed over the years by various organisations and training experts"* – Examine.

10. Explain the procedure for selection of personnel in a business firm.

FA006-24

Name :

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
I Year B.Com. LL.B. (Hons.) Degree Programme
End Semester (Odd-Semester) Examinations, November -2024

FINANCIAL ACCOUNTING AND PRACTICAL AUDITING

Time: **2 ½ Hours** Maximum Marks: **40**

PART – A (2 x 14 = 28 Marks)

Answer the following Questions.

1. From the following Trial Balance of Mr. Jeeva, Prepare trading and profit and Loss Account for year ended March 31, 2024 and Balance Sheet as on that date.

Trial Balance as on March 31, 2024

Name of the Account	Debit Rs.	Credit Rs.
Stock on April 1, 2023	24,200	-
Cash in hand	4,000	-
Cash at Bank	12,900	-
Premises	20,000	-
Machinery	30,000	-
Furniture	15,000	-
Buildings	60,000	-
Drawings	5,000	-
Capital	-	1,60,000
Purchase and Sales	96,000	1,45,000
Debtors and Creditors	50,000	40,000
Returns	3,000	4,300
Freight	6,000	-
Wages	17,500	-
Trade expenses	4,750	-
Salaries	12,000	-
Printing and Stationery	1,800	-
Bad debts	4,000	
Provision for Doubtful debts		4,000
Rent Received		3,100
10% Loan (Taken on 1st October, 2023)		10,000
Interest on Loan	250	-

You are required to make the following adjustments:

a) Stock on March 31, 2024 was valued at Rs.45,600/-
b) Write off Rs.2,000/- as bad debts and make a provision for doubtful debts at 5% on sundry debtors.
c) Charge depreciation on Machinery at 10% and on Building at 2.5 %
d) Rent Received include advance rent Rs.600/-
e) Rs. 500 worth goods were distributed as free samples
f) Outstanding salary Rs.2,400/-
g) Goods costing Rs.1,000/- were sent to customer for Rs.1,200/- on 30th March 2024 on sale or return basis.

2. From the following Receipts & Payments Account of Young Moon Club, prepare Income & Expenditure Account for the year ended 31st March, 2022 and the Balance Sheet as at that date:

Receipts & Payments Account for the year ended 31st March, 2022

Receipts	Rs.	Payments	Rs.
To Balance b/d	1,02,500	By Salaries	2,08,000
To Subscriptions:		By Stationery	40,000
2020 – 21	4,500	By Rent	60,000
2021 – 22	2,11,000	By Telephone Expenses	10,000
2022 – 23	7,500	By Investments	1,25,000
To Profit on Sports Meet	1,55,000	By Sundry Expenses	92,500
To Income from Investments	1,00,000	By Balance c/d	45,000
	5,80,500		5,80,500

Additional Information:

(i) There are 450 members each paying an annual subscriptions of Rs. 500/-.

(ii) On 31st March, 2021:

(a) Outstanding subscription was Rs. 5,000/-.

(b) Outstanding Sundry Expenses were Rs. 7,000/-.

(c) Stock of Stationery was Rs. 5,000/-.

(d) Building was valued at Rs. 10,00,000/- and it was subject to depreciation @ 5% p.a.

(e) Investments were of Rs.20,00,000/-.

(iii) On 31st March, 2022, income accrued on the investments purchased during the year was Rs.3,750/-.

(iv) Stock of stationery was valued at Rs. 9,000/- and outstanding telephone expenses were Rs.3,000/- on 31st March, 2022.

PART-B (2 x 6 =12 Marks)

Answer any Two of the following questions.

3. From the following information prepare a double column cash book for a Law office for the month ended December 31,2023.

Date	Transactions	Rs.
1	Cash in hand	60,000
	Bank Balance (Cr)	30,000
3	Deposited into Bank	20,000
5	Fees Received from Mohan	4000
	Rent Paid	100
7	Received a cheque from Mr. A and sent it to bank	6000
9	Received a cheque from Mr.B	10,600
	Fees received	2500
12	Withdrew from bank for office use	3000
13	Books Purchased	6000
14	Fees Received	10,200
16	Salary to Ganesh by cheque	4000
	Sitting fees received	6000
18	Mr.B's cheque deposited in the bank	
20	Fees received from Mr.C by cheque and sent to bank	10,000
24	Paid rent by cheque	1500
25	Withdrew from bank for personal use	2000
30	Received from Anil ₹ 270 in cash and ₹ 540 by cheque.	
31	Bank charges as shown in Pass Book	500
	Paid Electricity	5000

4. Mr. King, a general merchant, keeps his accounts on Single Entry System. He wants to know the results of his business on 31st March, 2020 and for that following information is available:

Particulars	As on 01.04.2019 Rs.	As on 31.03.2020 Rs.
Cash in Hand	1,50,000	1,75,000
Bank Balance	7,50,000	8,00,000
Furniture	1,00,000	1,50,000
Stock	5,00,000	6,50,000
Creditors	3,50,000	4,00,000
Debtors	2,50,000	3,00,000

During the year, he had withdrawn Rs.5,00,000/- for his personal use and invested Rs.2,50,000/- as additional capital. Depreciate the furniture by 10%. Additional furniture purchased on 31.12.2019. Calculate his profits on 31st March, 2020 prepare the statement of Affairs as on that date.

5. "Auditing is an expressing a great opinion on Financial statement of a business organization" – Comment.

CC001-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November - 2024

LEGAL METHODS

Time: 2 ½ **Hours** Maximum Marks: **40**

Instructions:

a. Write legibly. Fill up the answer book with relevant and cogent answers.
b. All the questions should be answered by quoting at least two relevant judicial precedent and/or illustrations.
c. The questions may be preferably answered in the *Issues-Research-Analysis-Conclusion* (*IRAC*) method by quoting relevant legal provisions, precedents and examples.
d. You are strictly directed to follow the Question Number as given in the Question Paper.
e. Bare Acts are not allowed; Electronic gadgets are prohibited.

PART - A (1 x 10 = 10 Marks)

Answer any "ONE" of the following questions

1. Four people were stranded on a lifeboat in the middle of nowhere in the sea, with no water or food for twenty-one (21) days. Desperate, they decided to sacrifice and eat the youngest of the crew mate, a sixteen (16) year old cabin boy, who had already fallen sick from drinking sea water. A mere day after the trio had eaten their teen crew member, they were rescued and are now on trial for murder. The law on murder in your jurisdiction states as follows:

"*Whoever shall wilfully take the life of another individual shall be punished by death.*"

When the three people are brought before the Court of Law, you see that there is no precedent that fits the facts of this case, as your country has no

specific law against cannibalism. The defence side argues that the trio could not be convicted of murder, because survival cannibalism done out of a state of necessity should be excused as a part of unwritten sea custom. Assume yourself in the position of the Judge and write a reasoned judgement on whether would you convict or acquit the accused trio.

2. *M/s. TNLS (P) Ltd.*, [hereinafter, "*TNLS*"] imported '*laptops (notebook computers)*' from Qatar into India in October 2024. The law relating to imposition of excise duty in India for imported products is contained in the *Customs Tariff Act, 1975* [hereinafter, "*CT Act*"]. Section 3 of the said legislation read together with the *Computers (Additional Duty) Rules, 2004* [hereinafter, "*CAD Rules*"] provides for imposition of "*additional duty*" on '*computers*' imported from foreign countries. The following table given under the *CAD Rules* provides for description as well as the concomitant duty rate for computers imported into India.

S. No.	Description of Goods	Additional Duty Rate
1.	Central Processing Unit (CPU) imported separately.	6%
2.	Computers (other than CPU imported separately) Explanation – For the purpose of this entry, "computers" shall include central processing unit (CPU) with monitor, mouse and keyboard, cleared together as a set; but shall not include input or output devices or accessories such as monitor, keyboard, mouse, modem, uninterrupted power supply system, or web camera imported separately.	7%

With respect to the import of laptops by M/s. TNLS, the Assessing Authority established under the CT Act passed an order as follows:

"As imported 'laptops' and imported 'desktop computers' are capable of performing same or similar functions, I am of the considered view that laptops can be considered as computers under the CAD Rules. Accordingly, on a combined reading of Section 3 of the CT Act and CAD Rules, I hold that the import of 'laptops' from Qatar by TNLS India (P) Ltd. is liable to additional excise duty of 7%."

CC002-24

Name :

Register No.:

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I Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW OF TORTS

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions

1. The law cannot take into account the cause of causes or consequences of consequences. Examine the given statement in light of important judicial precedents.

2. Critically comment on the tortious liability of the State in India in light of landmark judicial decisions.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Explain the tests applied to establish vicarious liability in master-servant relationship with the help of judicial precedents.

4. Examine the role of malice in proving the tort of nuisance with the help of relevant case laws.

5. Explain briefly the remedies available for tortious wrongs.

6. Explain the tortious liability of a Corporation.

7. Mr. Rikki and Mr. Mikki are step-brothers and not in good terms with each other. To trouble Mr. Mikki, Mr. Rikki lodges an F.I.R with the police against Mr. Mikki alleging that Mr. Mikki is involved in selling of

stolen goods. The police arrested Mr. Mikki and thereafter he was subjected to trial. Mr. Rikki testified against Mr. Mikki in the court. However, the court did not find the case against Mr. Mikki credible and acquitted him. Mr. Mikki sues Mr. Rikki and claims compensation for the undue hardship he had to undergo due to this prosecution.

In light of the given facts, explain the tortious wrong has Mr. Rikki committed?

8. Selvan. Rinku is a five-year-old child who fell from his bicycle and sustained minor injuries. His parents, Mr. and Mrs. Singhi take Selvan. Rinku to Oakdaly Hospital for treatment. Due to a wrong medication being administered, Selvan. Rinku suffers from severe adverse reaction and undergoes partial paralysis. Seeing the child in the state of paralysis, Mrs. Singhi suffers from nervous breakdown and is hospitalized.

   In light of the same, determine the liability of Oakdaly hospital for the health condition of Selvan. Rinku and Mrs Singhi.

9. Mr. Alex, a journalist, writes an article claiming that local politician Mr. Smith is involved in corrupt activities. Mr. Alex's article is based on an anonymous source who claims to have witnessed the alleged activities. Mr. Smith files a defamation suit against Mr. Alex, arguing that the article has damaged his reputation.

   Analyze the possible defenses available to Mr. Alex.

10. Ms. Linda, a store employee, suspects Mr. Tony of shoplifting and detains him in the store's office while she calls the police. However, there is no solid evidence that Mr. Tony stole anything, and after an hour, the police arrive and confirm that Mr. Tony was not shoplifting. Mr. Tony claims he was falsely imprisoned by Ms. Linda and the store.

    Evaluate Mr. Tony's case for false imprisonment against Ms. Linda and the store.

EC002-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November 2024

ECONOMICS – II (Indian Economy)

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. How effective are various monetary policy tools in controlling inflation? Discuss which tools you believe offer the most sustainable impact on price stability, providing reasons for your choice with the help of suitable examples in contemporary situations.

2. Provide a detailed explanation of the Consumer Price Index (CPI), including its various types and their respective uses in economic analysis. If a consumer's basket consists of 25 kgs of Rice, 22 kgs of flour, 15 kgs of pulses and 30 kgs of onion for the year 2020, 2021, 2022 and 2023 respectively, from the table below of basket of goods calculate CPI and the rate of inflation for each year in an economy?

Price of consumer goods purchased from 2020 to 2023				
Year	**RICE**	**Flour**	**Pulses**	**Onion**
2020	45	35	70	80
2021	58	43	79	102
2022	67	53	88	115
2023	80	67	102	125
*Base year is 2020				

PART – B (6 x 5 = 30 Marks)

Answer any SIX of the following questions.

3. To what extent can fiscal policy measures effectively control inflation in contemporary India? Analyze which fiscal approaches are likely to offer the most sustainable impact on inflation, providing specific examples from recent Indian policy decisions to support your reasoning.

4. Analyze the different stages of the trade cycle and their key characteristics. With reference to recent trends in India's economy, discuss which stage the country is currently in, providing examples to support your analysis.

5. Critically examine the concept and purpose of taxation, including its classification and the canons of taxation. Using examples from contemporary India, assess how well the current tax structure aligns with these canons, and discuss any areas for improvement

6. Examine the causes and implications of a budgetary deficit on the Indian economy. Using recent examples, analyze how the budgetary deficit has impacted India's economic growth, inflation, and public debt, and discuss potential measures to mitigate these effects.

7. Critically analyze the Phillips Curve and its indication of a stable and inverse relationship between unemployment and inflation. Using a graph, explain this relationship and discuss whether this theory holds true in the context of contemporary economic conditions in India with suitable examples.

8. Examine the key factors influencing the demand and supply of foreign currency, and analyze how these factors shape exchange rates. Describe the different types of exchange rate systems using recent examples. Distinguish between currency depreciation and devaluation, explaining their respective

impacts on the Indian economy. Include a graphical explanation for illustration of establishment of exchange rate.

9. Analyze the meaning and various types of tariffs, evaluate their primary functions in the context of contemporary India. Using relevant examples, discuss how different types of tariffs have impacted specific industries in India. Consider both the positive and negative effects on the Indian economy and society. How might recent tariff policies influence India's position in global trade and its economic relations with other countries?

10. Critically analyze the role of the World Trade Organization (WTO) in shaping India's economic policies and outcomes. Discuss both the positive and negative impacts of various WTO agreements on the Indian economy citing recent examples. In light of recent challenges, should India seek reforms within the WTO framework or reconsider its stance on certain agreements?

LH001-24

Name :

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

End Semester (Odd-Semester) Examinations, November 2024

LEGAL HISTORY

Time: 2 ½Hours Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions. Not more than 800 words.

1. Like the general historiography, the origin and growth of legal historiography in India also greatly owed to the colonial and nationalist scholarships. Though there were similarities, the colonial and nationalist schools contradicted themselves in terms of their purpose and interpretations. Discuss the major contradictions between colonial and nationalist legal history writings in the nineteenth and twentieth centuries.

2. *"In the spring of 1772, the new English East India Company governor in Calcutta, Warren Hastings, moved decisively to tighten the Company's grip over the regional state of Bengal"* Argues Robert Travers. Contextualise the statement by referring to the legal and administrative reforms of Warren Hastings.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions. Not more than 400 words.

3. When the Subaltern and feminist history writings emerged as spate academic schools in India in the 1980s and 1990s, the historians who established these schools were not satisfied with the already available sources to write Indian history. They thought that it was a prerequisite to introduce new sources for

writing history. Examine the new sources introduced by the subaltern and feminist historians of India.

4. Ranajit Guha, in his book *Peasant Insurgency in Colonial India*, argues that the colonial officials in the late eighteenth and early nineteenth centuries were forced to reform the laws of Bengal through peasant and tribal revolts. Do you agree with Ranajit Guha? Substantiate your answer by referring to the peasant and tribal revolts in Bengal.

5. *"There was no doubt in the minds of the social rebels and reformers of the 19th century, with the notable exception of Dayananda Saraswati, that their dissatisfaction and their ideals of progress were the direct result of India's contact with the West, especially with the Britain."* Contextualise the statement by analysing the causes of the Socio-Religious Reform Movements of nineteenth century colonial India.

6. Jyotirao Phule was the first Indian to use the Aryan Racial Theory to question Brahman domination in Indian society. Validate the statement by analysing the programmes and policies of the Jyothirao Phule.

7. According to Elizabeth Kolsky, it was not simply the local but most importantly the foreign causes that facilitated the codification of laws in colonial India. Discuss the different causes of the codification of laws in the nineteenth century.

8. The Charter Acts passed in the British Parliament introduced some important changes in Indian society, polity, economy and law. Discuss the reforms brought out by the Charter Acts in the field of law and administration in colonial India.

9. *"In Modern India,"* argues A C Banerjee, *"codification in the Western sense was a British import."* Do you agree with A C Banerjee? Give reasons.

10. The origin and growth of communalism in modern India is an integral part of the history of colonialism and nationalism. Do you agree with this statement? Substantiate your answer by examining the role played by the Indian National Movement.

PO003-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November 2024

POLITICAL SCIENCE – III (International Relations)

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 MARKS)

Answer any ONE of the following questions in not more than 600 words.

1. Critically analyze the ideas of scholars in the third world Latin America who believe in reality of class struggle between the Centre and Periphery, thus insisting on the study of international relations as the one based on economic structure of the world, which is unjust and based on exploitation of the Periphery by the Centre.

2. With the end of the Cold War, the world witnessed a fundamental shift in the structure and patterns of international relations. Analyze the important structural changes that have taken place in the international system during the post-Cold War years.

PART – B (6 x 5 = 30 Marks)

Answer any Six of the following questions in not exceeding 400 words each

3. What is Realism in international relations and explain the Six Principles of Political Realism as advocated by Hans J. Morgenthau.

4. What is Detente? What are the causes and implications of Detente?

5. Write about the important Internal and External Determinants that influence the Foreign Policy of a State.

6. Write about the Features of Old Diplomacy and explain how 'Old Diplomacy' is different from 'New Diplomacy'.

7. David Singer considered a Level of Analysis to be an 'Orientation' with which analysts approach a problem, in which they can always look 'upon the components' – Discuss the important components of Levels of Analysis with a couple of examples.

8. Write about the Membership, Powers and Functions of the "Enforcement Wing" of the United Nations Organization. How far UNO could achieve the objective of protecting the world peace.

9. Explain the Sources of International Law and discuss the reasons why the countries tend to obey international laws.

10. What is a Regional Organization? What are the objectives of SAARC and how the SAARC was dysfunctional for the last few years?

FS001-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November 2024

FINANCIAL SERVICES AND MARKETS

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 Marks)

Answer any ONE of the Following questions.

1. Investors have an option of choosing from a wide variety of schemes in a mutual fund, depending upon their requirements. Explain in detail.

2. Merchant bankers cater to the needs of business enterprises by carrying out various merchant banking functions. Elucidate in detail.

PART – B (6 x 5 = 30 Marks)

Answer any SIX of the Following questions.

3. Explain the objectives of Financial Services.
4. Discuss the various investment alternatives available for the investors.
5. Explain the various types of Consumer Finance.
6. Explain the features of Credit Rating.
7. Explain the different stages of Venture Capital Financing.
8. Distinguish between Factoring and Forfaiting.
9. Explain the characteristics of Leasing.
10. Enumerate the working mechanism of the Stock invest.

CC008-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
II Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW OF CONTRACTS - II

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 Marks)

Answer any ONE of the following questions in or about 600 words.

1. *"Nemo Dat Quod Non Habet"* remains to be one of the basic principles in the Sale of Goods Act, 1930. Explain if this principle is an absolute one or not and if not, point out the exceptions.

2. Though a Partnership arises out of a contract between the parties, the Partnership Act, 1932 specifies certain rights and duties which are to be adhered to for the benefit of the firm- Discuss.

PART - B (6 x 5 = 30 marks)

Answer any SIX of the following questions. Answers to the questions in or about 400 words.

3. Mr. Mohit gives authority to Mr. Ashok to sell Mr. Mohit's land and to pay himself, out of the proceeds, the debts due to him from Mr. Mohit. Mr. Mohit approaches you and seeks your legal advice to revoke his authority given to Mr. Ashok. Advise Mr. Mohit.

4. Mr. Sonu, a draper, who had no special knowledge of hot water bottles, went to the shop of a Chemist and asked for a hot water bottle. He was shown an American rubber bottle which the Chemist said would not stand boiling

water, but was meant hot water. Mr. Sonu bought the hot water bottle. After a few days, while being used, it burst and injured Mr. Sonu's wife. Is the Chemist liable and if so, on what provision of the Sale of Goods Act, 1930?

5. Mr. Gokul enters into a partnership with Mr. Gopesh, a minor, for the benefit of Mr. Gopesh. Is the partnership valid?

6. Mr. Gopu and Mr. Ganesh are partners in a firm. The partnership inter-alia, provides that partnership can be terminated by 'mutual agreement only'. Mr. Ganesh alone wants to terminate the partnership. Can Mr. Ganesh do so?

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

8. *'Delegatus Non Potest Delegare'* is the corner stone of Law of Agency. Explain.

9. *'A contract of sale of goods is bilateral, commutative and consensual'* Bring out the significance of this statement.

10. Distinguish the essential characteristics of Partnership from that of a Limited Liability Partnership.

CC006-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November 2024

FAMILY LAW - II

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. Live-in relationships are not legally recognized under Marriage/Succession laws in India. However, the Indian Judiciary has recognised live-in relationships through various judgments. In light of those judgements, analyse the inheritance rights available to children born out of live-in relationships.

2. A Muslim Ms. Banu dies leaving behind her husband, mother, daughter and a son of a predeceased daughter. She has left behind property which has to distributed between her heirs. Calculate the shares of the surviving heirs when
   a. Ms. Banu is a Sunni Muslim **(5 Marks)**
   b. Ms. Banu is a Shia Muslim **(5 Marks)**

PART – B (6 x 5= 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Prior to the Hindu Succession Act, 1956, women had limited property rights under various regional and customary laws. Section 14 of the Act plays a crucial role in this regard. Explain the essential conditions under Section 14 of the Hindu Succession Act, 1956 and what are the limitations under the said provision with judicial precedents?

4. Explain the essential conditions for gifts made during Marz-Ul-Maut.

5. Under Muslim Law, certain persons who otherwise would be heirs are disqualified from inheriting the property of an intestate in few circumstances. Explain those grounds of exclusion under Muslim Law.

6. What are the essentials of a valid Will under Indian Succession Act, 1925 and what are the distinguishing features of a Will under Muslim Law compared to other Succession Laws?

7. Mr. Christopher, dies intestate leaving behind his mother, his brothers Mr. John and Mr. Henry, and also one child of a deceased sister, Ms. Mary, and two children of Mr. George, a deceased brother of the half-blood who was the son of his father but not of his mother. Calculate the shares of his surviving heirs as per the Indian Succession Act, 1925.

8. Ms. Sameeha, a Sunni Muslim working in an NGO gets married to one of her colleague Mr. Venu, a Hindu. Their marriage is solemnised under the Special Marriage Act, 1954. The couple started living with Mr. Venu's family which consisted of his mother and father. Subsequently, Ms. Sameeha gives birth to a daughter, Zia. One evening while coming back from work, Sameeha meets with an accident and succumbs to injuries. Now Ms. Sameeha's property has to be distributed to her surviving heirs. Identify her heirs and calculate their respective shares as per the Succession law applicable to Ms. Sameeha's property.

9. Mr. Iqbal, a Sunni Muslim dies intestate, leaving behind his wife, 2 daughters, father and his mother. Calculate their respective shares under Muslim Law.

10. Ms. Mariam, a Shia Muslim dies intestate, leaving behind her mother, father, daughter and 2 full brothers. Calculate their respective shares under Muslim Law.

CC007-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November 2024

CONSTITUTIONAL LAW – I

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. The Union Parliament passed an amendment to the Representation of People Act, 1951 whereby political parties and electoral candidates would be barred from having any stake, in terms of shareholding or any other mode of control, either directly or through family members, in any media organisation which is in the business of providing news. All media houses would be required to make an affidavit of their shareholding pattern to the Election Commission upon the issuance of the Election Notification, and any media house (print or electronic) that is unable to do so shall have their licenses amenable for cancellation by the appropriate authorities.

Mr. Trivago, a prominent politician who partially owns a newspaper called 'TNNLUes Now' and a television channel called 'NDTNNLU' challenges this Amendment, citing violations of Article 19(1)(a) of the Indian Constitution.

Assuming you are the Judge, decide on the matter. Further, examine the scope and limitations of freedom of speech under Article 19(1)(a) with reference to relevant judicial decision with social media.

2. Analyze the relationship between the right to equality under Article 14 and the provisions for reasonable classification in the context of Articles 15 and 16 of the Indian Constitution. How do these Articles collectively safeguard against discrimination while allowing affirmative measures, and what role does reasonable classification play in this balance?

PART – B (6 x 5= 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Explain and contrast in detail, the different forms of Constitutionalism and elucidate on the type that the Indian Constitution can be regarded under, with reasons.

4. Conceptualizing "*India, that is Bharat…*"

   Analyse the constitutional choice of the phrase. Evaluate the historical, cultural, and political implications of this dual nomenclature and how it reflects the vision of India as a sovereign and an nation with unity.

5. To what extent does the provision in the Citizenship Amendment Act, 2019, which grants citizenship to certain religious minorities from Afghanistan, Bangladesh, and Pakistan while excluding Islamic people, comply with the constitutional principles of equality and secularism under Articles 14 and 15 of the Indian Constitution? Comment on the potential implications of this provision on the basic structure doctrine and the fundamental rights of Indian citizens. (*any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31st day of December, 2014 and who has been exempted by the Central Government by or any rule or order made there under, shall not be treated as illegal migrant for the purposes of this Act*)[1]

6. Considering cases like *Ajay Hasia v. Khalid Mujib* and *Pradeep Kumar Biswas v. Indian Institute of Chemical Biology*, assess how judicial innovations in interpreting "*other authorities*" under Article 12 have impacted the policymaking functions of autonomous bodies. Do you think the judiciary should continue expanding the scope of "*State*" under Article 12?

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[1] Abridged contended provision under the Citizenship (Amendment) Act (CAA) of 2019

7. There appears to be a significant difference in juristic opinions as to whether the Doctrine of Eclipse can be applied to post-Constitutional laws. What are your views on this issue? Articulate, with reference to appropriate references to the context. Explain the nature of the Provision and the other related doctrines as well.

8. "*Wherever therefore there is arbitrariness in State action whether it be of the legislative or of the executive or of an 'authority' under Article 12, Article 14 immediately springs into action and strikes down such State action. In fact, the concept of reasonableness and non-arbitrariness pervades the entire Constitutional scheme and is a golden thread which runs through the whole of the fabric of the Constitution*"[2]

Explain by analysing in-depth, the tests of equality by the Indian Judiciary under Article 14.

9. Critically analyze the constitutional validity of a proposed bill by the Union Government mandating a 7.5% reservation for individuals identifying as LGBTQ+ in educational institutions and public employment. What constitutional provisions, judicial precedents, and principles of equality and affirmative action are relevant to this analysis? Suggest any amendments or alternative measures to enhance the bill's alignment with constitutional standards and judicial scrutiny.

10. Explain all forms of rights enumerated under Article 19 and the reasonable restriction provided for them in the same provision. Also expand the concept of 'reasonableness' and the ingredients of it.

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[2] Ajay Hasia v. Khalid Mujib Sehravardi, (1981) 1 SCC 722.

CC008-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
II Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW OF CRIMES – I

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. Evaluate the distinction between culpable homicide and murder under BNSS 2023 with landmark judicial decisions and the elements that differentiate the two offenses.
2. *"The evolving landscape of rape laws in India reflects a growing recognition of women's rights and the need for robust legal frameworks to address sexual violence"*. Justify the statement.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Define organized crime under BNSS,2023 and analyse its main characteristics.

4. During a late-night party at a friend's house, Mr. Tonny and Mr. Jonny get into a heated argument over a personal matter. As the argument intensifies, Mr. Jonny pushed Mr. Tonny. In retaliation, Mr. Tonny, feeling threatened and angry, grabs a nearby glass and throws it at Jonny, but it accidentally strikes Mr. Jonny's friend, Mr. Rommy, who was standing nearby. Despite immediate medical attention, Mr. Rommy dies from the injuries. Mr. Tonny claims they did not intend to harm Mr. Rommy and were only trying to defend themselves from Mr. Jonny's aggression.

In the light of above-mentioned facts, examine the criminal liability of Mr. Tonny by analysing the legal implications of intent in this fact.

5. Mr. Asish and Mr. Vibhav start fighting with each other with a small dispute over money. As the argument turned severe, Mr. Asish feeling threatened, grabs a nearby metal chair and swings it at Mr. Vibhav. In an attempt to defend himself, Mr. Vibhav pushes Mr. Asish away, causing Mr.Asish to fall and hit his head on the pavement. Mr. Asish sustains a severe head injury and later dies in the hospital. In the light of above-mentioned circumstances discuss criminal liability of Mr. Vibhav under BNSS 2023.

6. Critically examine the significance of the age of discretion under criminal law and analyse the factors could influence the court's decision while applying the defence.

7. Mr. Avin and his friends were followed a group of individuals who seems to be involve in unlawful activities at a local market. In an attempt to prevent them from leaving the scene Mr. Avin and his friends physically block the exit of the local market and verbally threaten them. The group feels trapped and is unable to leave for nearly 30 minutes until the situation calms down. Examine the criminal liability of Mr. Avin and his friend in the above scenario with the help of legal principle under BNSS 2023.

8. Mr. Ankush and his two friends plan to rob a jewellery store late at night. They broke in with masks and weapons, threatening the store owner and other employees to hand over the valuables. During the crime scene one of the friends of Mr. Ankush accidentally fires a gun, injuring the store owner. In the light of above-mentioned facts, analyse the criminal liability of Ankush and his friend under BNSS 2023.

9. Ms. Praneetha, a 29-year-old woman, has a history of mental sickness since her childhood, which includes episodes of severe depression and hallucinations. One day, during a particularly intense episode, she believes that her neighbor is planning against her and attacks the neighbor with a kitchen knife, causing serious death of him. Analyze the applicability of the defense of insanity in Ms. Praneetha's case and discuss the legal standards required for establishing this defense under Indian law, including the criteria for determining mental illness.

10. Ms. Mita is an employee at a private bank. One day, a group of six masked individual who threatens her with a gun, demanded that she hand over cash from the bank. Fearing for her life and believing the threat to be genuine, Ms. Mita fills a bag with money before the group and flees the scene instead of reporting the crime. She is later arrested and charged with theft. Discuss the criminal liability of Ms. Mita under BNSS 2023.

HI003-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November 2024

HISTORY – III (Legal History of India)

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions. Not more than 800 words.

1. Bipan Chandra, a nationalist historian, argues that the second phase of colonial rule in India witnessed basic changes in its politics, society, economy and laws. Further, he argues these changes were directed by the economic interests of capitalists in the metropolis of England. Do you agree with Bipan Chandra? Substantiate your answer with suitable examples.

2. *"In British India"* argues A C Banerjee *"administrative necessities led to the enactment of codes."* Do you agree with the statement? Substantiate your answer by referring to the various causes and nature of the codification of laws in the nineteenth century.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions. Not more than 400 words.

3. According to A C Banerjee, the applicability of English Law in the presidency towns remained a permanent feature of the Company Judicial system in India. Examine the role of 1726 and 1753 Charters in establishing the authority of English law in India.

4. Mithi Mukherjee observes that establishing the Supreme Court at Calcutta in 1774 was an important milestone in strengthening the notion of Imperial

Justice in British India. Analyse the jurisdiction and nature of the functioning of the Supreme Court.

5. Unlike the First and Fourth Law Commissions, the Second Law Commission simply held its meetings in London and suggested some important recommendations for legal reforms in British India. Discuss the various legal reforms introduced by the Second Law Commission.

6. Legal historians widely acknowledge that a systematic appeal procedure was established under British rule and the Privy Council, the superior appellate authority for colonial India, was not completely free from its defects. Discuss the various problems associated with the Privy Council in London in dealing with the appeal cases from British India.

7. Granville Austin, a constitutional historian, referred to the Indian Constitution as a *"social document."* Contextualise the statement by referring to the relevant articles of the Indian Constitution.

8. Mitra Sharafi argues that the Parsi community in India than any other communities became the heavy users of the English Law. Do you agree with the statement? Give reasons.

9. It was not simply the colonial census but also the colonial courts in the nineteenth century shaped and strengthened Indian identities such as caste and religion. Contextualise the statement by analysing the Abraham vs Abraham case.

10. *"The legal profession as it exists in India today had its beginnings in the first years of British rule."* Discuss the nature of the origin and growth of the legal profession in British India.

CA001-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November -2024

CORPORATE ACCOUNTING

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (2 x 13 = 26 Marks)

Answer any TWO of the following questions:

1. M/s. KEE Ltd., provides the following Trial Balance as on 31st March, 2024.

Particulars	Dr. Balances	Cr. Balances
Equity Share Capital: 3,50,000 shares of Rs.10 each fully paid		35,00,000
8% Preferential Share Capital		10,00,000
10% Debentures		3,00,000
Motor Van	9,00,000	
Machinery	20,00,000	
Land and Building	12,00,000	
12% Long Term Govt. Securities	2,00,000	
Sales	-	60,00,000
Sales return	3,00,000	
Interest on Debenture	22,500	
Purchase	36,00,000	
Purchase returns		4,00,000
Opening Stock	3,00,000	
Discount	7,500	
Carriage Outward	1,50,000	
Rent and Rates	50,000	
Income from Govt. Securities		24,000
Trade Receivables	10,00,000	
Trade Payables	-	2,00,000
Advertisement	1,50,000	
Bad Debt	20,000	
Salaries	6,72,000	
Misc. Expenditure	30,000	
Cash at Bank and in hand	3,22,000	
Premises	10,00,000	
Surplus Account on 01.04.2023		5,00,000
Total	1,14,24,000	1,14,24,000

Additional Information:

(i) Closing Stock as on 31st March 2024 was Rs.3,50,000
(ii) Depreciation Rates: Motor Vehicle 10%, Machinery 20%, Premises 10% and Land & Building 5%
(iii) Misc. expenditure includes Rs.20000 as salary to supervisors
(iv) Interest on debenture is payable quarterly and the last quarter's interest is yet to be paid.
(v) The company on the advice of independent valuer wish to revalue the Premises at Rs.11,00,000.
(vi) The Board of Directors has decided to propose 10% dividend for the Equity Shareholders and interest for preferential shareholder for two years.
(vii) Provide for income tax Rs.1,50,000.

Prepare a Statement of Profit and Loss for the year ended on 31st March 2024 and a Balance Sheet as on that date.

2. M/s. X Ltd., and M/s. Y Ltd., are two companies carrying on business in the same line of activity. Their liabilities and assets as on 31.03.2023 are given below.

Liabilities	X Ltd., Rs.	Y Ltd., Rs.	Assets	X Ltd., Rs.	Y Ltd. Up Rs.
Fully Paid up Equity Shares of Rs.10 each	6,00,000	2,00,000	Land & Buildings	2,00,000	-
General Reserve	4,00,000	2,00,000	Plant & Machinery	7,00,000	3,00,000
Secured Loan	6,00,000	1,00,000	Investments	1,00,000	-
Current Liabilities	6,00,000	4,00,000	Stock	9,00,000	4,00,000
Un secured loan	1,00,000	-	Debtors	3,00,000	1,00,000
			Cash at Bank	1,00,000	1,00,000
	23,00,000	9,00,000		23,00,000	9,00,000

The two companies decide to amalgamate into M/s. XY Ltd. Following further information is given:

a) All assets and liabilities of the two companies, except investment and unsecured loan are taken over by M/s. XY Ltd.
b) Each share in M/s. Y Ltd., is valued @ Rs.25 for the purpose of the amalgamation
c) Shareholders of in M/s. X Ltd., and M/s. Y Ltd., are paid off by issuing to them sufficient number of equity shares of Rs.10 each in M/s. XY Ltd. As fully paid up at par.
d) Unsecured loan settled by payment of Rs.95,000
e) Each share in M/s. X Ltd. Is valued at Rs.15 for the purpose of amalgamation.

f) The Liquidation expenses Rs.1,000 of M/s. X Ltd., paid by the purchasing company and Liquidation expenses of M/s. Y Ltd., paid by the M/s. Y Ltd., Rs.1,000.
g) M/s. X and M/s. Y Ltd., received Rs.1,00,000 each from M/s. XY Ltd.
h) M/s. XY Ltd., issued 20,000 equity shares at Rs.10 each to General public

Pass necessary journal entries in the books of M/s. X and M/s. Y Ltd and prepare Balane Sheet of new company.

3. From the following information relating to New Bank, prepare Profit and Loss Account and A balance sheet as on 31st March, 2022 as per the requirements of the Banking Regulating Act.

Particulars	Rs.
Equity Shares of Rs.100 each fully paid	2,00,000
Statutory Reserve	1,20,000
Establishment expenses	1,28,000
Current deposits	13,67,000
Interest paid	7,48,000
Savings Account	17,32,000
Discount	4,47,000
Rebate on bills discounted	48,000
Fixed Deposits	8,75,000
Profit and Loss A/c (Cr.)	8,20,000
Commission and Exchange	2,93,000
Building	4,80,000
Cash in hand	23,000
Interest received	12,86,000
Investments in shares	93,000
Cash with bank in India	2,85,000
Term loan	10,00,000
Cash Credit – hypothecation in India	12,69,000
Cash Credit – Pledge in India	9,44,000
Bills purchased	16,00,000
Loan to employees for purchase of car	41,000
Salaries, allowances, bonus	4,45,000
Dividend Paid	20,000
Dividend received on Investments	8,000

Additional Information:

1. Create a provision for doubtful debts Rs.21,000/-
2. Make necessary appropriation for statutory reserve
3. Acceptance for customers Rs.48,000/-
4. Bills sent for collection Rs.1,52,000/-
5. Depreciate the fixed assets by 10% pa.

PART – B (2 x 7 = 14 Marks)

Answer any TWO of the following questions.

4. The summarised balance sheet of M/s. Moon Ltd., as on 31.12.2020 were as follows:

Liabilities	Rs.	Assets	Rs.
Capital:		Plant	54,700
1,000 equity shares of Rs. 100 each	1,00,000	Premises	90,000
General Reserve	60,000	Stock	18,000
Profit and Loss Account	18,000	Debtors	20,000
Secured loan	4,200	Bank	4,000
Creditors	4,500		
	1,86,700		1,86,700

a) M/s. Mars Ltd., acquired 800 equity shares of Rs.100 each in Moon Ltd., on 1.4.2020 for Rs.1,70,000/-.

b) The directors of M/s. Moon Ltd., are advised that the premises are undervalued by Rs.10,000/- and its plant overvalued by Rs.5,000/-.

c) Secured loan increased by Rs.800/-.

d) Rs.10,000/- was transferred from current year profit to General Reserve

Calculate Cost of Control and Minority Interest

5. On March 31, 2021, the Balance Sheet of a limited company reveals the following position:

Liabilities	Rs.	Assets	Rs.
Issued capital in Rs.10 shares	4,00,000	Fixed assets	5,00,000
Reserves	90,000	Current assets	2,00,000
Profit and Loss Account	20,000	Goodwill	40,000
5% Debentures	1,00,000		
Current Liabilities	1,30,000		
	7,40,000		7,40,000

On March 31st, 2024, the fixed assets were independently valued at Rs.3,50,000/- and the goodwill at Rs.50,000/-. The Net profits for the three years were Rs.51,600, Rs.52,000/- and Rs.51,650/- of which 20% was placed under reserve, this proportion being considered reasonable in the industry in which the company is engaged and where a fair investment return may be taken at 10%. Compute the value of the company's share by (a) the Net Asset Method and (b) the Yield value method.

6. Prepare (with imaginary figure) Revenue Account and Profit and Loss Account of Life Insurance Company.

CC013-23

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
III Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

CORPORATE LAWS – I

Time: 2 ½ **Hours** Maximum Marks: **40**

Instructions:

1. Company Law Manual /Corporate Laws Manual or select bare Acts, Rules in printed format and the full texts of judgments alone are allowed in the Examination Hall.
2. Text or reference books or note books are NOT allowed in the Examination Hall.
3. Students are required to rely on the questions as it is. No doubts may be asked during the examination.

PART – A (1 x 10 = 10 Marks)

Answer any ONE of the following questions:

1. M/s. Food and Beverages (FaB) (India) Ltd., is a company registered under the Companies Act, 2013. Registered office of the FaB (India) Ltd. is situated in Tiruchirappalli. The FaB (India) Ltd. was incorporated with 100000 equity shares of INR 1 each. At the time of registration of the FaB (India) Ltd., the articles of association provided that Ms "A", who holds 15000 shares, is entitled for nominating one director to the board of the directors of the FaB (India) Ltd.

   On 21.10.2024, the FaB (India) Ltd. passed a resolution under Section 14 of the Companies Act, 2013 to alter the article. Altered articles have no reference to nomination of director to the board of directors by any of the members of FaB India Ltd. Ms "A" voted against the said resolution. The substituted article allows the FaB (India) Ltd. to appoint all the directors as per the provisions of the Companies Act, 2013.

   Ms "A" feels aggrieved and seeks your advice about the nature and scope of her rights, if any, as a member of the FaB (India) Ltd. and legal recourse, if any, to safeguard her rights. You are required to advise her about the nature

and scope of her rights, if any, the validity of the said alteration of the articles and remedies, if any, available to her against the said alternation.

2. M/s. Pandora Private Limited, an unlisted company, plans to raise funds by issuing shares to a select group of investors to support its R&D initiatives. The Board decides to make an offer to allot shares to 250 High-Net-worth Individuals and institutional investors within a single financial year. The company does not intend to list these shares on any recognized stock exchange.

After the offer, a dispute arises regarding the legality of the share issue. Claims are made that the company's allotment qualifies as a "public offer", even though the shares are intended for private placement.

Based on the facts provided, analyse whether M/s. Pandora Private Limited's offer to allot shares to investors constitutes a "public offer." Outline the requirements the company shall fulfil for a public offer under the Companies Act, 2013.

PART – B (6 X 5 = 30 MARKS)

Answer any SIX of the following questions.

3. M/s. NKP Banana Farmers Producers Company Ltd., a producer company registered under the Companies Act, 2013, proposed to incorporate a wholly owned farmers' producers company to concentrate on export of value added agro products such as chips. Is M/s. NKP Banana Farmers Producers Company Ltd. eligible to be a holding company under the Companies Act, 2013? Decide.

4. Read the facts in question number 01 above. Suppose that Ms "A", instead of pursuing the legal recourse as per your previous advice, sold her stake to the Malt and Beverages (MaB) (India) Ltd. The (MaB) (India) Ltd. has filed for registration of the transfer of share by duly following the procedure under the Companies Act, 2013. The (FaB) (India) Ltd. has refused to register the said transfer of the shares by Ms "S". The (MaB) (India) Ltd. has filed a petition before NCLT, Chennai. In these circumstances, what steps, if any, can the (FaB) (India) Ltd. take to restrict the transfer of shares by Ms "A"?

5. Explain the corporate criminal liability of a company.

6. Evaluate the rule of capital maintenance and the associated rights of shareholders.

7. *M/s. Madmax Limited*, had secured a loan from a financial institution with a floating charge over its machinery and equipment. Due to on-going financial struggles, the company has now gone into liquidation. The financial institution claims that the floating charge should be converted into a fixed charge, which gives it priority over unsecured creditors in the liquidation process.
Analyse whether the financial institution's claim is valid and explain the conditions under which the floating charge crystalizes into fixed charge.

8. Mr. Jones and Mr. Thor executed an instrument of transfer on 22nd July, 2024 which facilitated the transfer of shares of a private limited company from Mr. Jones to Mr. Thor. Mr. Jones wrote to the private limited company attaching the duly stamped instrument of transfer containing the names of the transferor and the transferee and further requested the company to register the transfer. The company received the request on 25th September, 2024 and it denied the registration of the transfer of shares.
Based on the above facts, explain the validity of the decision of the company by quoting the relevant provisions under the Indian Companies Act, 2013.

9. M/s. Jiya Ltd. is a publicly listed company with a paid-up equity capital of INR 50 crores and free reserves of INR 20 crores. The company's Board of Directors has passed a resolution to buy back 40 lakh equity shares, which is 8% of the total paid-up equity capital and free reserves. The company also has secured debts of ₹60 crore and unsecured debts of ₹10 crore.
Examine whether the proposed buy-back is in compliance with the Companies Act, 2013.

10. Under the Indian Corporate Law regime, a company may reduce its share capital under certain circumstances. M/s. Jarvis Ltd., a company incorporated in India proposes to reduce its share capital. Explain the conditions and procedures that must be followed company for the reduction of share capital.

CC014-24

Name :

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III Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LABOUR LAW - I

Time: 2 ½ **Hours** Maximum Marks: **40**

Instructions:

- State the relevant legal provisions/ legal doctrines/ case laws / legal principles where ever necessary

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PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. Define strike and analyse the different types of strikes recognised by the Indian Judiciary and the Industrial Dispute Act,1947. Also, critically examine whether right to strike is a fundamental right or statutory right in India for workmen who are covered under the Industrial disputes Act, 1947.

2. Analyse the different tests that were incorporated to define the term Industry under the Industrial Disputes Act, 1947 and state whether the triple test formulated in the *Bangalore water supply case* has clarified the ambiguity regarding what can be considered as an Industry under the Industrial Disputes Act in India.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions.

3. write a note on the conciliation and voluntary Arbitration mode of dispute resolution under the Industrial disputes Act, 1947.

4. Define collective bargaining, various stages of collective bargaining process and critically examine whether India has in essence incorporated under the Industrial Disputes Act, 1947 and the Trade Unions Act, 1926 the significant provisions in the Collective bargaining convention despite not ratifying the convention.

5. Analyse the concept of Layoff and state how it is different from lockout. Further, analyse whether only a recognised trade union can raise the concerns of Layoff to the employer and claim layoff compensation to all the Trade Union members.

6. Define Retrenchment and state formalities that has to be followed by the employer as condition precedent under Chapter VA and Chapter VB of the Industrial Disputes Act, 1947 for retrenchment to be considered as a legal retrenchment.

7. Analyse the significance of standing orders, model standing orders and certified standing orders and state the plausibility of incorporating more beneficial subsistence allowance percentage to the employees than the percentage of subsistence allowance mentioned under the Industrial Employee's Standing Order Act, 1946.

8. Mr. Arjun was working as a mine worker in RRR coal mine situated at KANLA village in Tamil Nadu. There were more than 300 workmen employed in the Industrial establishment. Out of which same 100 workmen, worked every day under the mine for the past 2 years for a minimum of 200 days continuously from 2021 August to 2023 August. Out of the 100 workmen, 50 were permanent workmen, 25 were casual labourers, 5 were badli workmen and 20 were contract labourers. The RRR coal mines was established in 1800 during the British period.

But the current employer due to financial constraints was not able to continue the running of RRR coal mines. Hence on 25th August 2023, RRR management sent a notice to the Government of Tamil Nadu, intimating the government regarding the shutting down of the establishment by 31st December, 2023 and seeking the approval of the government. The government did not reply by 1st December. However the RRR management intimated all their workmen regarding the closure of the establishment on 31st December 2023, but regrated stating that they will not be able to pay any closure compensation to the workmen. Hence the Trade Union members from the 2 major Trade Union, RRR workers Union and RRR Rakshak Union went on hunger strike in front of the residence of Mr. RR. Ramoji Rao the owner of RRR Coal mines. Hence, the RRR management threatened to dismiss all the workmen from 2nd December. In the light of the above facts

(a) Decide on the legality of the closure and the procedure followed by RRR coal mines.

(b) Decide whether the 100 workmen working under the mines were in continuous service and if so, whether all the 100 workmen are eligible for closure compensation under the Industrial Disputes Act, 1947.

(c) State what activities/ actions of the Workmen and the employer can be considered as unfair labour practice under Schedule V of the Industrial Disputes Act, 1947

9. Trade Union Funds - write a note.

10. Comment on the significance of Recognition of Trade Union.

CC015-24

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III Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

PUBLIC INTERNATIONAL LAW

Time: **2 ½ Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions not more than 800 words.

1. During the Korean War in 1950s, the United Nations Security Council (UNSC) faced repeated deadlocks after a series of vetoes prevented it from reaching further consensus on military intervention and collective security measures. In response, the United Nations General Assembly (UNGA) passed Resolution 377A(V), known as the "Uniting for Peace" resolution which allowed the UNGA to take collective action. **Decide the validity of the resolution as per the UN Charter and the theories of limitation of international organisations.**

2. In early October 2024, Israel's foreign minister, Israel Katz, announced on X that he had declared the United Nations Secretary-General, António Guterres, *persona non grata*.
In light of this development, explain the process of establishment and termination of diplomatic immunities and privileges. Further, with specific reference to international institutions, examine the basis for such a declaration under international law and determine if UN officials can be declared *persona non grata*.

PART – B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Distinguish between Public International Law and Private International Law with examples.

4. Critically comment on the *Kulbhushan Jadhav case (India v. Pakistan)* [2019] ICJ GL No. 168.

5. *"Nationality is within the domestic jurisdiction of the State. It is for every sovereign State, to settle by its own legislation the rules relating to the acquisition of its nationality, and to confer that nationality by naturalization granted by its own organs in accordance with that legislation."* **In light of this statement, examine with judicial precedents, how foreign States may be able to question the conferment of nationality by a State.**

6. Analyze the continuity of rights and obligations as per the clean slate theory of state succession with illustrations.

7. Elucidate the principles involved in *Barcelona Traction, Light and Power Company, Limited (Belgium v. Spain),* [1970] ICJ Rep.1.

8. The conflict between the Sri Lankan government and the Liberation movement has lasted nearly three decades and is one of the longest-running civil wars in Asia. Prior to the final stage of the war in 2009, the Sri Lankan government compelled international humanitarian organisations, the UN included, to leave the war zone. It drew significant international criticism due to reports of heavy civilian casualties in the so-called "no-fire zones." **With this background, comment upon the applicability of Domestic Jurisdiction in international law.**

9. The rule of double criminality is one of the most essential ingredients in the proceedings for extradition. **Explain the double criminality rule, its relevance in extradition and its impact on the exercise of criminal jurisdiction by a State.**

10. On the afternoon of December 24, 1999, five armed terrorists seized control of Indian Airlines Flight IC-814, a routine Airbus 300 flight from Tribhuvan International Airport in Kathmandu, Nepal, to Indira Gandhi International Airport in New Delhi. The flight, carrying 179 passengers and 11 crew members, was thrust into a terrifying ordeal that would span more than a week, culminating in a complex web of negotiations, the release of three notorious terrorists, the involvement of the Taliban, and the tragic death of one passenger. **To what extent such terrorist activities affect the Freedoms of Air under international air law?**

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III Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW OF EVIDENCE

Time: 2 ½ **Hours** Maximum Marks: **40**

Instruction:

Read all the questions carefully and address all the issues raised. Wherever necessary, write the case laws, statutes, and other related authorities.

PART A (1 x 10 = 10 Marks)

Answer any ONE of the following questions:

1. Explain why and on what basis oral evidence should be excluded by documentary evidence under the *Bharatiya Sakshya Adhiniyam* (BSA), 2023. State the exceptions, if any, to this rule.

2. Mr Riyan, an employee at an IT office, was attacked by Ms Nithina, a colleague and HR of the company, who threw acid on his face during lunch break at the office. The horrific act left him screaming in pain as other employees watched in shock. Ms Nithina was arrested, and Mr Riyan's life was forever scarred, both physically and emotionally. In particular, there was no CCTV evidence to prove this crime except for the eyewitnesses.

   Given the above situation, the depositions are mentioned below.

DEPOSITION OF THE WITNESSES

PW-1: Mr Ranjanan, a colleague and close friend of Mr Riyan

Mr Riyan is innocent. He rejected her relationship for one long year now and so unfortunate to see this tragic incident happening. Ms Nithina always showed a

bad temper to Mr Riyan and she is known for her short temper and always has a bad impression amongst all the other employees.

PW-2: Ms Brindha, a colleague and friend of Mr Riyan

Mr Riyan has been my close friend since my graduation, and he always hated her since the first day Ms Nithina approached her. We didn't expect she would behave this bad with him and she ruined his life.

DW-1: Ms Uthra, sister of the accused

Ms Nithina, my sister is not the kind of woman to commit this crime. The co-workers of my sister are cooking up a story as she didn't approve their promotions due to their inability.

DW-2: Mr Virmal, Manager of the company

There was no such incident happened in our company on the said day. There are rumours about an acid attack whereas a hot oil spill occurred in the cafeteria due to the malfunctioning of the frying pan and the same did hurt Mr. Riyan.

As a public prosecutor and defence counsel, elucidate on the following referring to the relevant provisions of the Indian Evidence Act, 1872.

- Examination-in-Chief (any 1 witness)
- Cross Examination (any 1 witness)
- Re-Examination (if required)

(Note: PW can be read as Prosecution Witness and DW can be read as Defence Witness;).

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Critically analyse the provisions relating to the character evidence under the *Bharatiya Sakshya Adhiniyam* (BSA), 2023.

4. Critique the Latin motto '*Experto crede*', meaning '*believe one who has had experience in the matter*' as substantive and admissible evidence in the case under the *BSA*, 2023.

5. In the quiet suburban neighbourhood of 'Lakridge', a fatal burglary unfolded. Mr. John, a middle-aged man, broke into the home of Ms Emma, intending to rob the place. However, things escalated when Ms Emma confronted him. In a panic, Mr John pushed Ms Emma aside and fled the place with valuables. Overcome with guilt and realizing the gravity of his actions, Mr John returned to Ms Emma's place to apologise. Unfortunately, he saw Ms Emma committed suicide. Now, he is under trial, and the police charged him with the offence of murder. Decide on whom the burden of proof, Onus of proof, and the reverse burden of proof are in the given case with necessary provisions of the BSA, 2023.

6. In a hypothetical case, Mr *Laxim*, a businessman, disclosed to his *Advocate Mr Varma*, about potential tax fraud during a private consultation and sought some legal advice. Later, when Mr Laxim was investigated for financial misconduct, the prosecution sought to compel Mr Varma to testify against Mr Laxim. Discuss the possible protections to be given to Mr Varma's communication under the BSA, 2023?.

7. Ms Vembu, working in an oil and gas company ensured to digitally sign her confidential document consisting of safety instructions for sizing of the valve in an offshore oil extraction vessel. She duly forwarded the same to her client on 12.12.2023 and the document was found tampered with the hash algorithm not getting equated. The client sued the company for an alleged confidential breach on 02.07.2024. The company in their defence stated that the electronic/digital signature is not legally enforceable. In light of the above, discuss the following,

7.1. Defend the company to protect the employee under the ambit of the *Bharatiya Sakshya Adhiniyam* (BSA), 2023 referring to the relevant provisions of the electronic/digital signature under the BSA, 2023.

(5 marks)

(OR)

7.2. Analyse the important changes brought by the BSA, 2023 with respect to the provisions relating to digital and electronic evidence.

(5 marks)

8. A minor boy was sexually assaulted, and he filed a case with the police. In a week, the accused found the boy and tried to murder him. Fortunately, he was saved by the neighbours and the accused was handed over to the police. The boy gave a dying declaration while travelling in the ambulance to the hospital and he was eventually recovered. The accused gave confession statements in the police study and also in the immediate presence of the magistrate. When the case was tried, decide the following,

8.1. Competency and credibility of the minor victim in the case. **(5 marks)**

(OR)

8.2. Admissibility of the dying declaration and confessions. **(5 marks)**

CC017-24

Name :

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III Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW OF DIRECT TAXATION

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following Questions.

1. Differentiate between 'Income from House Property' and 'Profits and Gains from Business or Profession' in the context of the 2024 amendment to Section 28 of the Income Tax Act,1961. Specifically, explain the changes introduced by the amendment concerning the treatment of rental income under the head 'Profits and Gains of Business or Profession'. Analyse the impact of these changes on the taxability of such income with the help of decided case laws and illustrative examples.

2. Critically evaluate the judicial powers of quasi-judicial authorities under the Income Tax Act, 1961 in the context of:

   a. While these authorities play a crucial role in the assessment and adjudication of tax matters, examine the challenges posed by the interaction between administrative discretion and judicial fairness.

   b. Analyze the efficiency and effectiveness of the current appellate hierarchy in resolving disputes and protecting taxpayer rights.

   c. Discuss the potential reforms needed to enhance the accessibility, transparency, and fairness of the redressal process, while preserving the integrity of the tax system.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following Questions.

3. Mr. Vineet submits his return of income on 12-09-2023 for Assessment Year (A.Y.) 2023-24 consisting of income under the head "Salaries", "Income from house property" and "bank interest". On 21-12-2023, he realized that he had not claimed deduction under section 80TTA in respect of his interest income on the Savings Bank Account. He wants to revise his return of income. Advice on the possibility of the same.

4. Explain the key conditions that must be satisfied for an income to be classified as Capital Gains under the Income Tax Act, 1961. Discuss the factors that determine the taxability of capital gains, including the nature of the asset, the holding period, and the mode of transfer.

5. Mr. Harry filed his income tax return for the assessment year 2023-24, declaring total income of ₹5,00,000/-. However, after the assessment was completed, it was later discovered that Mr. Harry had earned ₹2,00,000/- in interest from a savings account that he failed to disclose in his return. The Assessing Officer (AO) believes that this income has escaped assessment and intends to initiate reassessment proceedings under Section 147 of the Income Tax Act, 1961.

   a. Is the AO justified in initiating reassessment proceedings under Section 147? If yes, what is the procedure the AO must follow to initiate the reassessment proceedings?

   b. Discuss the conditions under which income can be said to have 'escaped assessment'.

6. Ms. Thendral is employed in a private company and receives a monthly salary of ₹50,000/-. Advise Ms. Thendral regarding the deductions (Section 16 of the Income Tax Act, 1961) she is eligible for under the head "Salary".

7. Examine the taxability of the following receipts with reference to the Income tax Act, 1961.

(i) Gift of a plot of land given to a Company Secretary by one of his clients. The company secretary has been fully compensated for his services and this gift has been given in appreciation of his personal qualities.

(ii) An assessee, Ms. Mala, sublets the residential premise and receives rent out of it

(iii) Profit derived by Mr Jem engaged in carrying on the business as a dealer in shares, on the exchange of shares held as stock in trade of one company with the shares of another company.

(iv) Power subsidy received by M/s. PQR Enterprises from the Central Government and is adjusted with the electricity bills payable.

(v) Donations received by Ms SRB in the course of carrying on vocation, from his followers.

8. Mr. Prajatan, a resident individual, is 45 years old and earns an annual salary of ₹10,00,000/- from his employment. During the year, he also made the following financial arrangements:

- He transferred ₹5,00,000 /-to his wife, Ms Rex, who is a housewife and has no other source of income.
- Ms. Rex invested the ₹5,00,000/- in a fixed deposit that earned ₹40,000/- as interest during the year.

Analyze the tax implications of the above transactions under the provisions of the Income Tax Act, 1961, concerning the clubbing of income. Explain the reasons for your answer.

9. Mr. Alice, a resident individual, is engaged in two separate business activities during the assessment year 2023-24:

- Business 1 (Manufacturing): Mr. Alice incurred a business loss of ₹5,50,000/- due to high raw material costs and low sales.

- Business 2 (Trading): Mr. Alice earned a profit of ₹4,00,000/- in his trading business.

In addition to this, Mr. A has the following other sources of income:

- Salary Income: ₹3,00,000/-
- Income from Other Sources (Interest on Savings Account): ₹20,000/-

After considering the total income, Mr. A is wondering whether he can offset the loss from Business 1 against the profit from Business 2 and his other sources of income. Also, he is concerned about what happens to any remaining loss that he cannot set off in the current year. Advice Mr Alice accordingly.

10. The office of Mr. Rajesh, a client of S&P Audit Firm, was raided by the tax authorities under Section 132 of the Income Tax Act. While the search was happening, a few employees from S&P Audit Firm were at Mr Rajesh's office conducting a regular audit. During the raid, the authorities seized the personal computers of the audit firm's employees, which contained the financial data of other clients. The authorities then accessed the data on these computers and sent notices to other clients based on the information they found.

Discuss whether the actions of the tax authorities in accessing the data of other clients are legally justified.

CC-023-24

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IV Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW RELATING TO INTELLECTUAL PROPERTY RIGHTS

Time: 2 ½ **Hours** Maximum Marks: **40**

PART – A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. Critically analyse why varying standards of creativity are required for granting legal protection across different categories of intellectual property. Do the underlying theories of intellectual property rights justify these differentiated standards?

2. An Indian sports shoe manufacturing company has acquired the copyright of an artistic work created by a foreign artist through an assignment. The company now seeks to utilize this artistic work in multiple ways, specifically:

   a. Registering the copyright in the company's name for the work created by a foreign artist in India.

   b. Using a part of the artistic work as a trademark for a new product.

   c. Applying the entire artistic work as a design for its existing products.

   Given these intentions, critically analyse the overlap between copyright and design protection under Indian law, particularly under the Copyright Act, 1957, and the Designs Act, 2000. Advise the company on how it should proceed with each use to secure optimal legal protection while avoiding potential conflicts in rights.

PART – B (6 x 5 = 30 marks)

Answer any SIX of the following questions.

3. Mr. Raju, a prominent film producer, is scheduled to release his high-budget film based on the Indian epic "Ramayana" in December 2024. The film features leading stars from various regional cinemas, and its soundtrack, released on YouTube in October 2024, has already amassed over 100 million

views, creating significant public anticipation. Recently, however, Mr. Raju discovered that certain websites and torrent platforms are illegally offering pre-release downloads of his movie. He is alarmed that the film has been accessed by infringers before its official theatrical release, indicating pre-release piracy. In light of this, Mr. Raju seeks your legal advice on the remedies available to prevent further piracy and protect his intellectual property rights. Advise Mr. Raju.

4. Mr. Vishal, a former contractual employee of M/s. BIONEX Pharma, an established private pharmaceutical company in India, became aware of colleagues who had access to confidential information and client details during his tenure. After his contract ended, he launched a new pharmaceutical company, M/s. VERDANT Pharma, recruiting over 75 employees from M/s. BIONEX Pharma, including individuals privy to sensitive company information. Concerned by this mass departure and potential misuse of proprietary information, M/s. BIONEX Pharma seeks legal guidance on possible actions against Mr. Vishal and M/s. VERDANT Pharma. Advise M/s. BIONEX Pharma on the legal remedies available to address the situation and protect its interests.

5. The Ooty Tea Trade Association (Tea Association) has registered the name "OOTY TEA" both as a geographical indication under the Geographical Indications of Goods (Registration and Protection) Act, 1999, and as a certification trademark under the Trademarks Act, 1999, specifically for "tea". The Tea Association has initiated legal action against IDC Sunstar, a prominent hotel in Chennai, for naming its executive lounge "OOTY Lounge", which provides a sophisticated setting where guests can enjoy premium teas and refreshments. The Tea Association alleges that IDC's use of "OOTY" in the lounge name infringes on its geographical indication and certification trademark rights, constitutes passing off, and dilutes the "OOTY TEA" brand. Decide.

6. Examine the acts that constitute patent infringement and explain the procedural framework for instituting a patent infringement suit. Analyse the judicial approaches and modes of determining patent infringement in the light of decided cases.

7. Open Scholar is an online platform that distributes copyrighted academic articles without the consent of the publishers, offering free downloads upon user demand. The Global Publishers Association has filed a lawsuit against Open Scholar before the Indian Court, alleging copyright infringement and

seeking a ban on the platform. In its defence, Open Scholar argues that its actions fall within the scope of fair dealing for educational, research, and private study purposes under the Copyright Act of 1957. In the context of the fair dealing provisions and balancing the public's right to access knowledge with the rights of copyright holders, decide whether Open Scholar's actions constitute copyright infringement or fall within the scope of fair dealing.

8. State the criteria for the registration of a 'variety' under the Protection of Plant Varieties and Farmers' Rights Act, 2001. Critically analyse the rights granted to farmers under the Act, particularly in relation to the protection of plant varieties and the benefits afforded to them.

9. Explain the requirements under the Indian Biodiversity Act, 2002 for obtaining necessary clearances from biodiversity authorities in the context of patent applications involving biological resources.

10. Analyze how the distinctive character of a trademark influences its eligibility for registration and protection. Is the distinctive character of a trademark static or dynamic, and how does this impact its continued validity and enforcement over time?

EC048-24

Name :

Register No.:

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IV Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November - 2024

CONSUMER PROTECTION LAW

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. To revamp process of administration and settlements of consumer disputes, the Parliament empowered the Central Government to establish an authority under the Consumer Protection Act, 2019, to be known as Central Consumer Protection Authority. Explain the powers and functions of the Central Consumer Protection Authority.

2. Ms. Anu had come to her hometown for summer vacation. She complained of skin rashes and had consulted Dr. Sukumar, who prescribed Depomedrol injection 80 mg twice daily. After administering the injection, Ms. Anu's condition worsened rapidly, following which she had to be admitted under Dr. Sukumar's surveillance. As Ms. Anu's condition failed to improve, her family decided to shift her to IMH, another private hospital, and there she was found to be suffering from a rare and deadly skin disease called Toxic Epidermal Necrolysis (TEN) which was not diagnosed by Dr. Sukumar. Anu breathed her last, 2 days after she was admitted in IMH. Discuss the following:

   a. Can Dr. Sukumar be held liable under the Consumer Protection Act, 2019?

   b. Will the liability be any different under CPA, 2019, if Dr. Sukumar was a doctor employed in a government hospital and Ms. Anu availed treatment at free of cost?

Decide with relevant provisions and judicial precedents.

PART – B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. When can a consumer complaint be referred to mediation and what matters can never be referred to mediation under the Consumer Protection Act, 2019?

4. Explain in brief the territorial and pecuniary jurisdiction of the various consumer forums under the Consumer Protection Act, 2019.

5. The insured, a commercial entity engaged in the business of sale of vehicles took out a fire insurance policy with the insurer. The insurance policy covered the office, showroom, garage, machinery lying in the showroom premises etc. The office premises of the insured was damaged during recent riots in the area. The insurer denied the insured's claim. Consequently, the insured instituted a consumer complaint before the Consumer Commission, seeking compensation for damage caused on account of the riots. Is this maintainable? Decide with relevant legal provisions and judicial precedents.

6. The main purpose of consumer protection legislation is delivering justice to the consumers by awarding liquidated damages and ordering for replacement wherever possible. Considering the limitations of the Consumer Protection Act, 1986, a separate chapter for Offences and Penalties has been incorporated under the CPA, 2019, which criminalizes certain wrongs committed against the consumer. Briefly discuss what amounts to false/misleading advertisements and the penalties for the same under the CPA, 2019.

7. While Ms. Lin was in her first year of law school, Damazon, an online shopping site, had floated an offer for sale of a Laptop without Laptop Bag for Rs 190 against the price of Rs 23,499/-. Ms. Lin placed an order for the said laptop and Damazon had confirmed the order. Two days after receiving the confirmation, Ms. Lin received a phone call from Damazon's Customer Care Service Department stating that the subject order stood cancelled due to the price recession issue. Lin was in need of a laptop to work on her project and she raised an objection for such cancellation. However she did not receive any response from Damazon and it was too late to place another order since her project deadline was fast approaching. Ms. Lin borrowed her friend's laptop and completed her project with great difficulty. Aggrieved by the act of Damazon, Ms. Lin wanted to file a complaint. What does the act of

Damazon amount to and what remedies are available to Ms. Lin under the Consumer Protection Act, 2019?

8. M/s. M&G Industries is known for making effective mosquito repellents. Recently they have launched a new product called 'Sleep well Fast Card mosquito repellent' and claimed that the product was Chemical-free. However, except wordings such as '100% natural' and 'Chemical-free' the packaging had no other details to back their claim. What does this act of M/s. M&G amount to? Can they be held liable under the Consumer Protection Act, 2019.

9. *'It is well established that banking services are squarely covered under the ambit of the Consumer Protection Act. However, there are certain challenges which a current bank account holder has to face while holding a bank accountable in case of a deficiency in its services'*- Examine with the help of relevant legal provision and judicial precedents.

10. Mr. Wadia had availed the services of a lawyer in a cheque bouncing case, under the Negotiable Instruments Act, 1881. During the case, the accused agreed to pay the amount due, along with the expenses, which were paid to Mr. Wadia's lawyer. However, the lawyer withheld a part of the sum received, allegedly because Mr. Wadia owed him fees. Consequently, Mr. Wadia filed a consumer complaint against the lawyer for recovery of the pending payment, along with compensation for harassment and mental agony. Decide with relevant legal provisions and judicial precedents.

EC021-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
IV Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW AND SOCIAL TRANSFORMATION

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. In recent years, incidents of mob lynching linked to cow protection have increased in various parts of India. This has sparked significant debate on the role of religious beliefs, law enforcement, and the rule of law. Many of these incidents involve people accused of cow slaughter or beef consumption being attacked by mobs, sometimes resulting in fatalities. The government has introduced certain legal frameworks to address cow protection; however, critics argue that this has led to increased violence and marginalization of certain communities. Answer the following

   a. Assess the ethical dilemmas associated with mob justice and cow protection in a multicultural society like India. **(5 Marks)**

   b. Identify the relevant legal provisions in Indian law concerning cow slaughter and mob violence. Examine how these laws are applied or misused in cases of mob lynching. **(5 Marks)**

2. The Government of India enacted the Citizenship Amendment Act (CAA) in December 2019. This law amends the Citizenship Act of 1955 to provide a pathway for citizenship to certain persecuted religious minorities-namely, Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians-from Pakistan, Bangladesh, and Afghanistan. However, the Act excludes Muslims from these groups. The government stated that the law aims to protect individuals who have faced religious persecution in these neighbouring Islamic countries. The CAA has triggered significant debates and protests across the country. Supporters argue that it is a humanitarian measure to protect persecuted minorities, while critics contend that it is discriminatory against Muslims and unconstitutional. Opponents further argue that the Act, coupled with a proposed

nationwide National Register of Citizens (NRC), could marginalize certain groups and challenge the secular fabric of India. Answer the following

a. Evaluate how the CAA and its potential combination with the NRC might impact different communities within India, especially marginalized or economically disadvantaged groups. **(5 Marks)**

b. Explain how the Act aligns with or violates Article 14 (Right to Equality) and Article 15 (Prohibition of Discrimination) of the Indian Constitution. **(5 Marks)**

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions.

3. Analyze the criticisms of PIL, particularly concerning its susceptibility to misuse, judicial overreach, and impact on the balance of power.

4. Critically examine the role of cause lawyering in advancing social justice. Critically analyze the strengths and limitations of cause lawyering.

5. Examine the historical and colonial context in which the *Madras Torture Report* (1855) was published. How did the political and social climate of British India influence the creation and reception of this report?

6. Explain the economic, social, and political implications of the abolition of the Zamindari system in India, and critically analyze its effectiveness in achieving land reform goals.

7. Trace and evaluate the origins of the Devadasi system and explain how its transformation impacted the lives of the women involved. What societal roles and functions did the Devadasis serve, and how did these roles evolve over time?

8. Analyze the social and economic effects on local communities, including the concerns around displacement, livelihoods (fishing, agriculture), and health issues, focusing on the kudankulam nuclear project.

9. Evaluate how the UAPA has affected civil liberties and the right to a fair trial. Discuss any landmark cases or judicial interpretations that have highlighted tensions between security measures and individual rights.

10. Critically analyze the prevalence of police excesses in India, focusing on the systemic factors that contribute to such behavior by citing a relevant incident.

EC018-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
IV Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

HUMAN RIGHTS LAW

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE the following questions

1. Compare the NHRC's operational effectiveness in India with the Paris Principles. What improvements can be made to align more closely with international standards? Substantiate your arguments with relevant provisions and examples.

2. The International Bill of Rights has an important role to play in international law in upholding Basic Human Rights. Comment on the binding nature of the International Bill of Human Rights and discuss the complaint mechanism and remedies available to individuals on violation of their rights under the International Bill of Rights.

PART - B (6 x 5 = 30 Marks)

Answer any SIX the following questions.

3. Evaluate the role of media in protecting human rights in India. Critically examine its impact on shaping public opinion and holding institutions accountable with suitable examples.

4. Identify the socio-economic factors that contribute to various human rights violations in India. Examine how these factors are interrelated.

5. How do authoritarian and liberal democratic states approach human rights treaties differently? Illustrate with examples.

6. How does the advancement of technology present both opportunities and challenges for human rights protection?

7. Geopolitics plays a major role in the international community's implementation of human rights law. Comment on the effective role played by the Security Council in responding to Human Rights Violations in various States.

8. Good Governance in a country leads to proper protection of people and vice-versa can lead to people being vulnerable. Critically analyse the link between Good Governance and Human Rights and the concept of Vulnerability.

9. Different Geo-Locations have their own set of standards and mechanisms to protect the Human Rights of their citizens. Compare and differentiate between the American and European Regional Human Rights Protection Mechanisms.

10. What is institutional marginalization and how do the state institutions contribute to various human rights violations in the country? Substantiate with suitable examples and judicial decisions.

EC005-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

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

End Semester (Odd-Semester) Examinations, November 2024

CYBER LAW

Time: 2 ½ **Hours** Maximum Marks: **40**

Instruction:

- **Read all the questions carefully and deal with all the issues raised. Write the case laws, statutes and other related authorities wherever necessary.**

PART A (1 x 10 = 10 Marks)

Answer any ONE of the following questions:

1. A minor girl named Ms. Nano filed a cyber crime complaint that the obscene pictures she shared with her girl friend named Ms. Xuvy received as sextortion messages from an unknown social media named 'Bengal gram' account. Ms. Xuvy denied allegations as her social media account stopped functioning for technical reasons and claimed innocence. Upon investigation, it was found that Ms. Xuvy downloaded all the obscene pictures of Ms. Nano on her laptop transmitted them through her social media platforms to her acquaintances and published them as a main post in her account mocking the victim. Ms. Xuvy agreed that Ms. Nano sent all the pictures with complete consent and Ms. Nano denied the consent with regards to dissemination.

Parents and the Inspector (Technical) wrote to the publisher Bengal gram to take it down on 12.09.23, 4.45 p.m. but the publisher did not take it down till 14.09.23, 6 a.m. There was no acknowledgement on the part of the publisher to the complainant till 13.09.23, 10 p.m. Answer the following questions considering the hypothetical situation put forth. As an Investigation Technical Inspector, how do you proceed further with the investigation of cyber crimes

through the lens of the IT Act in India? What kind of privacy is violated and in what way can IT RULES 2021 be used to protect the rights and privacy of the victim child?

2. Why is the implementation of robust cybersecurity practices essential in today's digital era, and how do they help protect individuals and organizations from growing threats such as data breaches, cyber crimes, and identity theft?

PART B (6 x 5 = 30 Marks)

Answer any SIX of the following questions:

3. WAT-PGT, a machine learning application introduced to ease the works through the generation of natural language humanlike conversational dialogue. Mr Guna, a freelancer used the said application to ease his work at the office. He started using the same in his own office feeding the important credentials of his office employees. The employees alleged that their spamming and identity theft happened through the usage of the software. It was also alleged that the application initiated a mass collection of users' data which is then used to train the algorithm. It was also alleged that WAT-PGT itself has been programmed to leak sensitive users' data, conversations and other sensitive information stored. Having the situation in mind, answer the following,

3.1. Elucidate the issues in consonance with the Digital Personal Data Protection Act 2023. **(5 marks)**

(OR)

3.2. Comment on the EU AI Act. **(5 marks)**

4. Can we have virtual properties protected under the Indian Intellectual Property (IP) regime?

5. In the case of the suicide of Mr. Xen, a suicidal note was duly posted on his personal social media instant messages platform 'Lobby'. The authenticity of

the electronic record was questioned when the prosecution presented the mobile phone of the victim as a computer resource. Discuss the authenticity of the digital evidence through the lens of the IT Act 2000 and the BSA 2023 with the chain of cases.

6. A robot 'Mily' duly collected the user data and violated privacy by disclosing the demographic and biometric details of the consumers. Critically comment referring to the IT Act 2000 and the BNS 2023.

7. *Manohar Lal Sharma v. Union of India*, Writ Petition (Civil) No. 826 OF 2021, criticise the issues.

8. Ms. Larah notices her favorite streaming service, VidiStream, loading slower than Cinemax, which plays smoothly. Upon complaint, the Internet Service Provider explains that Cinemax pays for priority, while VidiStream doesn't unless she upgrades to a costly plan. Explain this unfair treatment of websites which Ms Larah faced.

9. In India, two major tech companies, M/s. TechySol and M/s. Innoware, enter into a partnership to develop new software. Midway through the project, a dispute arises over the ownership of certain intellectual property rights and domain name disputes. Unable to reach an agreement, both companies want to avoid the time-consuming and costly litigation process. Advise the companies on the existing scheme of online dispute resolution practices in India.

EC015-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

IV Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

WHITE COLLAR CRIME

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions in not exceeding 800 words.

1. What roles do key agencies play in preventing socio-economic offenses in India, and how can their coordination and effectiveness be improved to address these issues more comprehensively?

2. How do ethical considerations influence corporate governance practices, and what impact do they have on stakeholder trust and organizational performance?

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Evaluate the potential legal consequences for individuals found guilty of insider trading.

4. What are the key legal measures implemented in India to combat Ponzi schemes, and how effective have these measures been in protecting investors and preventing financial fraud?

5. In 2022, a company named M/s. Tech Innovations Ltd., listed on the Bombay Stock Exchange, is found to have inflated its revenue figures by ₹50 crore to attract investors and secure a bank loan. The investigation reveals that the company's board members

were aware of this misrepresentation. Evaluate the legal consequences for the company and its directors under the Companies Act 2013.

6. In 2022, a real estate firm named M/s. White Fields Realty is investigated for suspected money laundering activities. It has been discover that the company has been receiving large cash payments for property sales, which are then channeled through a series of shell companies to disguise the original source of the funds.

   In the light of above mentioned facts,Discuss the key provisions of the Prevention of Money Laundering Act (PMLA) 2002 that may apply to M/s. White Fields Realty .

7. A bank employee at National Bank of India is discovered to be involved in a fraudulent scheme where he draw off off ₹1 crore from customer accounts by manipulating online banking transactions. The employee creates fake customer profiles and transfers funds without authorization.
   In the light of above facts examine the potential legal measures for both the bank employee and the bank itself under Indian laws.

8. In 2023, during a sudden spike in demand for essential commodities due to a natural disaster, a group of wholesalers in a major Indian city is found to be hoarding rice and wheat. They inflate prices significantly above the market rate, creating a black market that exploits consumers in desperate need of these staples. Identify the relevant laws and regulations in India that combat black marketing and hoarding, including the Essential Commodities Act, 1955.

9. What are the main challenges and implications of foreign contribution manipulation in India, and how can regulatory frameworks be enhanced to prevent misuse while ensuring transparency and accountability?

10. What are some common tactics used in insurance fraud? Explain the legal measures to detect and prevent these schemes?

EC044-24

Name :

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IV Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

MARITIME LAW

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. According to FAO Report on the State of World Fisheries and Aquaculture 2024, the fraction of marine fishery stocks within biologically sustainable levels continued to decline in monitored areas, falling to 62.3 percent in 2021, 2.3 percent lower than in 2019. The world capture fisheries produced 92.3 million tonnes in 2022, comprising 91.0 million tonnes of aquatic animals and 1.3 million tonnes of algae.
   In view of these statistics, critically analyze the role of United Nations Convention on the Law of the Sea, 1982 in conservation of the global fishery stocks.

2. *Seafarers not only combat the forces of nature on the world's oceans, they remain an unseen workforce, often spending many months away from loved ones in challenging living conditions.*
   In light of this statement, critically analyze how the Maritime Labour Convention, 2006 (MLC) governs seafarers working and living conditions on board.

PART – B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. Elaborate the consequences of the decision *United Kingdom v. Norway [1951] ICJ 3* on the codification of law of the sea.

4. A 60-year-old tugboat vessel, *Wycliffe*, changed its flag from US to Vanuatu, enabling it to evade more stringent US labour and safety regulations.

Subsequently, four seafarers from Colombia, Panama, and Peru have been abandoned without pay in Puget Sound, Washington. The crew members faced dire conditions, including inadequate food, limited access to medical care, and insufficient water supplies during their onboard contract. **Explain how the MLC, 2006 protects the rights of abandoned seafarers.**

5. Critically comment on the protection of marine mammals with specific reference to the decision in *Whaling in the Antarctic (Australia v Japan, New Zealand Intervening)*, ICJ Reports 2014.

6. A cruise vessel from Sri Lanka *Ocean Empress* carried 500 passengers from Colombo to Goa. The vessel during its voyage near the coast of Kochi has a fire onboard and requests rescue assistance from India. **Discuss the rescue procedures that India has to take under the SAR Convention, 1979.**

7. Identify and briefly describe the safety equipments and systems mandated through the SOLAS Convention.

Read the following problem statement to answer questions 8, 9, and 10:

The oil tanker *MV Horizon* registered under United Kingdom was navigating through the Exclusive Economic Zone of Portugal when it collided with a Portuguese fishing vessel, resulting in a large oil spill. The collision caused significant damage to *MV Horizon*, leaving it partially submerged. The vessel released harmful substances including oil sludge into the sea and began drifting toward the coastline of Portugal. Portugal undertakes measures to contain the spill in its EEZ. The coastal nation also incurs expenses in environmental cleanup and prevention of further damage to its fishing industry and tourism sector.



8. Analyze the role of the States involved in responding to the oil spill under OPRC Convention, 1990.

9. What obligations does Portugal have under the Nairobi Convention, 2007 regarding the removal of *MV Horizon* from its EEZ?

10. Explain the basis and process by which Portugal may claim compensation for pollution damage under the Civil Liability Convention, 1992.

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IV Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

FORENSIC SCIENCE AND LAW

Time: 2 ½ **Hours** Maximum Marks: **40**

PART A (1 x 10 marks = 10 marks)

Answer any ONE of the following questions.

1. Assume you are an Investigation officer appointed to investigate a death. The details found at the scene of occurrence are given below. Using the details enumerate and explain the steps you will take to identify the individual, the cause, and the time of death.

Case Overview:
On the morning of March 5, 2024, the body of a middle-aged man was discovered in an abandoned warehouse on the outskirts of Mumbai. The body was found lying face up on the concrete floor, surrounded by traces of blood and broken glass. The area appeared desolate, with no immediate signs of a physical struggle at the scene.
Victim Details:

- **Sex**: Male
- **Age**: Approximately 45 years
- **Clothing**: Semi-professional attire—shirt and trousers.
- **Personal Belongings Found**: A wallet and a receipt from a local restaurant found in the victim's shirt pocket.

Injuries Found on the Body:

- **Strangulation Marks**: Faint but visible marks on the victim's neck were consistent with strangulation.

- **Blunt Force Trauma**: Several abrasions were found on the victim's torso, arms, and back. These injuries appeared to be inflicted by a blunt object, such as a pipe or crowbar.
- **Laceration on the Hand**: A deep cut was found on the victim's right hand, likely caused by a sharp object such as glass or a knife. The wound seemed to be defensive in nature.

Circumstantial Evidence:

- **No Weapon Found at the Scene**: No weapon was found at the crime scene during the initial search. Although there were no firearms or sharp objects discovered.
- **Blood Spatter**: Sticky blood spatter was found around the victim suggests a brief but violent struggle. The spatter pattern and position of the body suggest that the victim may have been standing or partially kneeling when the fatal act occurred.
- **Fingerprints and Footprints**: Partial footprints were found leading toward the exit of the warehouse.

2. As the appointed Investigative Officer for the following case, outline the steps you would take in gathering evidence, with a particular emphasis on forensic ballistics. Based on the scene details provided, present a detailed investigative plan and offer a preliminary theory on the sequence of events leading to the crime.

Case Overview:

On the night of February 20, 2024, the body of Ms. Nayaki, a 38-year-old construction worker, was found in an alley behind a local bar in Visakhapatnam. The victim was discovered lying face down with a gunshot wound to her chest. The scene was initially reported by a passerby who noticed the body around 8:30 PM. The victim was identified using her personal belongings which were found near the body.

Victim Details:

- **Name**: Ms. Nayaki.
- **Age**: 38 years
- **Occupation**: Construction Worker
- **Last Seen**: February 20, 2024, at 7:00 PM, leaving a local bar
- **Reported Missing**: Same evening, after not returning home

Injuries Found on the Body:

- **Gunshot Wound**: The victim sustained a single gunshot wound to the left side of the chest. The entrance wound was approximately 1.5 cm in diameter. No exit wound was found.
- **Bullet Trajectory**: The trajectory of the bullet entered from the front, slightly to the left of the sternum (breastbone), travelling in a downward direction.
- **Gunshot Residue (GSR)**: Gunshot Residue was found on the victim's right hand.

Evidence Found at the Crime Scene:

- **Bullet Casing**: A bullet casing was found approximately 5 feet from the victim's body, located near the alley wall. The casing was identified as a 9mm caliber, and it was clear that the shot was fired from a semi-automatic handgun.
- **Blood Stains**: Bloodstains leading away from the body were found on the floor.
- **Footprints**: Several footprints were found leading away from the scene. Footwear impressions were also present.
- **Security Camera Footage**: Nearby security cameras, located at the bar and alley entrance, captured an individual wearing a dark jacket and jeans, walking away from the crime scene shortly after the gunshot was heard.

PART B (6 x 5 marks = 30 marks)

Answer any SIX of the following questions.

3. List out and briefly explain the key responsibilities of the Prosecution in a criminal case, both before the trial and during the trial in India.

4. During a criminal investigation, forensic analysts recovered a blood sample from the crime scene and sent it to the DNA lab for analysis. The lab extracted DNA from the sample and created a DNA profile. Investigators later collected DNA samples from three suspects, which were also sent to the lab for comparison. The DNA analysis revealed a partial match with one of the suspects. What can be the

conclusions drawn from the above facts and also enumerate the steps involved in the DNA forensic analysis process, from sample collection to comparison?

5. Examine the factors that a Court of Law in India dealing with criminal matters should take into account when evaluating expert testimony, referencing pertinent judicial decisions to substantiate your analysis.

6. Ms. Naga, an Investigation Officer arrived at the scene of occurrence, a small apartment with dim lighting and the faint scent of dampness lingering in the air. The victim, a young man named Mr.Rajesh, was found lying on his bed, his face pale and lips tinged with a bluish colour. The room was cluttered but showed no signs of a struggle, and no ligature marks (mark caused by a thing used for tying) were visible on the neck.

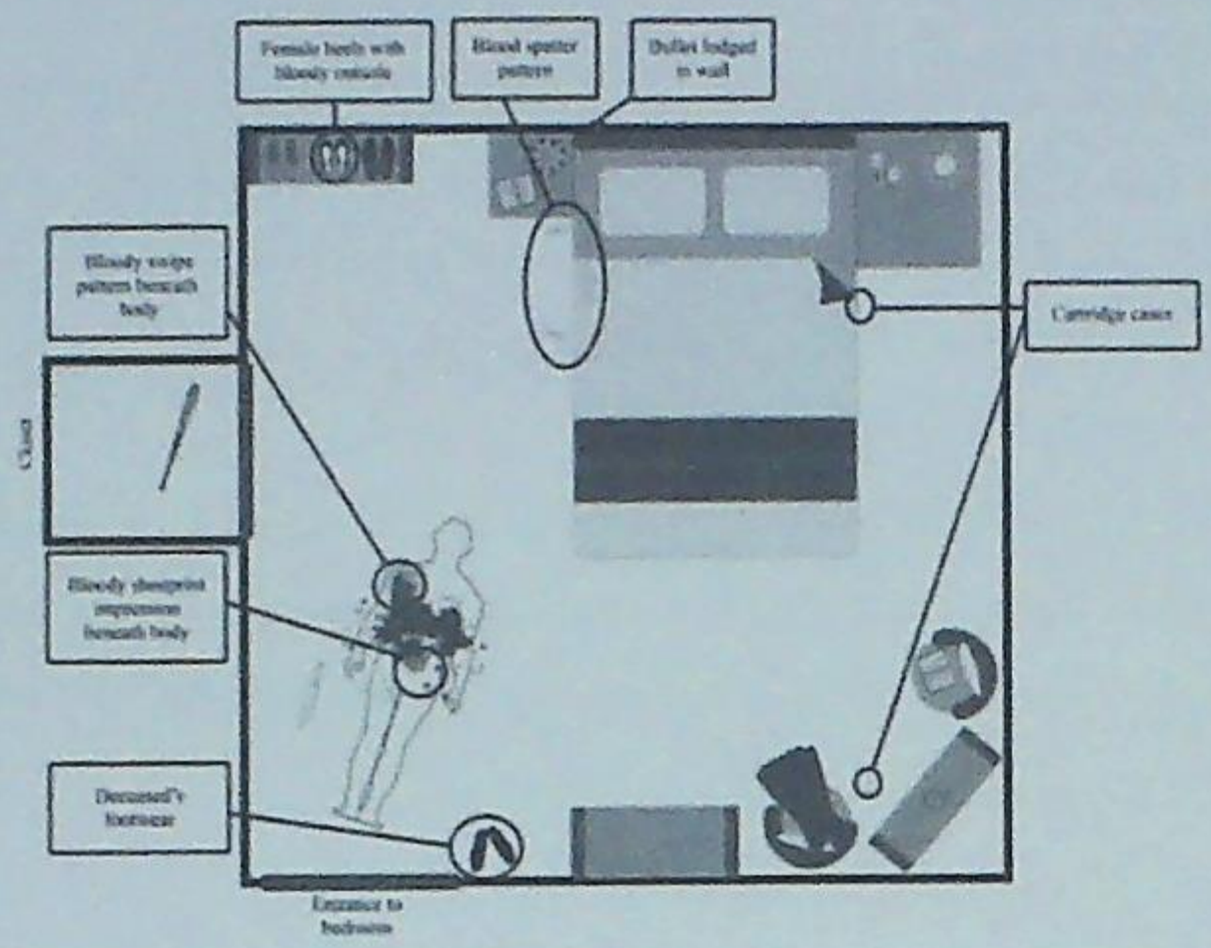
   As Ms. Naga examined the scene further, she noticed an overturned plate of food on the nightstand beside the bed and a small pile of half-eaten snacks. Mr. Rajesh's hand clutched his throat, and his eyes were wide open, reflecting his final moments of distress. There were no signs of trauma, bruises, or marks around the mouth or neck. She also noted the open window with a gentle breeze coming in.

   Step inside the shoes of Ms. Naga and identify the cause of the death and also provide justifications for the same.

7. Enumerate the key types of evidence the Investigation Officer should collect in a case of Rape detailing how each type contributes to reconstructing the sequence of events and establishing connections between suspects, victims, and the crime scene.

8. As part of a team tasked with developing a criminal profile for a recent series of unsolved cases, enumerate and briefly explain the key factors you would consider to create an accurate profile of the potential suspect.

9. Draw an accurate final sketch with a legend, to be presented before the Court of Law using the details provided in the following figure.



10. A forensic team is assigned to investigate a scene of occurrence located in a large, open area where a violent altercation occurred. The victim's body was found in the centre, surrounded by trees, vehicles, and debris. Which search method would be most effective for this specific scenario? Provide reasoning for the same.

EC004-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
IV Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW OF INDIRECT TAXATION

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions not more than 800 words.

1. Explain the concept of blocked credits under Section 17 of the Central Goods and Services Tax (CGST) Act, 2017. Examine any **Four** key judicial decisions where the Courts either upheld or revoked the blocked credits, highlighting the rationale behind these rulings and their implications for businesses.

2. Analyse the differences between Section 73 and Section 74 of the Central Goods and Services Tax Act (CGST) Act, 2017 concerning the initiation of recovery proceedings. Discuss how the choice of invoking one section over the other affects the severity of penalties imposed on a taxpayer. Additionally, explain and assess how section 122 of the CGST Act interacts with the recovery proceedings under Sections 73 and 74.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions not more than 400 words.

3. M/s. Home Furnishers, a registered Supplier from Surat was audited by the tax authorities under Section 65 of the CGST Act, 2017. Pursuant to the audit, a show cause notice was issued to M/s. Home Furnishers, alleging that it had wrongly availed the input tax credit without actual receipt of goods for the month of July 2024. In the absence of a satisfactory reply from Home Furnishers, the Joint Commissioner of Central Tax passed an adjudication order dated 20-08-2024 (received by M/s. Home Furnishers on 22-08-2024) confirming a tax demand of Rs. 50,00,000/- and imposing a penalty of equal amount under Section 122 of the CGST Act, 2017.

M/s. Home Furnishers does not agree with the order passed by the Joint Commissioner. It decides to file an appeal with the Appellate Authority against the said adjudication order. It has approached you to seek advice on the following issues:

(a) Does M/s. Home Furnishers need to approach both the Central and State Appellate Authorities to exercise its right of appeal?

(3 Marks)

(b) M/s. Home Furnishers is of the view that there is no requirement to pay a pre-deposit of any kind before filing an appeal with the Appellate Authority.

(2 Marks)

Give our opinion on the issue.

4. M/s. Safe Pvt. Ltd., registered in Haryana, manufactures heavy steel machinery. It entered into an agreement with M/s. Raj Associates, registered in Delhi, for imparting motivational training to the top-level management of M/s. Safe Pvt. Ltd., in a 10-day residential program at an agreed consideration of Rs. 21,00,000/-. Raj Associates books the conference hall along with the rooms of Hotel Shourya residency in Ajmer (registered in Rajasthan) for the training program, for a lump sum consideration of Rs. 14,00,000/-. You are required to determine the place of supply with respect to the supplies involved in the given scenario in the context of the IGST Act, 2017.

5. M/s. Soy Toys, registered in Orissa, sold electronic toys to a retail seller in Kolkata, at a value of Rs. 48,000/- (excluding GST leviable @ 18%). Now, it wants to send the consignment of such toys to the retail seller in Kolkata. You are required to advise M/s. Sindhi Toys Manufacturers on the following issues:

(i) Is an e-way bill mandatorily required to be generated with respect to such movement of goods?

(ii) What will the consequences be if the goods are moved without an e-way bill?

6. M/s. Sabhayataa Manufacturers purchased some input goods on 15-07-2023. The goods purchased were directly sent to the premises of the registered job worker outside its factory for carrying out machining on the inputs without being first taken to stock by the manufacturer. The goods were cleared from the supplier on 20-07-2023 but received by the job worker on 22-07-2023. The job worker returned the inputs on 05-07-2024 after carrying out the machining work on the inputs.

Evaluate the Input Tax Credit Implications for M/s. Sabhayataa Manufacturers.

7. M/s. ABC Ltd., of Jaipur has effected the intra-state supply of taxable goods amounting to Rs. 38,00,000 till 31-12-2023. On 01-01-2024 it has effected inter-State supply of taxable goods amounting to Rs. 1,00,000. ABC Ltd. believes that it is not required to get registered under GST law since its aggregate turnover does not exceed the threshold limit for the financial year 2023-24.
As a consultant of the company, you are required to advise the company regarding registration requirements.

8. Analyse the differences between Protective Duty and Safeguard Duty under the Customs Tariff Act, 1975. Analyse the objectives behind the imposition of each duty, the conditions that trigger their application, and the impact they have on domestic industries.

9. *"Part of a good is distinctive from Accessory"*. Analyse this statement in the light of Classification of goods under the Customs Tariff Act, 1975.

10. Examine whether the following activities would amount to supply under section 7 of the Central Goods and Services Tax Act, 2017:

(a) Ms. Shriniti Kaushik received interior decoration services for her residence located at Bandra, Mumbai from Ms. Racheal of Sydney (Australia). The amount paid for the said service is 5,000 Australian dollars.

(b) M/s. Sulekha Manufacturers has a factory in Delhi and a depot in Bangalore. Both these establishments are registered in their respective states. Finished goods are sent from the factory in Delhi to the Bangalore depot without consideration so that the same can be sold.

EC029-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
V Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW, BUSINESS AND HUMAN RIGHTS

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions.

1. Global Forest Initiative (GFI) is a multi-stakeholder initiative established to reduce deforestation and promote sustainable land use practices. GFI includes members from various sectors, including governments, corporations, local communities, NGOs, and environmental advocacy groups. Despite some initial success in areas like community outreach and corporate commitments, the initiative faces significant challenges. For instance, several corporations have been accused of violating the initiative's sustainable practices, while some local communities feel that their voices are not sufficiently represented in decision-making processes. Additionally, government members are divided, with some advocating for stricter enforcement and others pushing for more lenient policies to encourage economic growth. Answer the following

   a. Define the concept of MSIs. **(2 Marks)**

   b. What challenges do MSIs like GFI typically face in achieving their goals? **(4 Marks)**

   c. Critically assess the effectiveness of GFI's approach in promoting sustainable practices, given the conflicts and challenges described. **(4 Marks)**

2. A multinational corporation with a significant presence in developing countries faces criticism for its labor practices. Recent reports reveal instances of poor working conditions and inadequate wages. Answer the following

   a. Based on the principles of Human Rights Due Diligence, identify and discuss three steps the corporation should take to address these issues.

   (3 Marks)

   b. Analyze how the corporation's approach to this issue might differ if it were guided by Corporate Social Responsibility principles rather than mandatory Human Rights Due Diligence.

   (3 ½ Marks)

   c. Evaluate how the Modern Slavery Act could impact the corporation's strategies in this context.

   (3 ½ Marks)

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions.

3. Explain the concept of *extraterritorial jurisdiction* and explain the applicability its role in the regulation of transnational corporations.

4. Explain the purpose of Environmental, Social, and Governance (ESG) standards in corporate settings.

5. Critically analyze the scope and limitations of the Alien Tort Statute (ATS), particularly in relation to its application in modern international human rights litigation.

6. Examine the impact of self-regulation on the overall accountability of TNCs.

7. Critically assess the effectiveness of existing mechanisms that provide access to remedies for individuals affected by business-related human rights abuses. Discuss the strengths and weaknesses of judicial mechanism and challenges related to enforcement of judicial decisions.

8. Should Lithium Nevada proceed with the project despite opposition? Justify your answer by weighing the benefits of lithium extraction against potential harms. – Examine.

9. Examine the ethical implications surrounding the use of offshore tax havens. In light of the Paradise Papers revelations, discuss the role of transparency in global corporate governance and how it impacts public trust in corporations like Appleby's clients.

10. Analyze the business model of Clearview AI, focusing on its use of facial recognition technology. Evaluate how this model impacts user privacy and data security.

CC-III-24

Name :

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V Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

CLINICAL – III (Professional Ethics and Professional Accounting System)

Time: 2 ½ Hours Maximum Marks: 40

PART-A (1 x 10 = 10 Marks)

Answer any ONE of the following questions not more than 800 words.

1. Critically examine the Bar Council of India Rules pertaining to financial propriety on part of the advocate in light of decisions of the Bar Councils and the Apex Court.

2. What amounts to Contempt of Court? Evaluate the contempt powers of the Supreme Court of India and the High Courts. Whether the courts of record can impose punishments prescribed under the Advocates Act for misconduct while punishing an advocate for contempt?

PART-B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. What are the defenses available to a person facing contempt charges?

4. Discuss the importance of procedural fairness in disciplinary proceedings of Bar Councils while dealing with professional misconduct of advocates.

5. Advocates going on frequent strikes and boycotts is unbecoming of an advocate and hampers the administration of justice. Comment.

6. In the *Mamala Legal H* web series, V.D. Tyagi is a pivotal character who plays an essential role in the storyline. He is depicted as a highly experienced and shrewd legal expert with a deep knowledge of law and justice. He is a brave lawyer who is often egoistic and manipulative. At the end of the web series, he is being elevated as a judge. **Critically examine his elevation as a judge from the legal and judicial ethics perspective.**

7. Some of the judges frequently appeared in mainstream media and expressed their opinion on judicial reform and other social issues. They also defended some of their conduct, which faced public criticism. On the other hand, critics have said that the value of judicial life demands that 'A Judge should practice a degree of aloofness consistent with the dignity of his office'.
In light of this, critically examine the benefits and associated danger of judges expressing their opinions in public.

8. Critically examine Edward Abbott Parry's "Seven Lamps of Advocacy. Do you think these lamps of advocacy are relevant to advocacy at the present time?

9. Can an advocate truly fulfill their duty of zealous representation without crossing ethical boundaries, or are there inherent contradictions between loyalty to the client and the pursuit of justice?

10. An advocate is defending a client accused of a serious crime. During preparation, the client privately admits guilt to the advocate but insists on pleading 'not guilty' in court. How should the advocate handle this situation in light of their ethical obligations to maintain client confidentiality, ensure a fair trial, and uphold the integrity of the justice system?

EC010-24

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
V Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

INTERNATIONAL TRADE LAW

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions in not exceeding 600 words.

1. "*Promotion and the protection of investments of investors of one Party in the territory of the other Party will be conducive to the stimulation of mutually beneficial business activity, to the development of economic cooperation between them and to the promotion of sustainable development and parties to the agreement enact regulations through bilateral investment treaties (BITs) in order to create enforceable obligations on investors and states to operate in an environmentally responsible manner*". Critically examine this statement referring to the provisions of the Model Text for the Bilateral Investment Treaty and answer the following

   a) Explain the elements of investment and law **(4 Marks)**

   b) Evaluate the investor obligations not to make any material injury for the resources and compliance with laws by the investor and remedial measures under the provisions of the World Trade Organisation. **(6 Marks)**

2. Some Multilateral Environmental Agreements (MEAs) highlighted trade sanctions as a means of enforcing their goals, and others provided for measures that would have an effect on trade. Although there have not yet been any actual conflicts between Multilateral Environmental Agreements (MEAs) and WTO law, they seem to be very likely in the future. However, the world trade Organisations's Dispute Settlement Understanding (WTO-DSU) provides for a coherent and integrated dispute settlement systemin a uniform manner to disputes under all the WTO covered agreements subject to certain exceptions. In some instances, there are so-called "special and additional rules and procedures on dispute settlement contained in the covered agreements because they are mutually inconsistent with or would lead to a violation of other provisions. - **Article 23 Agreement on Understanding on Rules and Procedures Governing the Settlement of Disputes, 1994.**
Evaluate this statement referring to the sources of the WTO-DSU in resolving trade, development and environmental disputes. Justify your reasons for considering the covered agreements and other MEAs to conserve exhaustible natural resources for the sustainable livelihood between present and future generations and cite the relevant judicial decisions of WTO-DSU.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. *"The fundamental elements of the Product Life Cycle Theory is not a condition precedent to have trade relations in the era of Liberalistaion, Privatisation and Globalisation (LPG)"*. Substantiate this statement referring to the elements of Product Life Cycle Theory.

4. The Committee on Legal and Institutional Framework proposed the inclusion of commitments by contracting parties in establishing their agricultural policies for the maintenance of agricultural income, to adjust and moderate agricultural protective measures, to avoid restrictive measures that limit imports of raw or processed products of particular interest and inhibit consumption by less-developed countries. Evaluate this statement referring

to the purpose and objects of Part IV of the General Agreement on Tariff and Trade (GATT).

5. Trace and evaluate the contribution of Geneva Ministerial Declaration, 2022 on the WTO Responses to the COVID-19 Pandemic and Preparedness for Future Pandemics.

6. Comment upon ***India – Measures concerning Sugar and Sugarcane*** referring to DS 579, DS 580 and DS 581.

7. Critically examine the contribution of the Committee on Trade and Environment (CTE) to have dialogue on the impact of trade policies on the environment and on the environment policies of trade.

8. Critically evaluate the contribution and effectiveness of the MERCOSUR in promoting integrated economic growth to the member countries.

9. Comment upon Report of the Panel, ***Russia – Measures Concerning Traffic in Transit***, WT/DS512/R, 5 April 2019.

10. "*The Preamble of the International Centre for Investment Disputes (ICSID) describes that investor disputes would usually be subject to national legal processes, international methods of settlement may be appropriate in certain cases*". Examine this statement referring to the jurisdiction of the ICSID.

EC045-24

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
V Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LEGISLATIVE DRAFTING

Time: 2 ½ **Hours** Maximum Marks: **40**

PART A (1 x 10 = 10 Marks)

Answer any One of the following questions in about 600 words.

1. Legislative Drafting involves the attempted solution of problems faced by Governments and by society as a whole. Against the backdrop of this statement explain the significance of legislative drafting.

2. The place of legislation in the present state is as high that other sources of law are seldom applied in practice by the courts due to the fact that legislation has its own advantages over other forms of law. Enumerate and explain each of the advantages of legislation.

PART B (6 x 5 = 30 Marks)

Answer any Six of the following in about 400 words.

3. The directives contained in Part IV of the Constitution of India per se do not confer any legislative power on the legislatures. Elucidate this statement in the light of the values of Directives in the Constitution.

4. State the requisites of the Drafter prior to the preparation of the Draft legislation.

5. One of the techniques of Legislative Drafting call for adherence to 3 stages of preparing legislation. Point out the 3 stages involved and explain about each one of them.

6. Identify the operative parts of the provision given below. Enumerate and explain the importance of each of the contents of the 'operative part'.

CHAPTER II

CONSUMER PROTECTION COUNCILS

3. Central Consumer Protection Council.—(*1*) The Central Government shall, by notification, establish with effect from such date as it may specify in that notification, the Central Consumer Protection Council to be known as the Central Council.

(*2*) The Central Council shall be an advisory council and consist of the following members, namely:—

(*a*) the Minister-in-charge of the Department of Consumer Affairs in the Central Government, who shall be the Chairperson; and

(*b*) such number of other official or non-official members representing such interests as may be prescribed.

7. The usage of the words 'means' and 'means and includes' in a legislation has its own significance. Point out the significance of these words in the light of The General Clauses Act, 1897.

8. Though subordinate legislation takes various forms each form is intended to serve a particular purpose. Enumerate the forms and bring out the use of forms adopted in normal practice.

9. State the Rules of Procedure and Conduct of Business in Lok Sabha as regards laying procedure of a Subordinate Legislation.

10. As a drafter one of the principles of interpretation viz., Doctrine of Pith and Substance must be borne in mind as it is applied to decide whether a law falls within the legislative competence of the authority that enacted it. Justify this statement.

EC048-24

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TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
V Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

LAW AND POLICY IN EMERGING TECHNOLOGY

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions

1. Trace the history of regulation of personal data, non-personal data and social media data storage; Contrast their regulatory attempts in India by the three pillars of the Indian Constitution.

2. Critically enlist the role of blockchain technology in ensuring data security within the context of cryptocurrency and NFTs. Additionally, evaluate the limitations of blockchain in adapting to regulatory demands and discuss the potential conflicts this creates between technological innovation and privacy regulations. Further, what have been the regulatory attempts by the Indian Government to tackle with the decentralising nature of the Blockchain Technology and its other by-product-services?

PART - A (6 x 5 = 30 Marks)

Answer any SIX of the following questions

3. Examine the *Puttaswamy* judgment's contribution to the principles of necessity and proportionality within the context of privacy laws, data retention and purpose limitations.

4. Assess the implications of "Crowding Effect" and "Kludgeocracy" in governance, particularly when addressing complex technological regulations.

5. How do recent privacy regulations, such as the GDPR, address the extraterritoriality of data protection rights? Compare and contrast with other countries' development with their respective data protection and privacy laws.

6. What is the adequacy of international standards for data protection in the face of mass surveillance and national security interests. How do doctrines of extraterritoriality in data protection (think of the 'Schrems'), challenge conventional sovereignty? Analyse this using real-world examples and theoretical frameworks such as global police cooperation and the notion of established jurisprudence principles.

7. Relate the use of big data in modern data governance to Frank Pasquale's concept of a "The Black Box Society." How does Pasquale's theory critique the opacity of algorithms and data usage, and what are the potential societal risks of relying on data-driven decision-making without transparency? Argue the benefits in defense of ease of administration as well.

8. Discuss 'DEPA' (Data Empowerment and Protection Architecture) of NITI Aayog. How does this architecture aim to empower individuals in data privacy, and what are its key features in promoting a secure, consent-based data-sharing framework? What is one unique aspect that DEPA framework introduces to the world of privacy that privacy regulations cannot?

9. Examine the impact of the "Jio Effect" on the Indian market from a sociological perspective. Discuss the merits and demerits of Jio's market disruption in terms of accessibility, social behaviour, and economic dependency among Indian consumers.

10. The 5G technology is aggressively promoted, marketed and sold in developing countries like the Indian and African nations compared to developed or developing countries in Europe or the Northern American Continent. Consider the advantages the oligopolistic telecom operators gain in developing markets that are less beneficial in developed economies, and explain how this practice affects digital inclusion and market control.

EC030-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI
V Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

SPORTS LAW (Policy and Governance)

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions

1. Mr. Hitesh Woods, a world-famous hockey player, entered an endorsement contract with M/s. *Kalyan Pvt Ltd*, an ethnic clothing brand, for a year for Rs. 200 Cr. In recent times, Mr. Hitesh's life has witnessed some controversy regarding his personal life. A news tabloid named *Celebrity Masala* has published news stating that Mr. Hitesh has multiple illicit extramarital affairs. After this news, many women came forward and confirmed the same. Mr. Hitesh was trolled over all social media platforms. In order to control the damage to his public image, Mr. Hitesh rendered a public apology and stated that *I was unfaithful, had affairs, and cheated.* This controversy has affected Mr. Hitesh's personal life and professional life. His wife has divorced him, and he has been removed from the National Hockey Team.

By looking at this controversy, M/s. *Kalyan Pvt Ltd* has terminated the contract, citing the morality clause and best performance clause in the contract. M/s. *Kalyan Pvt Ltd* stated in its press release Mr. Hitesh's conduct does not match the value of the company, the company promotes and supports Indian traditions.

Mr.Hitesh has approached you to file a suit against the termination of the contract. Briefly explain the grounds on which the termination of the contract can be challenged and arguments which can be advanced against the termination of the contract.

2. How does Intellectual Property Law shape the commercial aspects of the sports industry, particularly in relation to trademarks, broadcasting rights, and the use of athlete likenesses, and what legal challenges arise in protecting these assets?

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions

3. What are the key legal components of a sports contract, including performance clauses, sponsorship agreements, and termination provisions, and how do they impact the rights and obligations of athletes, teams, and sponsors?

4. What are the key factors that determine civil liability in sports-related injuries, and how do concepts like negligence, assumption of risk, and vicarious liability influence legal outcomes for athletes, coaches, and sports organizations?

5. What model of governance does the Draft National Sports Governance Bill, 2024 propose for sports organisations in India, and how does it aim to enhance transparency, athlete welfare, and ethical standards?

6. What are the ethical, legal, and procedural challenges involved in addressing doping in sports, and how do anti-doping organizations balance athlete rights with the need to maintain fairness and integrity in competitive sports?

7. How do the legal definitions of a game of skill and a game of chance impact the regulation of sports betting, gambling, and related activities? Give your opinion on legalising gambling in India.

8. What are the ethical, legal, and scientific considerations surrounding sex verification in sports, and how have international and Indian sports organizations addressed the challenges related to gender identity, fairness, and inclusion?

9. What role does the Court of Arbitration for Sport (CAS) play in resolving sports-related disputes, and how does its decision-making process balance the interests of athletes, sports organizations, and the principles of fair play and justice.

10. How does the principle of fair use apply to sports broadcasting, particularly in relation to the use of game footage, highlight reels, and news reporting, and what are the legal and ethical boundaries broadcasters must navigate to avoid copyright infringement?

EC036-24

Name :

Register No.:

TAMIL NADU NATIONAL LAW UNIVERSITY, TIRUCHIRAPPALLI

V Year IX Semester B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes

End Semester (Odd-Semester) Examinations, November 2024

ADVANCED COURSE ON TRADEMARK LAW

Time: 2 ½**Hours** Maximum Marks: **40**

PART - A (1 x 10 = 10 Marks)

Answer any ONE of the following questions in not exceeding 800 words each.

1. Critically comment on the following,

> *"The real shift in modern trademark law then was not one from a consumer focus to a producer focus, or from consumer protection to property. Instead, modern trademark law differs fundamentally from its traditional counterpart in its understanding of what a trademark does and how it adds value..... Modern law, by contrast, sees a trademark as a repository for value and meaning, which may be deployed across a wide range of products and services. In other words, twenty-first-century trademark law amounts to little more than industrial policy intended to increase brand value."*

2. 'MERSAL' is a well-known chain of hypermarkets in India, owned by a prominent actor, politician, and businessman from Tamil Nadu. The actor initially registered the trademark 'MERSAL' in 2004 for his film title and later extended its use to his hypermarket business. Over time, the 'MERSAL' mark has gained significant recognition, particularly in South India.

In 2024, Mercedes-Zele (MZ), a globally renowned car manufacturing company, entered the Indian market with a new hybrid vehicle branded as 'MERZEL.' Mercedes, a German luxury car manufacturer, and Zele, a Spanish electric car manufacturer, had established the Mercedes-Zele (MZ) joint venture in 1990 to produce and sell hybrid vehicles under the trademark 'MERZEL.' The 'MERZEL' mark has been registered in numerous countries from 1990 to 2024 and was designated as a well-known trademark in the European Union in 2004. Although MZ officially entered the Indian market in 2024, the 'MERZEL' brand

had already gained recognition among hybrid car buyers in India prior to this entry, with import records showing approximately 100 'MERZEL' cars imported annually since 2004. As part of its Indian market strategy, MZ applied for registration of 'MERZEL' as a well-known trademark in India, and this application is currently pending. Following the official announcement of MZ's entry into the Indian market, the 'MERZEL' vehicle received over 25,000 pre-bookings within the first week, with demand continuing to rise.

In response to MZ's application, the actor and its hypermarket chain filed a trademark infringement suit against MZ before an Indian court, asserting that they are the prior user of the 'MERSAL' trade mark within India. He argues that MZ's use of the confusingly similar 'MERZEL' mark would dilute the distinctiveness of his trademark under the dilution doctrine. Decide.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions in not exceeding 400 words each.

3. A company intends to register its expired design as a trademark under the Indian Trademark Act, 1999. Advise.

4. Critically analyse the protection afforded to businesses and individuals against the groundless threat of trademark infringement under the Indian Trademark Act, 1999 in the light of decided cases.

5. State, in brief, the evolution of 'passing off' action in trademarks. Is 'passing off' remedy available to a registered proprietor of the trademark? Critically comment on the permissibility of combined action of trademark infringement and 'passing off' before the Indian Courts.

6. M/s. Gaurav Steels Private Limited (GSPL) has been manufacturing steel products under the trademark "Gujrat" since 1988. It claims that the mark has acquired significant recognition among its primary consumers, including workers and builders and successfully registered the trademark "Gujrat" under Class 6 for its steel products by asserting that the mark had acquired distinctiveness over time before the Indian Trademark Registry in 2004. In 2024, a new competitor, M/s. Astra Steels Private Limited (ASPL), entered the steel market using the trademark "Astra Gujarat" for its steel products and applied to register "Astra Gujarat" under the same class. Aggrieved by ASPL's use of a similar mark, GSPL filed a trademark infringement lawsuit, arguing that the Suffix "Gujarat" is deceptively similar to "Gujrat" and that such use would likely cause confusion among consumers. ASPL argues that 'geographical names' should not be subject

to trademark registration and should remain available for unrestricted use in trade. Decide.

7. FloraPen, a well-established stationery company based in India, has developed a unique range of ballpoint pens that emit a distinct, pleasant floral scent when writing on paper or other surfaces, with the scent lasting for several days. Since 2000, this scent is an integral aspect of the pen's design and has garnered significant attention in the market, with customers frequently associating the scent with the FloraPen brand. Recognizing the potential uniqueness of the scent, FloraPen filed an application with the Indian Trademark Office seeking registration of the floral scent as a trademark for its ballpoint pens, claiming that the scent has acquired distinctiveness in the marketplace. However, the Indian Trademark Office rejected the application as it failed to fulfil the criteria for trademark registration. FloraPen, which argues that it has developed distinctiveness over the past two decades, now seeks legal advice on how to proceed. Advise FloraPen on the likelihood of success in registering the scent as a trademark and suggest possible legal strategies to address the issue.

8. Could an internet domain name be said to be a word or name that could distinguish the subject matter of trade or service made available to potential internet users? Give cogent reasons by referring to relevant provisions and the case laws under the Trade Marks Act of 1999.

9. Define "trafficking in trademarks" in the context of Indian trademark law. Discuss the role of the Indian Trademark Office in preventing trafficking and ensuring the integrity of the trademark registry.

10. Nakshatra Bank, a private bank widely recognised for its rural banking services across India and for providing low-interest loans to farmers since the 1980s, now seeks to register the name "Nakshatra Bank" as a service mark in 2024, asserting acquired distinctiveness due to its longstanding presence and reputation. Notably, between 2003 and 2020, some of its banking services were suspended by regulatory authorities due to alleged fraudulent transactions. Following an extended legal dispute, Nakshatra Bank resumed full-scale, unrestricted banking operations in 2021. Advise Nakshatra Bank on the legal considerations and necessary steps to successfully register "Nakshatra Bank" as a service trademark, taking into account the history of regulatory issues and recent resurgence in the banking industry.

EC047-24

Name :

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V Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

SERVICES LAW IN INDIA

Time: 2 ½ **Hours** Maximum Marks: **40**

PART A (1x10 = 10 Marks)

Answer any ONE of the following questions.

1. In a recruitment drive for teaching positions, the Education Department initially announced that 50% of the final score would be based on the candidate's degree marks and 50% on the written exam. However, after the written test, the candidates were called for an interview. After the interview process, it was notified that there shall be a minimum interview score requirement for the final selection and they have adjusted the scoring criteria to 60% weight for the written exam, 30% for degree marks, and 10% for interview marks. Mr Varun, who had high degree marks but scored lower on the written exam, and Mr Rohit, who had done the written examination very well argue that this change violates the initial recruitment notification. **Explain whether Mr. Rohit and Mr. Varun can challenge this change of criteria in the mid-process of recruitment with relevant provisions and judicial decisions.**

2. Mr Ramesh aged 38 is appointed as the Assistant in the Department of Legal Affairs in the entry-level pay scale of 5200- 20200 in January 2018. He continues to be in service and during the calendar year 2020-21, he takes 5 days of earned leave. In the year 2024, there is a departmental promotion examination for the post of Assistant Section Officer in grade pay 4 of pay scale 5200-20200. Mr Ramesh successfully clears the examination and is promoted to the position on 02nd May 2024. He gets the Dearness Allowance as notified by the Government along with the Basic Pay. In December 2025 he decides to avail the Leave Travel Concession and plans to encash his leave. Subsequently, on 1st October 2030, Mr Ramesh is promoted to Section Officer in the Legal Department in the entry-level pay scale of 9300- 34800 and

continues in the position till his superannuation in the year 2040. At the time of his superannuation, he had accumulated 270 earned leaves and 40 half-pay leaves.

In the above context fix the salary of Mr Ramesh during the initial appointment and in the subsequent promoted positions for the scenarios considering if Mr Ramesh waits for the increment and doesn't wait for the increment. Also, calculate the Leave encashments Mr. Ramesh is entitled to as part of his service.

PART - B (6 x 5 = 30 Marks)

Answer any SIX of the following questions.

3. Explain the significance of 'disciplinary proceedings' and outline the essential procedural safeguards under the CCS (CCA) Rules 1965.

4. Describe the principle of the 'doctrine of pleasure' in service law and explain its limitations as provided by the Constitution.

5. How is seniority determined for promotion purposes? Explain the application of reservation in promotion considering the judicial precedents.

6. Is Leave a matter of Right to the individuals appointed in services? What are the different types of leave available to central government employees other than Earned Leave and Half-Pay Leave under the Fundamental Rules and CCS (Leave) Rules, 1972?

7. What activities require prior government permission under the CCS (Conduct) Rules, and why is this necessary? Discuss the restrictions imposed on government servants regarding political activities, as per the CCS (Conduct) Rules, 1964.

8. What are the different types of penalties available under the CCS (CCA) Rules, 1965, and what is the procedure to impose them?

9. Explain the various ways in which a termination of employment can happen. Under which of those ways the individual is entitled to pension benefits?

10. Explain the jurisdictions and the powers of the High Court and Supreme Court in Service Matters in light of the relevant judicial decisions.

EC019-24

Name :

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V Year B.A. LL.B. (Hons.) & B.Com. LL.B. (Hons.) Degree Programmes
End Semester (Odd-Semester) Examinations, November 2024

HEALTH CARE LAWS

Time: 2 ½ **Hours** Maximum Marks: **40**

PART - A (1 x 10= 10 Marks)

Answer any ONE of the following questions.

1. Dr. Prithvi is well known surgeon for use of latest surgical methods. He is specialized in General surgery and attends atleast 3-4 surgery at Good faith Memorial Hospital, New Delhi. In his 10 years of practice, his failure rate in surgery is 0.02%. In 2022, under the Ministry of Health and Family Affairs, India and National Institute for Health Research(NIHR), a UK based research funding institute , Dr. Prithvi was enrolled into a funded research project called *EAGLE : European Society of Coloproctology Safe-anastomosis Programme in Colorectal Surgery,* which is an international cluster randomised-sequence study of a Safe-anastomosis Quality Improvement Intervention to reduce anastomotic leak following right colectomy and ileocaecal resection. He had been working for the project day and night. On 20th October, 2024 he had fixed an elective colectomy (surgery to remove whole or a part of the colon) for one Mr. Vishnu, 40 years old, a professor by profession who had been diagnosed with precancerous condition called Lynch's Syndrome (*Lynch syndrome is a genetic condition that can lead to colon or endometrial or any other type of cancer. People with Lynch syndrome often get cancer before age 50 and should undergo lifelong cancer screenings to detect and treat cancer early*). The time for surgery was at 1 pm in the afternoon. The surgery went smooth and the Mr. Vishnu was admitted into the ICU for post operation. His vitals showed everything well. Thus, Dr. Prithvi retired for the day. Next day, Mr. Vishnu was showing signs of fever and shortness of breath. Upon testing, Mr. Vishnu was found to be down with Pneumonia which is a common post –operative complication associated with Colectomy. Within next 24 hours, his condition worsened leading to his death on 24th October, 2024. On the same day, two another

patients of Dr. Prithvi who had undergone appendectomy(surgery to remove appendicitis) on 21st October, 2024 conducted by him, also developed Pneumonia and were admitted into ICU. Dr. Prithvi was devastated with the death of Mr. Vishnu and rest of the incidents. He cancelled all his surgical appointments and decided to find out the cause for the recurrent cases of post-operative infections. Meanwhile, the Hospital's Ethics Committee and Management also started an enquiry upon the events that are happening. It was found out from autopsy report of Mr. Vishnu that he was contacted with Pneumonia due to viral infection which was found to be transmitted directly from Dr. Prithvi who was conducting his clinical trials for EAGLE before performing colectomy. Apparently, the gloves used by Dr. Prithvi, at the time of the surgeries had microscopic tears not visible overtly. Thus, it escaped the physical examination which the Scrub Nurses generally do before the surgery. The recommended practise in order to prevent such complications due to risks of perforations is to either double glove or change gloves in between the surgery, which Dr. Prithvi didn't follow in either case. In the light of above said circumstances,

1.1 Is Dr. Prithvi liable for any medical negligence? If so, decide which type of liability needs to be imposed? **(4 Marks)**

1.2 Can the hospital be vicariously liable for the medical negligence of Dr. Prithvi? **(3 Marks)**

1.3 Can Ethics Committee of EAGLE discontinue Dr. Prithvi from the research project if he was found to be guilty of medical negligence? **(3 Marks)**

2. Ms. Ashuwantika, aged 25, and Mr. Govind, aged 27, were college sweethearts. Eventually, after studies, once they secured jobs, they started living in relationship since 2021. In September 2024, Govind decided to move back to his parents place after a feud with Ashuwantika. Meanwhile, on 13th October, 2024 Ms. Ashuwantika finds out that she is pregnant with Mr. Govind's child when she realized that she had missed her menstrual cycle for more than 2 months. When she visited her OB-GYN- Dr. Latha, she was informed that the fetus is almost 18 weeks old and primary scan shows that the fetus is healthy. Dr. Latha prescribes Ms.Ashuwantika with pre-natal medications and few diet restrictions. Ms. Ashuwantika just realized how the life of a single unmarried mother would be and was confused as to the continuation of pregnancy itself. After few days, on 30th October, 2024, Ms. Ashuwantika receives a call from her father saying her mother is unwell and is admitted in ICU. When she reaches the hospital, she is informed that

her mother's kidneys are failing and need a replacement ASAP. Out of the family members, only Ms. Ashuwantika and her younger brother aged 15 years are found to be potential donors. However, the Hospital informs that she is ineligible for donation as she is pregnant with child. She thus, decides to terminate the pregnancy so that's she can donate one of her kidneys to mother.

2.1 Examine the validity of Ms. Ashuwantika's decision to terminate the Pregnancy under the Medical Termination of Pregnancy Act, 1971 with latest amendments. **(4 Marks)**

2.2 Suppose in an adverse case, if Ms. Ashuwantika couldn't be a potential donor, can her younger brother be a potential donor under the existing laws? **(3 Marks)**

2.3 Examine the medico-legal implication and issue of consent for Ms. Ashuwantika's younger brother's donation. **(3 Marks)**

PART - B (6 x 5= 30 Marks)

Answer any SIX of the following questions.

3. The English poet William Ernest Henley wrote: "*I am the master of my fate, I am the captain of my soul.*"- Based on the said quote, Opine on the viability of the 'Draft Guidelines for Withdrawal of Life Support in Terminally ill Patients (Passive Euthanasia) 2024' in India.

4. Highlight the significance of Surrogacy Act, 2021 with the latest amendments.

5. Differentiate between 'Spurious', 'Adulterated' and 'Misbranded' drugs with examples. What is the prescribed penalty for selling or manufacturing of such Drugs?

6. Is 'Health Care services' included within the definition of 'service' under the Consumer Protection Act, 2019? Explain using the *IMA v. V.P. Shantha,* AIR 1996 SC550. Does this judgement still hold significance?

7. Explain the significance of the judgement in *Paramananda Katara v. UOI,* AIR 1989 SC 2039.

8. In the case, *United India Insurance v. Jai Prakash Tayal,* AIR 2020(NOC)88(DEL) held that "…. *The individual's Right to avail health insurance is an inalienable part of the Right to Healthcare. Health insurance with the exclusion of "genetic disorders" hits at the basic right of an individual to avail of insurance for prevention, diagnosis, management and cure of diseases….*" Explain the significance of this judgement in the current Health Insurance Scenario of India.

9. Do you think India has achieved its goals as per the National Health Policy 2017 by increasing the access to health for all?

10. What are the conditions under which a diagnosis can be considered as permitted under the Pre-conception and Pre-natal Diagnostics techniques (prohibition of sex selection) Act, 1994?
