

**FIRST SEMESTER LL.M. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, JUNE 2021**

LL.B.

D002—ADMINISTRATIVE JUSTICE AND DISCRETIONARY POWERS

(2013 Syllabus year)

Time : Three Hours

Maximum : 60 Marks

*Answer any six questions.
All questions carry equal marks*

1. Explain the need for conferring discretionary powers on administrative authorities in the modern welfare state.
2. Enumerate the various methods used for confining, limiting and structuring administrative discretion.
3. Ignoring of relevant consideration and taking in to account of irrelevant consideration are grounds for reviewing administrative discretion. Explain with decided cases.
4. Discuss how the fundamental rights in the Constitution helps the Courts to control administrative discretion.
5. Examine the doctrine of public accountability as an unconventional strategy to review administrative discretion.
6. What is administrative discretion ? Distinguish between non-exercise of discretion and excess of discretion.
7. Define administrative instruction and state the distinction between rule and administrative instruction.
8. Examine the nature and scope of ministerial action.

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. DEGREE [REGULAR/SUPPLEMENTARY]
EXAMINATION, JUNE 2021**

LL.M.

D001—CONSTITUTIONAL FOUNDATIONS OF ADMINISTRATIVE LAW

(2013 Syllabus year)

Time : Three Hours

Maximum : 60 Marks

Answer any six questions.

Each question carries 10 marks.

1. Examine how far administrative law is evolving principles to maintain ideal balance between the administrative power and individual liberty.
2. “The Constitutional law is the most important source of administrative law”. Examine.
3. Critically appreciate the French *Droit Administratif* in the light of Dicey’s opinion as to the absence of rule of law in France.
4. “What is necessary element of rule of law is that law must not be arbitrary or irrational and must satisfy the test of reason and the democratic form of policy seeks to ensure this element by making legislators accountable to people”. Examine in the light of rule of law in Indian Constitution.
5. “The balance of powers should be attained by checks and balances between separate organs of the government”. Substantiate.
6. Critically examine the scope of sub delegation in administrative law making.
7. “All legislations including delegated legislation are required to be in conformity with the Constitution of India”. Examine how far judiciary succeeded in upholding this basic feature.
8. “The new administrative law will be more market oriented, flexible, cooperative and informational in nature than adversarial”. Examine.

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. DEGREE (REGULAR/SUPPLEMENTARY)
EXAMINATION, JUNE 2021**

LL.M.

C002—OFFENCES AGAINST VULNERABLE GROUPS

(2013 Syllabus Year)

Time : Three Hours

Maximum : 60 Marks

Answer any six questions.

Each question carries 10 marks.

1. Critically evaluate the recent changes in both substantive and procedural laws in India about crime against women.
2. "Honour killings are nothing but barbaric cold blooded murder and no honour is involved in such killings." Examine the legal response to honour killing in India.
3. Critically examine the legislative and judicial response in curbing violence and torture against senior citizens and disabled persons.
4. Evaluate the legal framework for the protection of children from sexual offences.
5. Examine various International conventions and treaties for the protection and prevention of Atrocities against Scheduled caste and scheduled Tribes.
6. Critically evaluate various international instruments and domestic laws dealing with trafficking in women.
7. Child abuses have varied facets. Examine the varied facets of child abuse and various forms of exploitation against children and evaluate the laws prevalent against child abuse.
8. Write notes on :
 - a) Communal violence.
 - b) Domestic violence.

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, JUNE 2021**

LL.M.

C001—PRINCIPLES OF CRIMINAL LAW

(2013 Syllabus year)

Time : Three Hours

Maximum : 60 Marks

*Answer any six questions.**Each question carries 10 marks.*

1. All the constituent elements of a crime are either actus reus or mens rea. Elucidate.
2. Discuss the penal principles regarding offences against property in general and intellectual property in particular.
3. Examine the application of the concept of vicarious liability in Indian Penal Code.
4. A fact is something perceptible by the senses while law is an idea in the minds of men. Examine the mistake of fact and penal liability in criminal law.
5. Participants of crime are divided into four categories under English Criminal Law. Explain. Distinguish the principals and Abettors of crime under IPC.
6. "The right to private defence is basically preventive in nature and not punitive. It is neither a right of aggression nor a reprisal." Elaborate this statement with the help of appropriate legal provisions and case laws.
7. Nothing is an offence which is done by a person who at the time of doing it, is by reason of unsoundness of kind. Explain.
8. Write notes on :
 - (a) Conspiracy.
 - (b) Necessity.

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, JUNE 2021**

LL.M.

B002—DIRECT TAX ADMINISTRATION AND PROCEDURE

(2018 Admission onwards)

Time : Three Hours

Maximum : 60 Marks

Answer any six questions.

Each question carries 10 marks.

1. Describe the powers and functions of the Central Board of Direct Taxes (CBDT) with special emphasis on the scope of the Rule-making powers of the Board under the provisions of the Income Tax Act.
2. Critically examine the powers of the Income Tax Authorities relating to Survey, Search and Seizure under the Income Tax Act, 1961.
3. Discuss the grounds, procedure and practical issues with regard to different types of assessment under the Income-tax Act.
4. Explain the provisions of the Income tax Act regarding the scheme of taxation of a firm and its partners. What is the procedure to be followed where firm is dissolved or business of the firm is discontinued ?
5. Who is a representative assessee ? What is the nature of liability of a representative assessee under the provisions of the Income tax Act ? Discuss in detail.
6. Discuss the provisions relating to Appeals and Revision under the Income Tax Act, 1961.
7. Critically examine the jurisdiction and powers exercised by the Income Tax Settlement Commission (ITSC). Budget 2021 abruptly proposed the discontinuance of the ITSC with immediate effect. Do you think that the government should consider restoring the Income Tax Settlement Commission in light of previous experience? Substantiate your answer.
8. Distinguish between 'tax deduction at source' and 'tax collection at source'. What are the circumstances under which an assessee needs to estimate its income and tax liability of the previous year and pay tax on basis of such estimation in the previous year itself ?

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. DEGREE (REGULAR/SUPPLEMENTARY)
EXAMINATION, JUNE 2021**

LL.M.

B001—FUNDAMENTAL PRINCIPLES AND THEORETICAL FOUNDATIONS OF DIRECT
TAXATION

(2018 Admission onwards)

Time : Three Hours

Maximum : 60 Marks

Answer any six questions.

Each question carries 10 marks.

Support your answers with relevant legal provisions and case laws.

1. Briefly discuss the historical evolution of Income tax law in India.
2. 'No tax shall be levied or collected except by authority of law'- Critically examine the implication of the provision.
3. Examine the basic principles and provisions governing Income from Salaries under The Income Tax Act, 1961.
4. Critically examine the role of deductions from Income Tax as a tool for bringing Social Justice.
5. Critically analyse the application of the canons of taxation in the administration of Income Tax Act 1961, in India.
6. What is meant by Tax Planning, Tax Management, Tax Avoidance and Tax Evasion ?
7. Explain the legal provisions for determination of Residential status of different assesses for the purpose of chargeability of Income Tax.
8. Discuss the various Penalties prescribed under The Income Tax Act, 1961.

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, JUNE 2021**

LL.M.

A002—LEGAL REGULATION OF ECONOMIC ENTERPRISES

(2013 Syllabus year)

Time : Three Hours

Maximum : 60 Marks

*Answer any six questions.
Each question carries 10 marks.*

1. Examine the impact of liberalisation on Fundamental Rights enshrined under the Constitution.
2. Briefly analyse the characteristics of New Economic Policies introduced in India.
3. What are the general features of Industrial Policy Resolution, 1956 ?
4. Explain the objectives of The Industries (Development and Regulation) Act, 1951.
5. What are the regulatory measures used by the Government to regulate Private Enterprises?
6. Examine the regulation of securities market in India.
7. Discuss the objectives, constitution and powers of Insurance Regulatory and Development Authority.
8. Analyse the impact of deregulation of essential commodities in India.

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, JUNE 2021**

LL.M.

A001—LAW OF INDUSTRIAL AND INTELLECTUAL PROPERTY

(2013 Syllabus year)

Time : Three Hours

Maximum : 60 Marks

Answer any six questions.

Each question carries 10 marks.

1. Examine the relation between Unfair Trade Practices and Intellectual Property. Analyse the role of UNCITRAL in international trade.
2. Write on Biotechnology patents. Also discuss the sui generis protection for plant varieties
3. What is Patent Examination? Examine the procedure in India.
4. Write on Passing off and analyse the evidentiary problems in action of passing off
5. Analyse the inter relationship between Human Rights and IPR
6. Examine the judicial trend in India need for law reform in IPR regime
7. Discuss about 'Freedom of speech and expression vis-a vis Intellectual property right.'
8. Analyse how the concepts of novelty of inventions and proof of non-anticipation is protected by Indian Patent Law.

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. DEGREE (REGULAR/SUPPLEMENTARY)
EXAMINATION, JUNE 2021**

LL.M.

CC002—LEGAL PROCESS—I (LEGISLATIVE PROCESS AND ADMINISTRATIVE
PROCESS)

(2013 Syllabus Year)

Time : Three Hours

Maximum : 60 Marks

*Answer any six questions.
Each question carries 10 marks.*

1. Explain the role of legislature, executive and judiciary in the performance of legal process.
2. Explain the essential principles and related rules of legislative drafting.
3. What constitute the executive ? Analyse their administrative role.
4. Examine doctrine of Rule of Law and its development in India and England.
5. What do you mean by Delegated Legislation ? Discuss the factors leading to its growth. Also state the Constitutional Validity of Delegated Legislation.
6. Analyse the doctrine of separation of powers and its significance on the functions of present day administration.
7. Explain the legislative procedure for pass of bills and amendment of the constitution.
8. Discuss in detail the Judicial Control of Administrative Powers in England.

(6 × 10 = 60 marks)

**FIRST SEMESTER LL.M. (REGULAR/SUPPLEMENTARY) DEGREE
EXAMINATION, JUNE 2021**

LL.M.

CC001—LAW AND SOCIAL TRANSFORMATION IN INDIA

(2013 Syllabus year)

Time : Three Hours

Maximum : 60 Marks

Answer any six questions.

Each question carries 10 marks.

1. Examine the ongoing debate on the reservation policy and the compatibility of law today in the background of judicial approach.
2. “The lives and experiences of Indian women relentlessly continue to be characterized by substantive inequality, inequity and discrimination”. Elucidate Gender injustice in various forms.
3. “Religious tolerance and equal treatment of all religious group and protection of their life and property and the places of their worship are an essential part of secularism enshrined in our Constitution” Elucidate.
4. The child sexual abuse is a taboo in India. Examine the statement from the point of view of current penal law relating to child sexual abuse and harassment.
5. The contribution made by the higher judiciary to the improvement of status of women, protection of and access to fundamental rights of women and provision of conditions of dignity of life can be discerned from a number of decisions delivered while interpreting laws and the Constitution. Examine the role of Indian judiciary in empowerment of women.
6. The whole object of conferring the right on the minorities under Constitution is to ensure that there will be equality between the majority and the minority. If the minorities do not have such special protection they will be denied equality. Elucidate
7. Write short notes on :
 - (a) Women’s Commission.
 - (b) National Commission for SC & ST.

(6 × 10 = 60 marks)