

First Year LL.M. Degree Examination
Aug/Sept 2009
(Distance Education)
(Freshers)

LAW AND SOCIAL TRANSFORMATION IN INDIA

Time : 3 Hours

Max. Marks : 80

Note : Answer all questions. All questions carry equal marks. Answer should be supported by reference to the relevant statutory provisions and case laws. No clarifications can be sought students should rely on the question paper as it is.

1. a) Explain the various models that are evolved to reflect the relation between law and social transformation.

OR

- b) "While law was sometimes an instrument of exploitation in the hands of colonisers, it was also instrument in other times to bring social transformation". Discuss.

2. a) Consider religion as both dividing and unifying factor. How do law and society respond to the divisive factor in a democratic system?

OR

- b) Discuss the language policy enunciated in the constitution: Do you consider equality in language rights as its major thrust?

3. a) How has law come to the protection of interests of women? Whether adequate social transformation could be possible?

OR

- b) To what extent caste based reservation is successful in affecting social transformation? Comment on 'creamy layer test' and 'time cap on reservation'.

4. a) What is modernisation? What is its impact upon family law? Write a note on uniform civil code.

OR

- b) Whether problems posed by industrialisation of agriculture have been satisfactorily dealt by law?

5. a) Write short notes on :

i) Gandhism

ii) Plea bargaining

OR

- b) Write short notes on :

i) Sarvodaya

ii) Prison reforms

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First Year LL.M. (Business Law) Degree Examination
Aug/Sept 2009
(Directorate of Distance Education)
(Freshers)

INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

Time : 3 Hours

Max. Marks : 80

Note : 1. Answer All questions.

2. All questions carry EQUAL marks.

3. Answer should be supported by reference to the relevant statutory provisions and case laws.

4. No clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper as it is and respond.

1. a) Examine the factors influencing federalism and factors responsible for subordination of States in the era of advocacy for co-operative federalism.

OR

- b) Critically examine the constitutional provisions and legislations relating to compensatory jurisprudence.

2. a) Critically examine the provisions relating to protective discrimination.

OR

- b) Discuss the emerging concept of new rights and remedies in the harmonious construction of directive principles, fundamental duties and fundamental rights.

3. a) Describe the various aspects of religious freedom.

OR

- b) Discuss the Constitutional Jurisprudence on gender Justice for empowering women.

4. a) Examine the challenges to freedom of expression in the light of scientific development? Whether the restrictions under article 19(2) are sufficient to meet out the demands of technological developments?

OR

- b) Critically examine the doctrine of separation of powers under the constitution.

5. a) Write short notes on the following :

- i) Electoral reforms
 ii) Limits of Epistolary Jurisdiction

OR

- b) i) Special status of certain areas
 ii) Judicial independence and accountability

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PAPER - III : JUDICIAL PROCESS

Time : 3 Hours

Max. Marks : 80

- Note :**
1. Answer all questions.
 2. All questions carry EQUAL marks.
 3. Answer should be supported by reference to the relevant statutory provisions and case laws.
 4. No clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper as it is and respond.
1. a) Explain the importance of Judicial Process with special reference to globalisation.

OR

 b) In modern democracy state as a protector of public's rights and liberties provides justice through its third pillar is 'Judiciary'. Therefore judiciary is the main source of judicial process and it is the life blood of justice" critically examine.
 2. a) What are the tools and techniques of judicial creativity and precedent.

OR

 b) Briefly explain the varieties of judicial and juristic activism.
 3. a) Critically explain the problems of accountability in judicial law making.

OR

 b) Explain the role of Judicial process in present of constitutional goals and values.
 4. a) Examine the role of judges in India and on the notion of judicial review.

OR

 b) "For its realization justice depends on law but, justice is no the same as law" Elucidate.
 5. a) Write short notes :
 - i) The concept of Dharma
 - ii) Means to end relationship of law and justice

OR

 b) i) Political nature of Judicial process
 ii) Equivalence theories

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PAPER - IV : LEGAL EDUCATION AND RESEARCH
METHODOLOGY

Time : 3 Hours

Max. Marks : 80

- Note :**
1. Answer all questions.
 2. All questions carry EQUAL marks.
 3. Answer should be supported by reference to the relevant statutory provisions and case laws.
 4. No clarifications can be sought on the question paper. In case of any ambiguity, students are expected to rely on the question paper as it is and respond.
1. a) Unless someone in the groups is capable and willing to look for and to recognize new problem situations and attempt their solution, no improvement will appear in process, in product or in human relationships involved" critically examine the statement with reference to research.

OR

 b) Examine the continuity of the process of reflective thinking in the science - philosophy method.
 2. a) Critically examine the different methods adopted in imparting education in general and legal education in particular.

OR

 b) Explain the important and usefulness of legal aid campaign and legal literacy programmes in enhancing the legal among the students.
 3. a) Critically examine the objectives of legal education and current trend in Indian legal education.

OR

 b) "A good research work usually depends on research design" explain with reference to research problems.
 4. a) Explain the methods for the collection of statutory and case materials.

OR

 b) Explain the collection and analysis of data.
 5. a) Write short notes :
 - i) Relevance of empirical research ii) Induction and deduction

OR

 - b) i) Socio legal research ii) Clinical legal education

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PAPER-V : LAW OF INTELLECTUAL PROPERTY RIGHTS

Time : 3 Hours

Max. Marks : 80

Note : Answer should be supported by relevant statutory provisions and case laws. No clarifications can be sought students should rely on the question paper as it is and respond.

1. a) Critically evaluate the World Intellectual Property Right Organizations (WIPO).

OR

- b) Examine the impact of TRIPS on Indian Economy.

2. a) Define Copy Right. Examine the nature and scope of Copyright law with special reference to works which are copy rightable.

OR

- b) What do you mean by assignment and licensing of Copy Right? Explain literal and non-literal copying.

3. a) Discuss the rights of the copy right owner including moral rights, special rights and other related rights.

OR

- b) What is infringement of Copy Right? Explain the remedies available for infringement of Copy Right.

4. a) What are the objectives of Patent law? Examine the procedure and formalities for grant of Patent.

OR

- b) What is a Patent? Examine the moral and ethical justifications for Legal recognition and protection of Patents.

5. a) Examine with reference to the concept of validity of Patents and Patenting of life forms.

OR

- b) Explain how sui-generis system is better than Patent system in respect of legal Protection of Plant varieties.

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