

**REGULATIONS FOR THE FIVE YEAR INTEGRATED DOUBLE DEGREE B.B.A.,  
LL.B.(HONOURS) COURSE**

**1. Title of the Programme:**

THE FIVE YEAR INTEGRATED DOUBLE DEGREE SHALL BE CALLED BACHELOR BUSINESS ADMINISTRATION AND BACHELOR OF LAWS (HONOURS) [B.B.A., LL.B. (Honours) Course]

**2. Duration of the Course:**

[a] The Course shall consist of regular study for a minimum period of 10 semesters in five academic years, after plus two.

[b] The course of study shall be by regularly attending the requisite number of lectures, tutorials and practical training.

[c] The 1<sup>st</sup>, 3<sup>rd</sup>, 5<sup>th</sup>, 7<sup>th</sup> and 9<sup>th</sup> semesters shall ordinarily be from 1<sup>st</sup> June till October 31<sup>st</sup>. The remaining semesters shall be from 1<sup>st</sup> November till 31<sup>st</sup> March: subject to changes if any notified by the Government of Kerala and other authorities; from time to time. The periods are inclusive of the time for examinations.

**3. Medium of Instruction:**

The medium of instruction and examination shall be English only.

**4. Number of seats:**

Number of students to be admitted each year and the number of batches shall be decided and notified by the University from time to time; based upon the Rules, instructions And Notifications issued by The Bar Council Of India And the Government of Kerala.

**5. Eligibility for admission:**

An applicant who has successfully completed Senior Secondary School course ('+2') or equivalent (such as 11+1, 'A' level in Senior School Leaving certificate course) from a recognized University of India or outside or from a Senior Secondary Board or equivalent, constituted or recognized by the Union or by a State Government or from any equivalent institution from a foreign country recognized by the government of that country for the purpose of issue of qualifying certificate on successful completion of the course, may apply for and be admitted into the program of the Centres of Legal Education

Provided that applicants who have obtained + 2 Higher Secondary Pass Certificate after pursuing studies in distance or correspondence method shall also be considered as eligible for admission in the Integrated Five Years course .

**Explanation:** The applicants who have obtained 10 + 2 or graduation / post graduation through open Universities system directly without having any basic qualification for pursuing such studies are not eligible for admission in the law courses.

**6. Prohibition to register for two regular courses of study:**

No student shall be allowed to simultaneously register for a law degree program with any other graduate or postgraduate or certificate course run by the same or any other University or an Institute for academic or professional learning excepting in the integrated degree program of

the same institution.

Provided that any short period part time certificate course on language, computer science or computer application of an Institute or any similar course run by a Centre for Distance Learning of a University, shall be exempted.

### **7. Minimum marks in qualifying examination for admission**

Bar Council of India will from time to time, stipulate the minimum percentage of marks not below 45% (without rounding) of the total marks in case of general category applicants and 40% of the total marks ( without rounding) in case of SC and ST applicants, to be obtained for the qualifying examination, such as +2 Examination in case of Integrated Five Years' course for the purpose of applying for and getting admitted .

Provided that such minimum qualifying marks shall not automatically entitle a person to get admission into an institution, unless the applicant fulfills other institutional criteria notified by the institution/ University concerned or by the government concerned from time to time to apply for admission.

### **8. Procedure for selection**

(1) Admission to the course shall be governed by The Acts, rules, regulations, and notifications in force and issued by the Government, University and other statutory Authorities at the relevant time.

(2) Admission to the course in Government Law Colleges under the University at present shall be based on the entrance examination being conducted by the Commissioner of Entrance Examinations, Government of Kerala. The students will be allotted and admitted to the Colleges after the centralized counseling to be conducted by the Commissioner for Entrance Examinations, Government of Kerala.

(3) Admission and all other matters relating to B.B.A., LL.B.(Honours) Course in Law colleges affiliated to the University which may be established in future shall also be governed by these regulations.

### **9. Fee structure**

A student shall pay the fees prescribed by the University and the Government from time to time.

### **10. Age on admission:**

Subject to the conditions stipulated by the Bar Council of India, Mahatma Gandhi University and the norms fixed by the Government of Kerala on this behalf; the maximum age for seeking admission into a stream of integrated double degree Bachelor of law degree program, shall be limited to twenty years in case of general category of applicants and to twenty two years in case of applicants from SC, ST and other Backward communities. The age shall be reckoned as on last date of application for entrance examination or last date of application for admission, if admission is not based on entrance examination.

### **11. Semester system**

The course leading to integrated double degree, shall be conducted in semester system in not less than 18 weeks in double degree integrated course with not less than 36 class-hours per week including tutorials, moot room exercise, seminars and other practical papers.

Provided there shall be at least 30 lecture hours per week.

Provided further that University is free to adopt trimester system, with appropriate division of courses per trimester, with each of the trimesters having not less than 12 weeks.

### **12. End Semester university examinations and attendance requirements :**

No student shall be allowed to take the university examinations at the end of each semester in a subject if the student concerned has not attended minimum of 75% of the classes held in the subject concerned as also in the moot court exercises, tutorials and practical training conducted in the subject taken together. Separate 75% attendance is also required in each of the compulsory clinical courses.

Provided that if a student for any exceptional reasons fails to attend 75% of the classes held in any subject, the University may condone the shortage of attendance as per existing rules.

Provided further that a list of such students who are allowed to take the examination, with reasons recorded, be forwarded by the University to the Bar Council of India before the student is allowed to appear for the concerned Semester examination.

Provided further that the conduct and progress of the student should be satisfactory.

### **13. Prohibition against lateral entry and exit:**

There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course, at any intermediary stage of integrated double degree course.

### **14. Uniform Identity Number of students and faculty**

University and its approved institutions registering students for law courses shall send particulars [as prescribed in the Schedule X of Bar Council of India Rules of legal Education 2008] of its registered students and Faculties to the Bar Council Of India for the purpose of building up of uniform data of the faculty and the students of law and for issue of Uniform Identity Number to students and faculty against a fee prescribed by the Bar Council of India from time to time.

### **15. Annual Report and Return**

All approved Centres of Legal Education of the University whose degree is approved for enrolment shall submit to the respective University with a copy to the Bar Council of India an annual return in the form prescribed in schedule VIII Rules of legal education 2008, in hard and soft copy at the end of its annual academic session .

### **Curriculum (Scheme of subjects)**

**16. B.B.A., LL.B.(Honours) Course** curriculum shall consist of 20 compulsory courses in B.B.A., [12 papers in Business Administration and 8 honours papers], 26 compulsory and 14 elective courses in Law. Six of the elective courses shall be chosen and offered by the Law School from among the General Elective Courses; by complying with The Bar Council Rules of Legal Education 2008. The other eight elective courses shall be chosen either wholly from a particular group or from various groups shown as Special Elective Groups viz., Constitutional Law, Business Law, Law and Agriculture, Intellectual Property Law and such other groups introduced by the University/ Bar Council from time to time depending upon the availability of infrastructural facilities. However, if the Special Elective Courses are chosen entirely from one special group the student shall be awarded an Honours degree specifically mentioning the group.

Considering the limitations of infrastructure, availability of Faculty, and the nature of the basic degree being integrated; eight papers are taken from multiple of groups (Honours shall be in Law) to be offered initially, in the Law colleges under the University at present.

#### **A. Compulsory Courses in Law are:**

1. Jurisprudence (Legal Method, Indian Legal System and Basic Theory of Law)
2. General Principles of Contract (Law of Contract – I)
3. Special Contracts (Law of Contract – II)
4. Law of Torts and Motor Vehicles Accidents
5. Consumer Protection Law
6. Family Law – I
7. Family Law – II
8. Law of Crimes-I
9. Law of Crimes-II
10. Law of Criminal Procedure
11. Constitutional Law – I
12. Constitutional Law – II
13. Property Law
14. Law of Evidence
15. Civil Procedure Code and Limitation Act
16. Administrative Law
17. Company Law
18. Public International Law
19. Principles of Taxation Law
20. Environmental Law
21. Labour Law – I (Trade Unions and Industrial Disputes)
22. Labour Law – II (Social Securities Law)

**Compulsory Clinical Courses in Law:**

23. Drafting, Pleading and Conveyancing
24. Professional Ethics and Professional Accounting System
25. Alternative Dispute Resolution
26. Moot Court Exercise and Internship

**B. Undergraduate course-component for integrated Five Years' course:**

**Courses in Business Administration:**

1. Principles of Management
2. Marketing Management
3. Business Economics
4. Principles of Financial Accounting
5. Financial Management
6. Business Ethics
7. Organizational Behaviour
8. Human Resource Management
9. Business Communications
10. Company Accounts
11. Marketing Research
12. Advertising And Its Legal Impacts

**Language**

1. English –I- General English-I
2. English- II – General English-II
3. English- III- Legal Language and Legal Methods
4. English- IV –Communicative English

**D. General Elective Courses in Law:**

1. International Trade Law
2. Criminology, Penology and Victimology
3. Air and Space Law
4. Law and Medicine
5. Women and criminal Law
6. Law Relating to Child
7. Law, Poverty and Development
8. Interpretation of Statutes and principles of legislation
9. Science, Technology and Law
10. Forensic Science and Medical Jurisprudence
11. Private International Law
12. Land Utilization Law
13. International Humanitarian and Refugee Law
14. Law of the Sea
15. Laws Relating to Agriculture
16. Law of Local Self Government
17. Disability Law
18. Law Governing Scientific Research
19. Law Relating to Ships
20. Securities Laws
21. Healthcare Law
22. Intellectual Property Laws
23. Human Rights Law and practice.
24. Land Laws.
25. Cyber Crimes

**E. Special Elective Courses in Law:****Constitutional Law Group**

1. Legal Philosophy including theory of Justice
2. Indian Federalism
3. Affirmative Action and Discriminative Justice
4. Comparative Constitution
5. Human Right Law and Practice
6. Gender Justice and Feminist Jurisprudence
7. Fiscal Responsibility & Management
8. Local Self Government including Panchayet Administration
9. Right to Information
10. Civil Society & Public grievance
11. Government Accounts & Audit
12. Law on Education
13. Media & Law
14. Health Law
15. Citizenship & Emigration Law
16. Interpretation of Statutes and Principle of Legislation
17. Legislative drafting

**Business Law Group**

1. Law and Economics
2. Banking Law
3. Investment Law
4. Financial Market Regulation
5. Foreign Trade
6. Law of Carriage
7. Transportation Law
8. Insurance Law
9. Bankruptcy & Insolvency
10. Corporate Governance
11. Merger & Acquisition
12. Competition Law
13. Information Technology Law
14. Direct Taxation
15. Indirect Taxation
16. Equity and Trust
17. Law on Project Finance
18. Law on Corporate Finance
19. Law on Infrastructure Development
20. Special Contract

### **International Trade Law**

1. International Trade Economics
2. General Agreement on Tariff & Trade
3. Double Taxation
4. Dumping and Countervailing Duty
5. Trade in Services & Emigration Law
6. Cross Border Investment
7. Agriculture
8. Dispute Resolution
9. International Monetary Fund
10. Trade in Intellectual Property
11. International Banking & Finance

### **Crime & Criminology**

1. Criminal Psychology
2. Forensic Science
3. International Criminal Law
4. Prison Administration
5. Penology & Victimology
6. Offences Against Child & Juvenile Offence
7. Women & Criminal Law
8. IT Offences
9. Probation and Parole
10. Criminal Sociology
11. Comparative Criminal Procedure
12. Financial and Systemic Fraud
13. White Color Crime

### **International Law**

1. International Organization
2. International Human Rights
3. Private International Law
4. International Environmental Law
5. IMF & World Bank
6. Regional Agreement & Regionalization
7. Uncitral Model Codes
8. International Labour Organization & Labour Laws
9. International Dispute Resolution Bodies
10. Maritime Law
11. Law of the Sea and International Rivers
12. Humanitarian and Refugee Law
13. International Criminal Law and International Criminal Court

### **Law & Agriculture**

1. Land Laws including Tenure & Tenancy system
2. Law on Agriculture Infrastructure: seed, water, fertilizer, pesticide etc.
3. Law on Agricultural Finance
4. Law on Agricultural Labour
5. Agricultural Marketing
6. Farming & Cultivation
7. Farmer and Breeders' Right
8. Cooperative and Corporatization of Agriculture
9. Dispute Resolution and Legal aid
10. Agricultural Insurance
11. Law on SMEs on agricultural processing and rural industry

### **Intellectual Property Law**

1. Patent Right creation and Registration
2. Patent Drafting and Specification Writing
3. IPR Management
4. Copyright
5. Trade Mark and Design
6. Trade Secret and Technology transfer
7. Other Forms of IPR creation and registration
8. IPR Litigation
9. IPR Transactions
10. Life Patent
11. Farmers and Breeders right
12. Bio Diversity protection
13. Information Technology
14. IPR in Pharma Industry
15. IPR in SMEs

### **17. University's power for additional subject/group:**

Provided that the University may add to the above list of subjects as well as a New Group of subject specialization with such papers as may be stipulated from time to time. Students in the general law course have to take not less than six papers from any three or more groups.

In case of specialization or honours in any group, one has to take at least eight papers from one group over and above six optional papers in other groups

### **18 .Examination and Promotion:**

(1). There shall be a University examination at the end of each semester. Candidates securing not less than the prescribed attendance in each paper as mentioned in Clause 12 of these Regulations, shall alone be admitted to the examination.

(2). For each written paper carrying 100 marks, 25% shall be set apart for being awarded by way of internal assessment and 75% marks for the written external examination. Internal assessment shall be made on the basis of overall performance during the semester such as regularity of attendance, preparation and presentation of assignments, test paper scoring and class room participation.

(3). The performance in practical training papers shall be assessed internally by a team of three faculty members.

(4). A candidate who is registered and is entitled to be presented for the examination in a semester shall alone be eligible to pursue the studies for the next semester of the course.

(5). There shall be a viva-voce at the end of tenth semester examination which may cover all the law courses taught for the whole programme. The Viva Board shall consist of the Chairman and two examiners from the law faculty, each with a minimum of 10 years teaching experience, and at least one of whom shall be an external examiner. A viva-voce based on the Bachelor Degree project shall also be conducted by the University at the end of the sixth semester.

(6). A candidate admitted for this course shall complete the programme within a period of eight years from the date of admission.

(7)A candidate who has failed in a paper shall be eligible to write the paper in the subsequent regular examinations alone.

### **19. Pass minimum and classification**

(1). A candidate who secures not less than 40% marks in the external examination separately and fifty percent (50%) in the aggregate of the total marks for that paper shall be declared to have passed the examination in that paper.

(2). A candidate who passes in all the papers and secures 50% or more of the aggregate marks for all the ten semesters but less than 60% shall be declared to have passed whole examination in Second class.

(3). Successful candidates with 60% marks and above in aggregate for all the ten semesters shall be declared to have passed the whole examination in first class.

(4). Successful candidates with seventy-five percentage marks or above in the aggregate for all the ten semesters shall be declared to have passed the examination with distinction provided he/she passes all the examinations within the period of whole programme.

(5). Ranking shall be done on the basis of marks obtained by the candidate in the whole examination passed in the first chance.

### **20. Pattern of question papers and distribution of marks:**

(1). Out of the 100 marks for each paper; 25 marks shall be set apart for internal assessment.

(2). The remaining 75 marks for University examination shall be distributed as follows :

Part (A) : short answers :15 marks ( 3 marks X 5questions )

Part (B) : Problems / short essays : 30 marks ( 10 marks X 3 questions )

Part (C) : essays : 30 marks ( 15 Marks X 2 questions )



## 21. Internal assessment :

The internal assessment marks shall be distributed as follows:

[a] Attendance	: 5 marks
[b] Class room assignments	: 10 marks
[c] Test paper	: 10 marks
[d] <b>Total</b>	<b>: 25 marks (Maximum)</b>

1. **Attendance:** Separate attendance shall be maintained for each subject by the teachers concerned; either manually or in electronic form. Attendance report shall be published by the teachers before the seventh day of the succeeding month. Complaints in writing shall be preferred to the Principal / head of the institution within two days of publication.

Students representing the college / university in academic and extra-curricular activities, with the prior written permission of the head of the institution, may at the discretion of the staff council, be granted a maximum of ten days attendance per semester.

*Marks for attendance shall be granted as follows:*

[i] Below 75 % attendance	: nil
[ii] 75% to 79%	: 1 mark
[iii] 80% to 84%	: 2 marks
[iv] 85% to 89%	: 3 marks
[v] 90% to 94%	: 4 marks
[vi] 95% and above	: 5 marks

2. **Test Paper:** At least one test per paper shall be conducted by the teacher concerned. The date for the test shall be notified one week in advance. Absentees shall not be entitled for re-test normally. Exceptional cases on medical and similar grounds may be considered by the staff council. The marks will be published in the class within 15 days of the test and students can obtain photocopies of the answer script, if required, at their expense. The answer scripts shall be retained by the teacher till 90 days after the test; unless otherwise specifically directed by the authorities, after which period, the teacher shall be free to dispose such answer scripts in which ever manner he/she deems fit.

3. **Classroom Assignments:** Every student shall write an assignment on each subject based on the topics assigned, and directions given by the teacher.

Alternatively, the teacher has the discretion to direct students to participate in seminars/debates on the subject.

Written assignment has to be submitted: 50% marks will be for content and the remaining 50% for presentation.

Internal assessment marks will be published in the notice board by the teacher within 15 days after the end of each semester.

The Classroom assignments submitted by the students shall be retained by the teacher till 90 days after the end of the semester, unless otherwise specifically directed by the authorities, after which period, the teacher shall be free to dispose such assignments in which ever manner he/she deems fit.

4. **Grievance Redressal Cell:** A Grievance Redressal cell constituted by the head of the institution shall examine written complaints in respect of internal assessment. Complaints shall be preferred within 5 days from publication of the marks; and the decision of the cell shall be final.

5. **No redoing of internal assessment:** Marks once awarded in the internal assessment shall be final and no application for redoing of internal assessment shall be entertained on any grounds after the end of the semester.

22. **Compulsory Internship:** As per the Rules of Legal Education laid down by the Bar

Council, 2008, each five year student has to undergo an internship for not less than twenty weeks to carry out legal studies under Non-Governmental Organizations, trial advocates, appellate advocates, judiciary, legal, regulatory authorities, legislatures and Parliament, other legal functionaries, market institutions, law firms, companies, local self-government and in other legal institutions where such training can be imparted to such students. **Students cannot undergo internship in any year continuously for more than four weeks.** All students are expected to undergo training under trial and appellate advocates not more than twice.

The Bar Council has also stipulated that each student shall keep an Internship Diary. The Internship Diary has to be prepared and kept by the student in such a manner so that the evaluator may be able to assess the cumulative performance of the student. The Diary shall contain the details of training a student has undergone, the total number of days of each session of training and the nature of work done by the student / training imparted to him. After each spell of such internship, the record, prepared by the student in his own handwriting, shall be signed by the head/ chief of the institution where he has undergone training, and the faculty-in-charge of him. The students shall be guided and evaluated by the faculty as appointed by the Principal. **A student who has to complete more than four weeks of internship shall not be promoted to the tenth semester.** He can rejoin the course only after completion of the required weeks of internship in the subsequent batches.

Provided that, after each spell of internship, the evaluator/s shall assess the performance of the students, on the basis of the days of his attendance in the internship, involvement and awareness about the work accomplished and also the preparation of the records. The evaluator shall record the assessment objectively after perusing the record of internship. A student who has satisfactorily completed the internship shall alone be eligible to be promoted to the next semester /year. A student who has not satisfactorily completed the internship programme has to redo the same with their subsequent batch.

Provided further that, being a component of the Clinical paper IV, attending the chamber of lawyers and observing trials in two cases shall be confined to the tenth semester and its record shall be prepared separately in the Record of the Clinical paper IV, ie, FL 43 Moot Court Exercise and Internship. Attending the lawyers' chambers before the tenth semester will not be reckoned for the purpose of FL 43.

The Internship Record shall contain details of training for 16 weeks (ie, excluding the training for FL 43). While assessing the candidate for FL 43, due weightage shall be given to his performance/involvement in the compulsory internship of the previous semesters as evidenced by his Internship Record.

**23. Re-admission:** Re-admission to each semester shall be according to the availability of seats in the concerned semester. This shall also be subject to rules framed by the University and Government of Kerala from time to time.

Provided that only those students who have dropped out /been detained / obtained transfer certificate or discontinued from any semester of B. A.(Criminology), LL.B ( Hons.) course as per these regulations alone will be eligible for re-admission.

## 24. Scheme of Examinations:

### First Semester

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
F.B.1	English I- General English -1	3hours	25	75	100

F.B.2	Principles of Management	3hours	25	75	100
F.B.3	Marketing Management	3hours	25	75	100
F.B.4	Business Economics	3hours	25	75	100
F.L.1	Legal and Constitutional History of England	3hours	25	75	100
F.L.2	Women and Law	3hours	25	75	100
Total			150	450	600

### Second Semester

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
F.B.5	English II- General English-II	3hours	25	75	100
F.B.6	Principles of Financial Accounting	3hours	25	75	100
F.B.7	Financial Management	3hours	25	75	100
F.B.8	Business Ethics	3hours	25	75	100
F.L.3	Civil Society and Public Grievance	3hours	25	75	100
F.L.4	Legal and Constitutional History of India	3hours	25	75	100
Total			150	450	600

### Third Semester

Code	Name of Paper	Duration of Exam.	Marks Internal	Marks External	Total
F.B.9	English III- Legal Language and Legal Methods	3hours	25	75	100
F.B.10	Organizational Behaviour	3hours	25	75	100
F.B.11	Human Resource Management	3hours	25	75	100
F.L.5	Law of Torts including Motor Vehicle Accident Laws & Consumer Protection Law	3hours	25	75	100
F.L.6	Family Law - I	3hours	25	75	100
F.L.7	Law of Crimes	3hours	25	75	100
Total			150	450	600

### Fourth Semester

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
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F.B.12	English IV- Communicative English	3hours	25	75	100
F.B.13	Business Communications	3hours	25	75	100
F.B.14	Company Accounts	3hours	25	75	100
F.L.8	Family Law - II	3hours	25	75	100
F.L.9	Contract-I(General Principles of Contract )	3hours	25	75	100
F.L.10	Health Law	3hours	25	75	100
Total			150	450	600

### Fifth Semester

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
F.B.15	Marketing Research	3hours	25	75	100
F.L.11	Human Rights Law	3hours	25	75	100
F.L.12	Environmental Law	3hours	25	75	100
F.L.13	Constitutional Law- I	3hours	25	75	100
F.L.14	Contract –II	3hours	25	75	100
F.L.15	Disability Law	3hours	25	75	100
Total			150	450	600

### Sixth Semester

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
F.B.16	Advertising And Its Legal Impacts	3hours	25	75	100
F.L.16	Labour Law- I	3hours	25	75	100
F.L.17	Law of Evidence	3hours	25	75	100
F.L.18	Constitutional Law - I	3hours	25	75	100
F.L.19	Banking Law and Negotiable Instruments	3hours	25	75	100
F.L.20	Jurisprudence	3hours	25	75	100
Total			150	450	600

### Seventh Semester

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
F.L.21	Insurance Law	3hours	25	75	100
F.L.22	Code of Civil Procedure and Limitation Act	3hours	25	75	100
F.L.23	Code of Criminal Procedure	3hours	25	75	100
F.L.24	Law of Property	3hours	25	75	100
F.L.25	Administrative Law	3hours	25	75	100
F.L.26	Labour Law – II	3hours	25	75	100
Total			150	450	600

### **Eighth Semester**

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
F.L.27	Media and Law	3 hours	25	75	100
F.L.28	Right to be Heard and Child Rights Advocacy	3hours	25	75	100
F.L.29	Public International Law	3hours	25	75	100
F.L.30	Intellectual Property Law	3hours	25	75	100
F.L.31	Company Law	3hours	25	75	100
F.L.32	Land Law	3hours	25	75	100
Total			150	450	600

### **Ninth Semester**

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
F.L.33	Refugee Law, Immigration Law & International Humanitarian Law	3hours	25	75	100
F.L.34	Conflict of Laws	3hours	25	75	100
F.L.35	Cyber Law	3hours	25	75	100
F.L.36	Interpretation of Statutes	3hours	25	75	100
F.L.37	Law of Taxation	3hours	25	75	100
F.L.38	International Trade Law	3hours	25	75	100
Total			150	450	600

### **Tenth Semester**

Code	Name of Paper	Duration of Examination	Marks Internal	Marks External	Total
F.L.39	Maritime Law	3hours	25	75	100
F.L.40	Alternative Dispute Resolution (Practical paper)	3 hours	30	70	100
F.L. 41	Drafting, Pleading and Conveyancing	3 hours	30	70	100
F.L. 42	Professional Ethics for Accountancy Lawyers and Bar-Bench relations (Practical paper)	3 hours	30	70	100
F.L.43	Moot Court Exercise and Internship	3 hours	100	--	100
V.V.	Viva-Voce			100	100
Total			270	430	700

## INSTRUCTIONS TO QUESTION PAPER SETTERS

1. All question papers are divided into three parts
2. Part A deals with 6 short questions of which 5 are to be answered. All questions in this part carry 3 marks. **THE QUESTION PAPER SETTERS ARE REQUESTED TO SET THE SIX QUESTIONS NECESSARILY FROM THE FIVE UNITS OF THE SYLLABUS.**
3. Part B consists of 4 questions. It consists either of problems or short essays as is given in the model question paper. There are 4 questions in this part of which the candidate is to answer three. Each question carries 10 marks. **THE QUESTIONS ARE TO BE SET FROM ANY THREE UNITS.**
4. Part C consists of 3 Essays of which the candidate has to attempt 2. Each question carries 15 marks. **THE QUESTIONS ARE TO BE SET FROM THE REMAINING TWO UNITS FROM WHICH THE QUESTIONS OF PART B ARE SET.**
5. The above pattern is followed to ensure that the students cover the entire portion given in the syllabus.

# **FIRST SEMESTER**



## F.B.1 ENGLISH I- GENERAL ENGLISH-1

- A. Grammar and usage (Communication skills )
  - 1. Simple sentence (one clause) their phrase structure:
    - (i) Tense and concord
    - (ii) Noun modifies (determiners, propositional phrases, clauses)
    - (iii) Basic transformations
      - (a) Passives
      - (b) Negatives
      - (c) Questions
  - 2. Complex and compound sentences (use of connectives)
  - 3. Conditionals
  - 4. Reported speech
  - 5. Question Tags and Short Responses
  - 6. Some Common Errors
- B. Comprehension Skills:
  - 1. Reading Comprehension (Principles and Practice)
  - 2. Listening Comprehension

### Recommended Readings:

For A:

1. David Green, *Contemporary English Grammar, Structure and Composition*
2. J.E. Croften, *Essay, Précis, Composition and Comprehension*
3. Wren & Martin, *English Grammar and Composition*
4. T.E. Bery, *The Most Common Mistakes in English*

For B:

1. M.L. Tickoo and A.E. Subramonian, *Current English for Language Skills (Prose Only)*
2. *Black's Law Dictionary of Legal Terms and Expression*
3. Ishtiaque Abidi, *Law and Language*
4. Central Institute of English, *Indian Language Speech Reading*

**FIRST SEMESTER (FIVE YEAR) LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.C. 1- ENGLISH I-GENERAL ENGLISH 1**

**Time 3 Hrs**

**Max Marks 75**

**PART A**

I (a) Fill in the blanks with the correct tense of the verb given in brackets.

1. She \_\_\_\_\_ (jump) off the bus while it \_\_\_\_\_. (move)
2. The baby \_\_\_\_\_ (sleep) for three hours and still he \_\_\_\_\_. (sleep)
3. He \_\_\_\_\_ (teach) in that school since 1995 but now he \_\_\_\_\_. (resign)
4. If you \_\_\_\_\_ (sleep) outside, you \_\_\_\_\_ (catch) cold.
5. When I \_\_\_\_\_ (reach) the station, the train \_\_\_\_\_. (leave)

(5 x 1 = 5 marks)

(b) Use any five of the following in sentences of your own.

1. Take after 2. Work out 3. Give up 4. Look after
5. Turn a deaf ear to 6. Make up one's mind

(5 x 1 = 5 marks)

(c) Correct the following sentences.

1. The boy did not listen to the advices of the teacher.
2. One of the teachers have gone out of the room.
3. Crossing the road a vehicle hit him.
4. Either the dog or the cat have stolen the bread.
5. Bread and butter are a wholesome food.

(5x1= 5 marks)

(d) Fill in the blanks with the suitable prepositions.

1. The portrait was painted \_\_\_\_\_ a famous artist who lived \_\_\_\_\_ the twelfth century.
2. I received his message \_\_\_\_\_ eight o' clock \_\_\_\_\_ the morning.
3. He failed to abide \_\_\_\_\_ the rules of the institution and therefore he was expelled \_\_\_\_\_ the school.
4. The Emperor was known \_\_\_\_\_ his skill \_\_\_\_\_ music and song.
5. The property was divided \_\_\_\_\_ the two brothers.

(5x1=5 marks)

(e) Rewrite as directed:

1. One cannot gather grapes from the thistles. (Change the voice)
2. "Do you suppose you know better than your own father?" jeered his angry mother. (Change into indirect speech)
3. They haven't come yet. (Add an appropriate question tag)
4. They saw the lion in the street. All of them ran away with fear. (Combine the above sentences using "No Sooner Than")
5. He is literate. (Change into negative)

(5x1=5 marks)

**PART B**

II Write a précis of the following passage.

It is easy to say, "Enlarge your vocabulary; first, that you may enter upon the privileges of a cultivated person; and secondly, that you may be able to tell the truth easily and accurately". But it is another and more difficult matter to prescribe the means by which this is to be done. Everyone must, to a large degree, work out one's own method. The reading of the best books and conversation with cultivated folk both help to the free use of words. The dictionary is the best friend for your task. Never allow a strange word to pass unchallenged. Usually, it is wise to look it up at the moment. If that is impossible, it must be written firmly on the memory and traced at the first opportunity. It is good to encourage in yourself the habit of dawdling a little over the dictionary. It is the only place where dawdling reaps a harvest. To learn two new words a day – thoroughly to learn them so that their use will not have a foreign accent – is to insure a large vocabulary before you reach middle age.

(1x5=5 marks)

III Write an essay on any **one** of the following.

1. The makings of a good leader
2. Globalization and the Indian attitude toward Globalization
3. Crime and Punishment in India.

(1x15= 15 marks)

IV Write a letter to your friend who is studying law abroad inviting him to come and stay with you for sometime during the vacation and share with you his experience as a law student abroad.

(1x5=5 marks)

### PART C

V Read the passage given below and then answer the questions that follow.

Comparing different papers over a period of time would give pupils some criteria with which to judge the quality and objectivity of the paper they read regularly. It would enable them to distinguish between fact and opinion, between good writing and slipshod, cliché-ridden work. It would lead to a healthy, informed criticism of their daily reading matter. It could change their reading habits. Most school students have much easier access to newspaper than any other form of literature. Newspapers can be used as a stepping stone to literacy.

This, however, is a simplification of the situation. In his book “Uses of Literacy”, Richard Hoggart suggested that people are not being given what they really want. He argued that many newspapers blunt the natural appetite for the real facts. His suggestion was this: constantly fed on trivialities, half-truths and gossips, the great reading public is incapable of wanting anything better. And they are never in possession of the relevant information. There is some truth in this. But there are newspapers to which it does not apply.

Journalists argue over the functions of a newspaper. I can only offer you my idea of what a provincial paper should be and should do. Its purpose is not only to present and project the news objectively and imaginatively, but to help its readers to express themselves more effectively, canalizing their aspirations, making more articulate their demands. A newspaper should reflect the community it serves. When the mirror it holds to society reveals neglect, injustice, inhumanity, ignorance or complacency, the mirror should not be clouded but polished, so that these things can be eradicated rather than ignored. And the newspaper should help to eradicate them. It would be pretentious to think that a local newspaper (even a national) can change the course of world affairs ---but at the local level it can exert influence, it can probe, it can help to get things done. Though, of necessity, it must concentrate on local affairs, it should also try to broaden its reader’s horizon. In its columns its readers should be encouraged to express their opinions, their fears, their hopes—and just as important, air their grievances. The individual’s voice should not be stifled; the local newspaper should provide the individual with a platform. In short, readers should be encouraged to participate in the newspaper. The paper should become part of their lives, and as such, its contribution to the community can be that much greater.

i.) Give the meaning of each of these words as used in the passage.

1. access 2. appetite 3. gossip 4. evaluate 5 eradicated

(5x1=5 marks)

ii) Answer the following questions in your own words.

1. Why does the author think that newspapers should be studied in school?
2. How do some newspapers blunt the natural desire to know the real facts? How does it harm the readers?
3. What should be the purpose of a local or provincial newspaper?
4. Why should the newspaper reveal the wrong things taking place in a society?
5. Give a suitable title to the passage.

(5x2=10 marks)

VI Explain the meaning and significance of any five of the following legal terms.

1.Damages 2. Attest 3. Plaint 4. Bail

5.Domicile 6. Accomplice 7.Exchange 8. Bicameral

(5x2=10 marks)

## **F.B.2 – PRINCIPLES OF MANAGEMENT**

- 1 Nature & Scope of Management process-Management Science, Art, Development of Management, Functions of the Manager.
- 2 Planning : The meaning & purpose of planning, Steps in planning-Types of Planning  
Objective & Policies :Objective , policies, Procedures and methods – Nature and type of policies.  
Decisions making : Process of Decision making-type of Decisions – problems involved in decision making – Quantitative techniques.
- 3 Organising and staffing : Types of organization – Organisational structure-span of control – use of staff units and committees.
- 4 Leading and Delegation – delegation and centralization line and staff relationship staffing : sources of recruitment – Selection process training. – Leadership – traits, behavior and styles, Transactional /transformational leadership.
- 5 Directing : Nature and purpose and directing  
Controlling : Need for co-ordination – caning and importance of controls – control process – Budgetary and non-Budgetary controls – case studies – control of overall performance – Profit and loss control.

### **SUGGESTED READINGS**

Koonts & Odonnel	:	Management
Dale Ernest	:	Management –theory practice
Bagar	:	Principles of Management
Dr.Saxen	:	Business Administration & Management
Louis A Allen	:	Professional Management
Jack Dunean W	:	Essentials of Management
Chatterjee	:	An Introduction to Management Its principles and Techniques



### **F.B.3 – MARKETING MANAGEMENT**

- 1 : Definition of marketing – marketing management – marketing concepts- meaning, importance. Functions of marketing – marketing environment: various environmental factors affecting the management functions.
- 2 : Buyer behaviour – buying motives – explanation of motivation, buying process, consumer models. Market segmentation, Marketing strategy factors affecting strategies – making strategies effective, marketing mix – Buying decision powers, organizational buying – market targeting
- 3 : Product life cycle - product characteristics and classifications, product mix, product line management,- Brand - product and brand relationship, line-packing. packaging, labeling, warranties and guarantees . Promotional strategy - Identifying competition – analyzing – competitive strategies for market leaders- Brand equity – Building, measuring and managing brand equity
- 4 : Pricing – price policies-objective factors influencing price decisions – competitors reaction to price change – multiproduct pricing.  
Market structure – definition and types of channel – channel policy-whole salers, retailers and middle men, their functions. Distribution cost analysis – management of physical distribution- Promotion.
- 5 Marketing Planning – concept, importance and steps in marketing planning  
Marketing audit.  
Marketing risks  
Components of a modern marketing information system – Internal records and marketing intelligence. PEST Analysis – The marketing research systems.

#### **SUGGESTED READINGS**

Philip Kotler	:	Marketing Management
Ramaswamy & Namakumari	:	Marketing Management
Cundiff & Still	:	fundamentals of Modern Marketing
Stanton	:	Marketing Management
Sherlekar	:	Marketing management
Rajan Nair	:	Marketing Management
Jerome Mc.Arthy	:	Marketing Management

### **F.B.4 – BUSINESS ECONOMICS**

- 1 Definition, scope, role in Business decisions: Economics systems

- 2 Demand analysis :- Utility analysis of consumer's demand: indifference curves : consumer equilibrium; elasticity of demand and its measurements. Demand distinction-durable and non-durable goods, derived and autonomous demand, industry and company demand: demand forecasting-methods.
- 3 Price determination; Market its definition and classification , price output determination under perfect and monopolistic condition.
- 4 Capital Budgeting : meaning- need-capital expenditure budgeting – demand for capital resources allocation
5. investment criteria and decisions – methods of investment decisions

### **SUGGESTED READINGS**

1. Business Economics : Sankaran
2. Business Economics : Sundram K.P and Sundram E



## **F.L. 1-LEGAL AND CONSTITUTIONAL HISTORY OF ENGLAND**

1. Pre Tudor period – Norman Conquest – Feudalism Judicial Reforms – Jury System- Magna Carta – Evolution of Parliament and Common Law
2. The Tudors – Reformation Renaissance – Further Development of Common Law and Equity – increase in the Role of Parliament—The Stuarts – Struggle between King and Parliament – Petition of Rights—Cromwell – Bill of Rights—Act of Settlement—The Hanoverians—Evolution of Cabinet Government
3. Impact of industrial and agrarian revolutions on the legal and constitutional development— Parliamentary Reforms of the 19<sup>th</sup> and 20<sup>th</sup> Centuries – Chartist movement
4. The Victorian Age – Evolution of civil and criminal justice in the 18<sup>th</sup> ,19<sup>th</sup> and 20<sup>th</sup> centuries.
5. The 20<sup>th</sup> Century—liberals and social reforms – impact of world wars –The Labour Party – Fabian socialism – Developments in legal and judicial realms .

### **Suggested Reading:**

Maitland, *Legal and Constitutional History of England*  
 G.M. Trevelyan, *History of England*  
 Keir, *The Constitutional History of Modern England*  
 Carter and Mears, *History of England*

**FIRST SEMESTER (FIVE YEAR) LL.B. DEGREE EXAMINATION 2012  
MODEL QUESTION PAPER**

**F.L. 1-Legal and Constitutional History of England**

**Time 3 Hrs**

**Max Marks 75**

**Part A**

**Write short notes on any five of the following. Each question carries five marks.**

1. Cromwell
2. Magna Carta
3. Reform Act, 1832
4. Feudalism
5. Hanoverian Succession
6. The Long Parliament

(5 x 3=15 marks)

**Part B**

**Write short essays on any three of the following. Each question carries ten marks.**

1. Discuss the Norman Conquest and changes in the political, judicial and economic organisation.
2. What is jury system? Discuss the evolution of jury system.
3. Discuss the progress of Reformation in England during the period of Edward VI.
4. Discuss the Constitutional implication of the struggle between the King and the Parliament and the issues which were involved in it.

(3X10=30 marks)

**Part C**

**Answer any two of the following. Each question carries fifteen marks.**

1. Discuss in detail the evolution of Civil and Criminal justice in England during the 20<sup>th</sup> century.
2. Discuss the Parliamentary reforms of the 19<sup>th</sup> and 20<sup>th</sup> century
3. What were the effects of industrial and agrarian revolution in England?

(2 x 15=30marks)

## F.L. 2-WOMEN AND LAW

1. Women in Pre-Independence India- social and legal inequality- Social Reform movement in India- Concept of limited estate- Fundamental Rights –Concept of Gender Equality- Women in post-Independence India- Preamble of the Constitution - Equality provisions in Fundamental Rights and Directive Principles of State Policy
2. Personal laws and inequality of women- Towards gender justice-Uniform Civil Code- Indian tradition and family ideology: growth of feminism-Inheritance and Sex Inequality - Continuance of Feudal Institution of Joint family -- Right by birth and gender inequality- *Marumakkathayam* law and rights of women-Inheritance right of women under Christian Law- Muslim law- Guardianship – Divorce
3. Women and Employment - Labour force- Laws to protect women- Non implementation of protective labour legislation- Implementation of wage laws of legislation on women employment-Inequality in the work place- Additional burden of domestic responsibilities- Male bias- Absence of legal protection within the family circle- Lack of neutrality in law
4. Criminal Law- Adultery- Rape- *Khap panchayat*- honour killing-Dowry death- Outraging the modesty-Indecent representation-Cruelty to married women-Bigamy- Social Legislation- Dowry Prohibition- Female Foeticide-Domestic Violence - sexual harassment- at the Workplace -cyber crimes against women
5. International conventions and agencies- -role of NGOs, statutory bodies-National Women's Commission-Local Administration-political equality

The students are expected to be familiar with cases dealing with rights of women as well as statutes like National Commission for Women Act, 1990, Dowry Prohibition Act, 1961, Domestic Violence Act, 2005, Child Marriage Restraint Act, 1929; Immoral Traffic (Prevention ) Act, 1956 (1986 Amendment), Medical Termination of Pregnancy Act, 1971; Commission of Sati (Prevention) Act, 1987; The Indecent Representation of Women (prohibition) Act (1987) ;Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (PNDT Act)- Maternity Benefits Act, Factories Act, Equal Remuneration Act.

### Suggested Reading:

Sivaramayya, B., *Matrimonial Property Law in India*  
 Lotika Sarkar, *The Law Commission of India* (1988)  
 Sathé, S.P., *Towards Gender Justice*  
 Flavia Agnes, *Law and Gender Inequality*  
 Jaya Sagada, *Law of Maintenance: An Empirical Study*  
 S.R. Myneni, *Women and Law*  
 G. Rajasekharan Nair, *Gender Justice under Indian Criminal Justice System*  
 Law Commission of India, 42nd Report  
 Govt of India, *Towards Equality - Report of the Committee on the Status of Women*

**FIRST SEMESTER (FIVE YEAR) LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L. 2- WOMEN AND LAW**

**Time 3 Hrs**

**Max Marks 75**

**Part A**

**Write short notes on any five of the following. Each question carries five marks.**

- 1) Concept of limited estate.
- 2) *Marumakkathayam* law
- 3) Bigamy
- 4) Equal pay for equal work
- 5) Political inequality
- 6) *Khap panchayat*

(5 x 3=15 marks)

**Part B**

**Write short essays on any three of the following. Each question carries ten marks.**

- 1) Explain social and legal inequality of women in pre-independence India
- 2) Explain the concept of Gender Justice.
- 3) Explain the inheritance rights of women under Muslim Law.
- 4) Is there lack of neutrality regarding women in the laws regarding employment? Explain.

(3X10=30 marks)

**Part C**

**Answer any two of the following. Each question carries fifteen marks.**

- 1) Explain the various crimes of sexual bias against women.
- 2) Explain the various cyber crimes against women.
- 3) What are the various international conventions and agencies for the protection of women.

(2 x 15=30marks)

# **SECOND SEMESTER**

## **F.B. 5- GENERAL ENGLISH –II**

1. Grammar: Articles – Usage of ‘a’, ‘an’, ‘the’ -Errors in the use of articles, Omission of articles-Punctuations and Capitals-Conjunctions – Phrase Conjunctions, Coordinating Conjunctions, Subordinating Conjunctions, Co-relative Conjunctions-Correct use of some conjunctions
2. Composition: Formal Correspondence – Structure, Layout, Samples-Essay Writing – Different types of essays-Characteristics of an essay- Hints on essay writing
3. Literature: Prose-‘Of Truth’ by Francis Bacon- ‘Spectator Club’ by Sir Richard Steele- ‘Dream Children: A Reverie’ by Charles Lamb
4. Poetry-‘On His Blindness’ by John Milton-‘Lines Written in Early Spring’ by William Wordsworth- ‘Ode to a Nightingale’ by John Keats- ‘Mending Wall’ by Robert Frost- ‘Hawk Roosting’ by Ted Hughes
5. Play (For non- detailed study)- ‘The Merchant of Venice’ by William Shakespeare-Short Story-‘The Model Millionaire’ by Oscar Wilde- ‘The Lottery Ticket’ by Antony Chekov- ‘ A Cup of Tea’ by Katherine Mansfield-‘The Lost Child’ by Mulk Raj Anand-‘ The Portrait of a Lady’ by Khushwant Singh

### **Suggested Reading**

Wren, P.C. and H. Martin, *High School English Grammar and Composition*.  
 Green, David, *Contemporary English Grammar, Structures and Composition*.

**SECOND SEMESTER (FIVE YEAR) LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.B. 5 ENGLISH –II: GENERAL ENGLISH II**

**Time 3 Hrs**

**Max Marks 75**

**SECTION A**

I Fill in the blanks with appropriate articles. (A, An, The)

1. He had always hoped that his son would go to \_\_\_ university.
2. Italy is \_\_\_ European country.
3. I shall be back in less than \_\_\_ hour.
4. Everyone respects \_\_\_ honest person.
5. London is on \_\_\_ Thames.
6. I play \_\_\_ football.
7. \_\_\_ stitch in time saves nine.
8. He is \_\_\_ real Hitler.
9. This is \_\_\_ historic occasion.
10. Kalidas is \_\_\_ Shakespeare of India.

(10 x 1=10 marks)

II Punctuate the following sentences.

1. the biggest cities in india are calcutta bombay madras delhi and hyderabad
2. keats says a thing of beauty is a joy forever
3. where are you going
4. hello he said when did you get here
5. gandhiji the father of the nation lived a simple life

(5x1=5 marks)

III Complete the following sentences.

1. He was not only praised \_\_\_\_\_.
2. He got up and \_\_\_\_\_.
3. Tom as well as \_\_\_\_\_.
4. She was both \_\_\_\_\_.
5. He is either\_\_\_\_\_.
6. He will neither \_\_\_\_\_.
7. Though he is hurt \_\_\_\_\_.
8. No sooner did she hear the good news \_\_\_\_\_.
9. The bag is too\_\_\_\_\_.
10. As you sow, \_\_\_\_\_.

(10x 1=10 marks)

**SECTION B**

I Write a letter to the Mayor of Cochin regarding the deplorable conditions of the roads in the city.

(1x 10= 10 marks)

II Write your arguments in about 200 words highlighting the pros and cons of banning mobile phones in colleges.

(1x15=15 marks)

**SECTION C**

I Answer **any three** of the following questions in about 100 words.

1. What are the two opposing ideas of the two neighbours in Robert Frost's "Mending Wall"?

2. Discuss Milton's "On His Blindness" as an autobiographical poem.
3. Explain the significance of the title "The Lost Child" by Mulk Raj Anand.
4. Explain Francis Bacon's views on truth with reference to his essay "Of Truth".
5. Do you think money exercises power and has an adverse effect on personal relationships? Elucidate with reference to Antony Chekov's "The Lottery Ticket".
6. What effect does the Nightingale's song produce on the poet?
7. Write an appreciation on Katherine Mansfield's short story "A Cup of Tea".
8. Describe *Khushwant Singh's* portrayal of grandmother in "The Portrait of a Lady".

(3x5=15 marks)

II Write an essay on **any one** of the following:

**I** Discuss how the trial scene in William Shakespeare's The Merchant of Venice reveals a conflict between justice and mercy. Is the conflict resolved? If so, how?

**Or**

**II** William Shakespeare's The Merchant of Venice is a study of friendship. Discuss with reference to the relationship between Antonio and Bassanio. What does their friendship reveal about their characters?

(1x10=10 marks)



## **F.B-6 - PRINCIPLES OF FINANCIAL ACCOUNTING**

- 1 :            Meaning and scope of Accounting – need book keeping and Accounting – Objectives of Accounting – Branches of Accounting – Accounting Principles – International Accounting Standards and accounting standards in India – Accounting Transactions.
  
- 2 :            Capital and Revenue – Classification of Income, Expenditure and Receipts – Accounting concepts and Income Measurement – Expired cost and Income measurement – Penal Accounts – Manufacturing and Trading Accounts, Profit and Loss Account – Balance Sheets – Suspense Account – Classification location and Rectification of Errors.
  
- 3:            Concept of Depreciation – Causes – Depletion, amortization and dilapidation – Depreciation accounting methods of according depreciation – Depreciation Accounting - Difference between Trading and non-trading instructions.
  
- 4 :            Hire Purchase – Meaning of hire-purchase contract – Legal provision regarding hire-purchase contract – Installment purchase system – After sales service.
  
- 5 :            Partnership Accounts – Essential characteristics of partnership – Partnership deeds – final Accounts – Joint Life Policy – Reconstitution of a partnership firm – admission of a partner – retirement of a partner – modes of dissolution of a firm

### **SUGGESTED READINGS**

1. S.P.Jain and K.L.Narang – Financial Accounting
2. R.L.Gupta and M.R\$adhasway – Advanced Accounts
3. T.S.Greol – Financial Accounting

**SECOND SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
FB 6 - RINCIPILES OF FINANCIAL ACCOUNTING**

**Time: 3 hours**

**Max Marks: 75**

**SECTION - A**

**(Answer any five questions. Each question carries 3 marks.)**

1. Distinguish between Book-keeping and Accountancy.
2. What do you mean by expired cost?
3. Define depreciation.
4. What is instalment purchase?
5. Briefly state the objectives of accounting.
6. What do you mean by International Accounting Standards? (3 × 5 = 15 marks)

**SECTION - B**

**(Answer any three questions. Each question carries 10 marks.)**

7. Explain the different methods of providing depreciation on fixed assets.
8. Describe the accounting standards followed in India.
9. Describe the features of hire-purchase system and also explain the legal provisions of hire purchase contract.
10. M/s A & B purchased on 1-1-2004 from X and Co. a machine whose cash price was Rs.7,450. Payment was to be made in four instalments of Rs. 2000 each, the first payment to be made immediately and the other three at the end of 2004, 2005 and 2006. Interest was taken to be 5% p.a. Depreciation is 10% p.a. on the diminishing value. Give ledger accounts of M/s A & B under the Hire Purchase System.

(10 × 3 = 30 marks)

**SECTION - C**

**(Answer any two questions. Each question carries 15 marks.)**

11. Describe the essential characteristics of partnership, and the modes of dissolution of a firm.
12. From the following Trial Balance of Sri Rangoli prepare Final accounts after making the necessary adjustments:
  - (a) Insurance unexpired to the extent of Rs. 180.
  - (b) Salaries and Rent are outstanding to the extent of Rs. 280 and Rs. 120 respectively.
  - (c) Loose tools are revalued at Rs. 9,000.
  - (d) Allow interest on capital at 5% p.a.
  - (e) Make a reserve of 5% on Debtors for doubtful debts.
  - (f) Closing Stock was valued at Rs. 60,000 on 31-12-2006.

**TRIAL BALANCE**

<i>Debit Balances:</i>	<i>Rs.</i>	<i>Credit Balances</i>	<i>Rs.</i>
Freehold land	70,000	Mortgage loans	40,000
Loose Tools	11,200	Bills payable	6,800
Plant & Machinery	91,000	Sales	2,43,000
Sundry Debtors	36,400	Creditors	31,200
Cash at Bank	22,000	Discount	350
Opening Stock 1-1-2006	21,000	Capital	80,000
Insurance	600		
Bad debt	1,100		
Bills receivable	10,800		
Purchases	1,00,000		
Cash in hand	1,120		
Rent, Rates etc.	2,600		
Interest	500		
Wages	21,400		
Trade expenses	300		
Salaries	3,100		
Repairs	1,750		
Carriage Inwards	700		
Discount	580		
Drawings	5,000		
	<b>4,01,350</b>		<b>4,01,350</b>

13. The following is the balance sheet of D, E and F who were equal partners on 1st June, 2002.

They have agreed to take H into partnership and give him one-fourth share in the profits on the following terms:

Liabilities	Rs.	Assets	Rs.
Bills payable	3,300	Cash	600
Creditors	6,000	Debtors	10,800
Capital Accounts		Stock	11,400
D	16,800	Furniture	2,400
E	12,600	Building	19,500
F	6,000		
	<b>44,700</b>		<b>44,700</b>

- 1) H should bring on 9,000 for goodwill and 15,000 as capital.
- 2) Stock and furniture should be depreciated by 10%.
- 3) A provision of 5% should be created on debtors for doubtful debts.
- 4) The building should be revalued at Rs. 27,000.
- 5) A liability of Rs.1080 should be provided against bills discounted.
- 6) Unrecorded asset of Rs. 600 and unrecorded liability of Rs. 1,000 should be considered.

You are required to prepare the revaluation account, capital accounts and the opening balance sheet of the new firm. (15 × 2 = 30 marks)

## **F.B.7: FINANCIAL MANAGEMENT**

- Unit I : Finance functions, meaning – Definition and scope of finance functions – Profit Maximization V wealth maximization Goal, Financial Statement Analysis – Preparation of comparative & common size statements – analysis & Interpretation – problems
- Unit II - Sources of Finance – short term – Bank sources – Long term-shares-debentures, preferred stock-debt working Capital Management – Concepts – Determinants – Cash management – Receivables managements
- Unit III Financing Decisions : Cost of Capital –cost of specific source of Capital – Equity – Preferred Stock-debt-reserves-weighted Average costs of capital Capital structure – Factors influencing Capital Structure – Optimal capital structure.
- Unit – VI Ratio Analysis – As a mean to measure business performance – Classification of ration – Liquidity – Profitability – Solvency – Interfirm comparison – Problems.
- Unit – V Preparation of Fund Flow& Cash Flow statement – Problems.

### **SUGGESTED READINGS**

- |                 |                        |                         |
|-----------------|------------------------|-------------------------|
| P.V.Kulmarni    | - Financial management | - A conceptual Approach |
| I.M.Pandey      | -Financial Management  |                         |
| Kahn & Jain     | -Financial Management  | -                       |
| Maheshwari      | -Management Accounting |                         |
| Presannachandra | -Financial Management  | -                       |

**SECOND SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER**

**FB 7 - FINANCIAL MANAGEMENT**

**Time: 3 hours**

**Max Marks: 75**

**SECTION - A**

(Answer any five questions. Each question carries 3 marks.)

1. What is financial statement analysis?
2. What do you mean by cash management?
3. Define capital structure.
4. What is meant by interfirm comparison?
5. Distinguish between fund flow statement and cash flow statement.
6. Define working capital.

(3 × 5 = 15 marks)

**SECTION - B**

(Answer any three questions. Each question carries 10 marks.)

7. What is working capital management? Describe its concepts, and determinants.
8. Distinguish between profit maximization and wealth maximization.
9. Following are the two Balance Sheets of A Ltd and B Ltd as on 31-3-2012. Prepare a common-size statement.

Liabilities	A Ltd	B Ltd	Assets	A Ltd	B Ltd
Equity share capital	250,000	170,000	Land and Building	350,000	275,000
Preference share capital	120,000	80,000	Plant and Machinery	270,000	300,000
Reserves and Surplus	50,000	70,000	Investments	72,000	12,000
Loans	350,000	279,000	Debtors	47,500	25,000
Bills payable	25,000	14,000	Prepaid expenses	35,400	-
Creditors	18,000	8,000	Cash	48,600	21,000
Outstanding expenses	8,500	4,500			
Dividend declared	2,000	7,500			
	<b>823,500</b>	<b>633,000</b>		<b>823,500</b>	<b>633,000</b>

10. The Balance Sheet of X & Co. Ltd. as on 31-12-2012 was as follows:

Liabilities	Rs.	Assets	Rs.
Equity Share Capital	100,000	Fixed Assets	180,000
9% Preference Shares	50,000	Stores	25,000

8% Debentures	50,000	Debtors	55,000
Reserves	20,000	Bills Receivable	3,000
Creditors	45,000	Bank	2,000
	<b>265,000</b>		<b>265,000</b>

Calculate the following ratios and comment on the financial position of the company.

(a) Debt equity ratio (b) Fixed Assets ratio (c) Current ratio, and (d) Liquidity ratio

(10 × 3 = 30 marks)

### SECTION - C

(Answer any two questions. Each question carries 15 marks.)

- Describe in detail the various sources of capital.
- From the following Balance Sheets of P Ltd. as on 31<sup>st</sup> December, 2010 and 2011, prepare a fund flow statement.

Liabilities	2010 Rs.	2011 Rs.	Assets	2010 Rs.	2011 Rs.
Share Capital	200,000	250,000	Land and Building	200,000	190,000
General Reserve	50,000	60,000	Plant	150,000	174,000
P & L Account	30,500	30,600	Stock	100,000	74,000
Bank loan (Short-term)	70,000	-	Debtors	80,000	64,200
Creditors	150,000	135,200	Cash	500	600
Provision for Tax	30,000	35,000	Bank	-	8,000
	<b>530,500</b>	<b>510,800</b>		<b>530,500</b>	<b>510,800</b>

Additional Information:

- Depreciation was written off plant Rs.14,000 in 2010.
- Dividend of Rs. 20,000 was paid during 2011.
- Income tax provision made during the year was Rs. 25,000.
- A piece of land was sold during the year at cost.

13. Wearweell Ltd. supplies you the following Balance sheets as on 31<sup>st</sup> December.

Liabilities	2010 Rs.	2011 Rs.	Assets	2010 Rs.	2011 Rs.
Share Capital	70,000	74,000	Bank	9,000	7,800
Bonds	12,000	6,000	Accounts Receivable	14,900	17,700
Accounts Payable	10,360	11,840	Inventories	49,200	42,700
Provision for Doubtful Debts	700	800	Land	20,000	30,000
Reserves and Surplus	10,040	10,560	Goodwill	10,000	5,000
	<b>103,100</b>	<b>103,200</b>		<b>103,100</b>	<b>103,200</b>

Additional Information:

- 1) Dividends amounting to Rs. 3500 were paid during the year.
- 2) Land was purchased for Rs. 10,000.
- 3) Rs. 5000 were written off on goodwill during the year.
- 4) Bonds of Rs. 6000 were paid during the year.

You are required to prepare a cash flow statement. (15 × 2 = 30 marks)

## **F.B.8: BUSINESS ETHICS**

1. Nature of Morality – Ethics and Business Ethics – Moral Development and Reasoning – Dements for and against Business Ethics.
2. Utilitarianism – weighing social costs and benefits – Rights and Duties – Moral rights – negative and positive rights – Contractual rights – distributive Justice
3. Ethics and the Environment – dimensions of pollution and Resource Depletion – Ethics of pollution control.
4. Markets and consumer protection – Business firm’s duties to consumer, due case theory – Advertisement ethics – consumer Privacy – Employees obligation to the firm – Firm’s duties to Employees : Employee Rights.
5. Ethics of Job Discrimination - its nature and extent – Management Integrity in Ethical Decision making – Management Judgement/Process/Developmental Integrity

### **SUGGESTED READINGS**

1. Manual G Velasquez Pearson - Business Ethics Concepts and Cases
2. Jain P Beatright - Cases in Ethics and the conduct of Business
3. Laura P Hartman - Perspectives in Business Ethics
4. Bajaj and Agarwal - Business Ethics – an Indian Perspective-
5. Joseph W Waiss.- Business Ethics : A state holder and issues Management Approach



**SECOND SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
FB 8 - Business Ethics**

**Time: 3 hours**

**Max Marks: 75**

**Part A**

**Answer any five of the following. Each question carries three marks**

1. What is ethical dilemma ?
2. What is distributive justice ?
3. Explain developmental integrity.
4. What is pollution tax ?
5. Distinguish between bribery and extortion.
6. What is ASCI's code for advertising ? [5 x 3 = 15]

**Part B**

**Answer any three of the following. Each question carries ten marks:**

1. Explain the nature and scope of business ethics.
2. What causes depletion of natural resources ? How can these resources be conserved ?
3. Define utilitarianism. Do you find utilitarianism an effective approach in deciding morality of action. Explain.
4. State and answer the objections raised against utilitarianism. [3 x 10 = 30]

**Part C**

**Answer any two of the following. Each question carries fifteen marks:**

1. Explain the role of Consumer Protection Act.
2. What are the ethical issues involved in marketing. How it can be solved ?
3. Explain concept and process of ethical decision making with examples.

[2 x 15 = 30]

### F.L.3 -CIVIL SOCIETY AND PUBLIC GRIEVANCE

1. Civil society- meaning and concept- evolution- role in building and consolidating democracy-voluntary associations-social contract-civil society organizations
2. Civil society and governance- three domains of governance- state, private sector, civil society- relationship between civil society and good governance- principles of governance- transparency, accountability and local self governance.
3. Civil society in India- history-characteristics- the current social, economic and political situations- challenges faced by the civil society
4. Decline in public participation- reasons- rights of people- planning process- non-disclosure of government documents- right to information- official secrets
5. Redressal of public grievance- alternate models of dispute resolution- legal aid, legal literacy, *Gram Nyayalaya*, Social Action Litigation, *Lok Adalath*, Ombudsman, *Lokpal*, *Lokayuktha*

The student is expected to peruse the following statutes for his study: The Right to Information Act, *Gram Nyayalaya* Act, Official Secrets Act.

#### **Suggested readings:**

U. Baxi, *Crisis of the Indian Legal System*  
 S.P. Sathe, *Administrative Law*  
 Tandon, *Does Civil Society Matter?*  
 Law Commission of India, 114<sup>th</sup> Report

**SECOND SEMESTER B.B.A., LL.B. (HONS) EXAMINATION  
MODEL QUESTION PAPER  
F.L.3- CIVIL SOCIETY AND PUBLIC GRIEVANCE**

Time: 3 hours

Max. Marks: 75

**PART A**

**Answer any five of the following. Each question carries three marks.**

1. The meaning and concept of civil society
  2. The relationship between civil society and good governance
  3. The characteristics of civil society in India
  4. Public participation
  5. Social action litigation
  6. Ombudsman
- (5 x 3=15)

**PART B**

**Answer any three of the following. Each question carries ten marks.**

1. Explain the role of civil society in building and consolidating democracy.
  2. Enumerate the various civil society organizations and its functions.
  3. Explain the public participation in influencing decision making, transparency and accountability.
  4. Explain the challenges of civil society in India in the current social, economic and political situation.
- (3x10=30)

**PART C**

**Answer any two of the following. Each question carries fifteen marks.**

1. Explain the decline in public participation and the rights of people in access to planning process.
2. Explain the disclosure of government documents with reference to Right to Information Act.
3. What is meant by Public Grievance and the laws on Redressal of Public grievances?

(2x15=30)

## **F.L. 4- LEGAL AND CONSTITUTIONAL HISTORY OF INDIA**

1. Legal and constitutional aspects in the ancient Hindu India- Development of Legal concepts and Text books-Smirtis, Sruthis, Dharmasastras and Dharmasuthras- Development of Law and Legal System in the medieval India and under the Muslim Rulers.
2. East India Company settlement and introduction of Common Law in the territories of Bombay, Calcutta and Madras- the Company Courts and the Diwani courts- the Crown courts- the Regulating Act 1773 and the Supreme Court- Development of adalat system- conflict between the Crown and the Company.
3. Change of control to the Crown in 1857 and the development of the legislature- development of courts in India- High Courts Act- The Government of India Act, 1935- Development of Cabinet System of Government.
4. Development of Law after Independence- The Constituent Assembly- The Constitution of India- legislature and Judiciary under the Constitution- Rule of Law- Separation of Powers and Independence of Judiciary.
5. Law Commission and development of Law in Independent India- Law Reporting in India- past and present systems- McCrate Report- Legal Education in India.

### **Suggested Reading:**

M.P. Jain, *Outlines of Indian Legal and Constitutional History*  
Rama Jois, *Legal and Constitutional History of India Vol. I and II*  
V.D. Kulshreshtha, *Landmarks in Indian Legal and Constitutional History*  
81<sup>st</sup> Law Commission Report

**SECOND SEMESTER B.B.A., LL.B. (HONS.) EXAMINATION  
MODEL QUESTION PAPER**

**F.L. 4- LEGAL AND CONSTITUTIONAL HISTORY OF INDIA**

**Time: 3 hours**

**Max. Marks: 75**

**PART A**

**Answer any five of the following. Each question carries three marks.**

1. The Charter Act of 1833
  2. The Regulating Act of 1773
  3. The Mayor's Court
  4. The Adalat System
  5. The Indian Council's Act, 1892
  6. Law in the *Smriti* Period
- (5 x 3=15)

**PART B**

**Answer any three of the following. Each question carries ten marks.**

1. Trace the development of Courts and judicial institutions under the East India Company.
2. Discuss the provisions of the Charter of 1726, stating how far it was responsible for bringing uniformity by establishing similar judicial institutions in all the Presidency towns.
3. Discuss the reorganization of Courts under the Cornwallis Judicial Plan of 1793.
4. Discuss the jurisdiction of the Federal Court under the Government of India Act, 1935.

(3 x 10= 30)

**PART C**

**Answer any two of the following. Each question carries fifteen marks**

1. Explain the provisions of the Government of India Act, 1919 and point out the reason why it failed to satisfy the Indians.
2. Attempt critical evaluations of the jurisdiction and function of the Supreme Court of Calcutta.
3. The 81<sup>st</sup> Law Commission of India made unique contributions in the field of Indian legal education. Comment.

(2 x 15 = 30)

# THIRD SEMESTER

## F.B.9-ENGLISH III: LEGAL LANGUAGE AND LEGAL METHODS

1. Major Legal systems of the world – common law and civil law systems - Concepts of State – sovereignty - Separation of powers- Rule of Law- meaning- law – equity – morality- nature of justice: equality - fairness – access-due process of law-Distinction and classification of law- Types of Laws- Public Law and Private Law- Substantive Law and Procedural Law-International Law and Municipal Law-Civil Law and Criminal Law-accusatorial, inquisitorial systems-delegated legislation – prize law.
2. Origin and sources of law-primary sources/secondary sources of law-Custom-Precedent-*stare decisis* – *ratio decidendi* and *obiter dictum* –role of Legislation in modern societies-static societies and progressive societies-Statute meaning - Parts – need for interpretation - basic rules of interpretation – Law and Fact- questions of law/fact/judicial discretion-Legal Fiction-Estoppel.
3. Legal Maxims- *Volenti non fit injuria*, *Ignorantia facti excusat ignorantia juris non excusat*, *Actus non facit reum nisi mens sit rea*, *Generalia specialibus non derogant*, *Delegata potestas non potest delegari*, *Actio personalis moritur cum persona*, *Qui facit per alium facit per se*, *Ex turpi causa non oritur actio*, *Respondeat superior*, *Audi Alteram Partem*, *Nemo debet esse iudex in propria causa*, *Ubi jus Ibi Remedium*.
4. Courts- meaning of – kinds – classification - civil, criminal - Hierarchy - Jurisdiction of courts- original, appellate, territorial, pecuniary, based on subject matter, writ jurisdiction- origin-types of writs-types of Benches in higher courts- Law Library—primary sources/secondary sources of data-legislative material-rules, orders, notifications-Official Reports -Private reports-specialised law reports-digests
5. Significance and methods of legal research –types of research—Citations- of newspaper articles, journal articles, books, internet sources, case law- bibliography - cross references- legal article writing- Drafting of representations – importance of moot courts

### **Suggested Reading:**

Glanville Williams, *Learning the Law*

Atul M. Setalvad, *Introduction to Law*

N.K. Jayakumar, *Lectures in Jurisprudence*

**THIRD SEMESTER B.B.A. LL.B DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.B.09 LEGAL LANGUAGE AND LEGAL METHODS  
Time: 3 hours Total Marks: 75**

**PART A**

**Write short notes on any five. Each question carries three marks.**

1. Custom
2. Equity Courts
3. Separation of Powers
4. Writ
5. *Ubi jus Ibi Remedium*
6. Estoppel

(5x3=15)

**PART B**

**Write notes on any three. Each question carries ten marks.**

- a. Ratio Decidendi and Obiter Dicta
- b. Accusatorial and Inquisitorial systems
- c. *Delegata potestas non potest delegari*
- d. Law and Fact

(3x10=30)

**PART C**

**Explain any two of the following. Each question carries fifteen marks.**

- a. Explain the hierarchy of civil courts in India.
- b. Explain the different types of research methods.
- c. Explain the following references :
  - i. *T.C. Basappa v. Nagappa* (A. 1966 SC 81)
  - ii. Allardt, Erick (1993). 'Having, Loving and Being: An Alternative to the Swedish Model of Welfare Research', in Nussbaum, Martha C. and Sen, Amartya (eds.), *The Quality of Life* (Oxford: Oxford University Press)

(2 x15=30)



## **F.B.10: ORGANIZATIONAL BEHAVIOR**

- 1 : Introduction to Organizational Behaviour – defining a successful manager – Absolutes in OB – Challenges and Opportunities in OB – Implication for manager – Developing an OB model
- 2 Foundations of individual Behaviour – attitudes and job satisfaction – personality and values – industrial decisions making – motivation – early theories of motivation – caveat Emptes – emotions and mood – Employee involvement - rewarding employees.
- 3 The group – foundations of group behavior - understanding work terms – Communication – basic approaches to leadership = contemporary issues in leadership – power and politics – Conflicts and negotiation
- 4 The organizational system – Foundation of organizational structure – Organizational culture, human resource policies
- 5 Organizational Dynamics – What is change – Forces of change – resistance to change – approaches to managing organizational change – Contemporary change issues for today's management – work issues and its management.

### **SUGGESTED READINGS**

1. Essentials of Organizational Behaviour , Stephen P Robbins
2. Organizational behaviour – a review and reformulation of the field's outcome variable – Annual Review of Psychology, 35,627 – 666.
3. Resources, Denise et al – Annual Review of Psychology – vol. 48, pp – 515- 546

**THIRD SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
FB 10 - Organisation Behaviour**

**Time: 3 hours**

**Max Marks: 75**

**Part A**

**Answer any five of the following. Each question carries three marks**

1. Define Organisational Behaviour.
2. Describe the three needs isolated by Mc Clelland.
3. Distinguish between Role ambiguity and Role conflict.
4. What is emotional literacy ?
5. Distinguish between Theory X and Theory Y. [5 x 3 = 15]
6. What is meant by Free-rain Leaders ?

**Part B**

**Answer any three of the following. Each question carries ten marks:**

1. Discuss similarities and dissimilarities among the models of OB.
2. What do you mean by group behaviour ? Explain various reasons for group formation.
3. What is organisational culture ? Explain its relevance in an organisation.
4. What are the common barriers to effective communication ? How can they be overcome ? [3 x 10 = 30]

**Part C**

**Answer any two of the following. Each question carries fifteen marks:**

1. Explain various forms of disputes ? What approach can be taken to resolve the conflict ? Explain.
2. Why people resist change ? What are the different causes for resistance of change ?
3. Why should managers give importance in understanding human behaviour ? [2 x 15 = 30]



**THIRD SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
FB 11 - Human Resource Management**

**Time: 3 hours  
75**

**Max Marks:**

**Part A**

**Answer any five of the following. Each question carries three marks**

1. What is Job analysis ?
2. What is meant by induction ?
3. Explain VRS.
4. What is gratuity ?
5. What do you mean by career planning ?
6. What is meant by code of conduct ?

[5 x 3 = 15]

**Part B**

**Answer any three of the following. Each question carries ten marks:**

1. State the concept, nature and significance of human resource in an organisation.
2. What is compensation management ? Explain the principles underlying wage and salary administration.
3. Briefly explain the types of records and service files in an organisation.
4. What are the major types of benefits and services for employees ? [3 x 10 = 30]

**Part C**

**Answer any two of the following. Each question carries fifteen marks:**

1. Give a brief account of training methods in industries.
2. Explain various methods of performance appraisal.
3. What is motivation ? Explain important methods for improving employee morale.

[2 x 15 = 30]

## **F.L. 5 –LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT LAWS AND CONSUMER PROTECTION LAW**

1. Law of Torts- nature, meaning, definition and development – Distinction between Torts and Crime- Torts and Contractual obligation- Tort and Trust- Essential elements of Tort- General Defences - Capacity of Parties
2. Joint Tort feasons and Independent Tortfeasons- Vicarious liability in Torts- Remoteness of Damages- *Novus Actus Interveniens*- Principles of Strict Liability - the rule in *Ryland v. Fletcher* – Bhopal Gas Leakage case- Occupiers liability of dangerous premises and dangerous chattels- Discharge of Torts- Remedies in torts
3. Specific Torts – Assault and Battery- False Imprisonment- Defamation , its ingredients and defences-Negligence its essentials and defences- Contributory Negligence - *Res Ipsa Loquitor* – Last Opportunity Rule
4. Torts relating to movable property and immovable property Trespass to Land – Trespass to goods Torts of injurious false hood-Deceit - Rule in *Derry v. Peak*- Nuisance- Public Nuisance and Private nuisance- Defences in the of nuisance- Malicious prosecution
5. Concept of Consumer- Consumer Movement in India- Consumer of Goods and Services- Professional Services- Salient features of Consumer Protection Act 1986- Common Law Remedies – Consumer and other legislations- Rights of Consumers- Remedies under Consumer Protection Act 1986- Authorities under the Act .Liability under Motor Vehicle Act 1988- Compensation in Motor Vehicle Accidents – Nature and extent of insurer’s Liability- Claims Tribunal – Award of Compensation.

### **Suggested Reading:**

Winfield and Jolowicz	<i>Law of Tort</i>
Ramaswamy Iyer	<i>Law of Tort</i>
Acuhthan Pillai P.S	<i>Law of Tort</i>
Ratanlal & Dhirajlal	<i>Law of Tort</i>
D.N. Saraf	<i>Consumer Protection Laws</i>
Avtar Singh	<i>Law of Consumer Protection</i>
P.K. Sarkar	<i>Motor Vehicles Act, 1988</i>

**THIRD SEMESTER B.B.A. LL.B DEGREE EXAMINATION**

**MODEL QUESTION PAPER**

**F.L. 5 –LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT  
LAWS AND CONSUMER PROTECTION LAW**

**Time : Three Hours**

**Maximum Marks : 75**

**PART A**

**Answer any five questions. Each question carries 3 marks**

1. Define “ Tort”. How it is differs from criminal liability
2. Discuss the maxim “*Novus Actus interveniens*”
3. What is meant by contributory negligence?
4. Examine the effect of death of a parties in relation to tort.
5. Discuss the term “ deficiency of service” with reference to Consumer Protection Act.
6. Discuss the nature and extent of insurer’s liability.

(5 x 3= 15)

**PART B**

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

1. Directors of ABC Co. Ltd raised a loan amount of Rs. 10 Lakhs by issuing debentures stating that the debenture money collected will be utilized for the extension of their business activity. But the money so collected were utilized for paying off the existing debt of the company. Are the directors liable for any tort? Give reasons
2. The Conductor of an overcrowded bus invited the passengers and allowed them to travel on the roof of the bus. The driver of the bus ignored the fact that there were passengers on the roof of the bus. The bus met with an accident and injured many passengers including passengers travelled on the roof of the bus. Discuss the liability of the parties.
3. X purchased a computer for his personal use from ABC Computers. It stopped functioning due to a sudden and high voltage spike against which no advice was given to the buyer. Though he requested the distributors to set right the same, they did not turn up. Is he entitled to get any remedy from the Consumer Forum? Give reasons.
4. Y sent a sealed cover containing defamatory letter to Z . Z’s father opened the letter and seen the contents of the letter. Z sue against Y for defamation. Is the suit is maintainable? Why?

(3x10=30)

**PART C**

**Answer any two questions. Each question carries 15 marks**

1. Explain the Vicarious Liability of State for the tort committed by its servants.
2. Examine the essential elements of the tort of Nuisance and its defences
3. Explain the rule in *Rylands v Fletcher* with its exception.

(2x 15=30)

## F.L.6 –FAMILY LAW – I

1. Origin and concept of personal laws- Sources & schools of Hindu Law-*Sruthi, Smriti, Acharas*- local customs - Muslim Law-sources- Christian Law- *Shariat* law- Canon law- Personal laws and Secular State- Uniform Civil Code- significance.
2. Law of Marriage-Nature of marriage- Hindu, Muslim & Christian - changes brought about by Hindu Marriage Act, 1955- Void & voidable marriages- Procedure for Christian marriages-theories of divorce -- kinds of Muslim divorce–Grounds for divorce under Indian Divorce Act- law of dower- conditions for marriage under Special Marriage Act.
3. Law of Adoption- adoption among Hindus-conditions-rights and duties of adoptive parents and adoptee- Law of Legitimacy & Acknowledgement of Paternity under Muslim Law - adoption among Christians-law and regulation of- –Guardian and Wards Act-importance of.
4. Concept of guardian- different types –rights and duties against the wards-guardianship under traditional Hindu law- Changes brought about by Hindu Minority & Guardianship Act, 1956- concept of Guardianship under Muslim Law-Christian law
5. Concept and significance of Maintenance- persons entitled for maintenance under Hindu Law-either spouse- Quantum of maintenance- conditions for – judiciary on maintenance of Muslim Women under Muslim Law- Persons entitled for maintenance under Muslim Law- Maintenance in Christian Law-Section 125 Cr.P.C-Maintenance of parents-duty to-Rights of the elders.

### Suggested Reading:

Paras Diwan,	<i>Family Law</i>
Mulla,	<i>Hindu Law</i>
Raghavacarya.N.R.	<i>Hindu Law</i>
Mulla,	<i>Mohammadan Law</i>
Fyzee AAA,	<i>Outlines of Muhammadan Law</i>
Sebastian Champapilly,	<i>Christian Law</i>

**THIRD SEMESTER FIVE YEAR B.B.A., LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L.6 –FAMILY LAW – I**

**Time : Three Hours**

**Max Marks: 75**

**PART A**

**Answer any five of the following. Each question carries three marks**

1. Schools of Hindu Law
2. Procedure for marriage under Special Marriage Act, 1954
3. Acknowledgement of paternity
4. Doctrine of *Factum Valet*
5. *Muta* Marriage
6. Women's right over dower

(5x3=15)

**PART B**

**Answer any three of the following. Each question carries ten marks.**

1. X, a Hindu male married Y, a Hindu female as per Hindu Marriage Act, 1955. There were no rituals or ceremonies. The couple had exchanged garlands & rings. Examine the validity of marriage.
2. M, a Hindu male aged 30 yrs, adopted a daughter aged 15 years after fulfilling all the formalities. Examine the validity of the adoption.
3. P, a Muslim male contracted marriage with a Muslim female. At the time of marriage dower & period of marriage was fixed. Decide the nature of marriage.
4. A, the mother of a minor child, B transferred the child's property. At the time of transfer, B's father was alive. Examine the validity of the transfer.

(3x10=30)

**PART C**

**Answer any two of the following. Each question carries fifteen marks.**

1. Explain the conditions of a valid Hindu marriage under Hindu Marriage Act, 1955
2. Discuss the different types of divorce available under Muslim Law
3. What are the conditions of a valid adoption under the Adoption & Maintenance Act, 1956

(2X15=30)



## F.L. 7- LAW OF CRIMES

1. Substantive Criminal Law- Nature, Concept and definition of Crime- Relation between crime, tort and contract- elements of criminal liability- *actus reus* and *mens rea*- statutory offences- stages of crime- joint liability- common intention and common object- vicarious liability- corporate liability.
2. Introduction to Indian Penal Code- Jurisdiction- Definitions and General Explanations- Punishment- Theories of Punishment- Types of Punishment- Principals and accessories- inchoate offences- general exceptions.
3. Offences against State- waging war against the government of India- assaulting high officers- sedition- waging war against a power at peace with the Government of India- offences against public tranquility- unlawful assembly- rioting- promoting enmity between different classes- affray- offences affecting public health, safety, convenience, decency and morals- offences relating to religion- offences relating to coins and stamps- offences relating to weights and measures- offences relating to documents- forgery- falsification of accounts.
4. Offences by or relating to public servants- of contempt of unlawful authority of public servants- offences of false evidence and offences against public justice- offences against property- theft- extortion- robbery- dacoity- criminal misappropriation of property- criminal breach of trust- cheating- mischief- trespass- offences affecting reputation- defamation- criminal intimidation, insult and annoyance.
5. Offences affecting human body- culpable homicide- murder- suicide- dowry death- causing miscarriage- injuries to unborn children- exposure of infants and concealment of births- hurt- wrongful restraint and wrongful confinement- criminal force and assault- kidnapping- abduction- sexual offences- rape and unnatural offences- offences relating to marriage- cruelty to married women.

### **Suggested reading:**

Ratan Lal and Dhiraj Lal, *The Indian Penal Code*  
 K.D. Gaur, *Criminal Law: Cases and Materials*  
 T. Bhattacharya, *The Indian Penal Code*  
 S.N. Misra, *The Indian Penal Code*  
 R.C. Nigam, *Law of Crimes in India*, Vol I and II  
 Achutathan Pillai, *Criminal Law*  
 Glanville Williams, *Criminal Law*  
 K.N. Chandrasekharan Pillai and Shabistan Aquil, *Essays on the Indian Penal Code*  
 The Law Commission Reports

**III SEMESTER FIVE YEAR B.B.A. LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L. 7- LAW OF CRIMES**

**Time: 3 hours**

**Max Marks: 75**

**Part A**

**Answer any five: Each question carries three marks**

1. Distinguish between crime and tort.
2. Explain in what circumstances accident can be claimed as a defence.
3. Distinguish between riot and affray.
4. Distinguish between robbery and dacoity.
5. What are the ingredients of the offence of dowry death?
6. Distinguish between wrongful restraint and wrongful confinement.

(5 x 3= 15)

**Part B**

**Answer any three. Each question carries ten marks:**

1. A abets B to commit murder of C. B refused. Whether A is liable for any offence?
2. A, B and C planned to commit robbery in P's house. They took loaded guns to use if required. A and B went inside the house, while B waited outside. While attempting to commit robbery, B shot P and P's wife and P's wife died. Discuss the liability of A, B and C.
3. Z is carried off by a tiger. A fires at Z knowing it to be likely that the shot may kill Z, but not intending to kill Z and in good faith intending Z's benefit. A's bullet gives Z a mortal wound. Discuss the liability of A.
4. A, by falsely pretending to be in civil service, intentionally deceives Z and thus dishonestly induces Z to let him have on credit goods for which he does not mean to pay. Discuss what offence A has committed.

(3 x 10=30)

**Part C**

**Answer any two. Each question carries fifteen marks.**

1. The intent and the act must both concur to constitute the crime. Explain.
2. Explain offences relating to religion in the IPC.
3. "All murders are culpable homicide". Explain.

(2 x 15=30)

# **FOURTH SEMESTER**

## F.B. 12- ENGLISH IV: COMMUNICATIVE ENGLISH

1. Communicative Grammar: Spotting Errors- Spotting errors pertaining to nouns, pronouns, adjectives, verbs, adverbs, concord and principle of proximity between subject and verb
2. Spoken Communication:
  - (a) Presentation Strategies-Analyzing Audience and Locale- Organizing contents – Introduction ,Main body, Conclusions- Preparing an Outline- Kinesics – Personal Appearance, Posture, Gesture, Facial Expression, Eye Contact- Paralinguistics – Quality, Volume, Pace/Rate, Pitch, Articulation, Pronunciation, Voice Modulation, Pauses- Chronemics- Understanding Nuances of Delivery – Extempore, Manuscript, Impromptu, Memorization -Visual Aids
  - (b) Group Communication-Group discussion-Process, Characteristics-Evaluation Components -- Knowledge, Communication Skills, Group Behavior, Leadership Skills- Some patterns of starting a discussion, interrupting a discussion, concluding a discussion- Interviews—Objectives, Types, Job interviews- Debates
3. Written Communication-
  - (a) Letter Writing-Business Letters - Significance, Purpose, Structure, Layout- Types— Claim Letters, Adjustment Letters, Job Application Letters- Resume and Cover Letter-
  - (b) Memos, Email, Fax
  - (c) Minutes and Agenda
  - (d) Dialogue Writing
  - (e) Slogan Writing
4. Glimpses from Indian Literature-
 

Poetry: 1. National Bird: N. Pichamoorthi 2. Ecology: A.K Ramanujan 3. Queen’s Rivel: Sarojini Naidu 4. The Lotus: Toru Dutt

Novel: Breast giver : Mahaswetha Devi

Drama: Nagamandala: Girish Karnad

Questions for exam are to be framed from Modules 1, 3, and 4

Activities (for internal evaluation) : Mock TV news reading, mock interviews, role plays, GD’s, presentations, debating exercises, delivery of a formal ,prepared speech, face to face conversations, self- introduction, recitation of a poem, reading aloud a story or article with expression etc.

### **Suggested Reading:**

Raman, Meenakshi, and Sharma, Sangeeta, *Technical Communication*  
 Kharu, P.N. and Gandhi, Varinder, *Communication Skills in English*  
 Rizv, Ashraf M., *Resumes and Interviews: The Art of Winning*  
 Green, David, *Contemporary English Grammar, Structures and Composition*  
 Wren, P.C. and H. Martin, *High School English Grammar and Composition*

**FOURTH SEMESTER (FIVE YEAR) LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.B. 12- ENGLISH IV: COMMUNICATIVE ENGLISH**

**Time 3 Hrs**

**Max Marks 75**

**SECTION A**

**I Choose the correct answer from the brackets.**

**(5x 1 = 5 marks)**

1. The wages of sin \_\_\_\_ death. (is/are)
2. I saw a pen lying on the table, but I don't think it was \_\_\_\_.(yours, your)
3. You will have to work \_\_\_\_\_ to pass the examination. ( hard /hardly)
4. He arrived home very \_\_\_\_\_ last night. ( late/lately)
5. I am \_\_\_\_ than Meghan. (elder, older)

**II Make sentences of your own to bring out the difference in meaning of the words in the following pairs.** **(Any \_\_\_\_\_ four)**

**(1x4=4 marks)**

1. judicial - judicious
2. disease –decease
3. homicide- suicide
4. eminent –imminent
5. council-counsel
6. principal – principle

**III Give one word substitute for the following:**

**(4x1=4marks)**

1. One who is present everywhere.
2. The life – story of a person written by himself.
3. An estate inherited from ancestors.
4. A word having the same meaning as another.

**SECTION B**

1 Prepare a **cover letter and a resume** in response to the advertisement for the post of a legal officer in a reputed firm.

**(1x 15 = 15**

**marks)**

2. Construct imaginary conversations around **any one** of the following situations:

(a) Two people discussing the traffic congestion in cities.

**OR**

(b) A conversation between two strangers during a train journey.

**OR**

(c) Two friends on their first day in college.

**(1X 10 = 10 MARKS)**

**SECTION C**

I. Do as directed:

1. Write an **e-mail** to your friend in Delhi, asking him to collect relevant information on the availability of excellent coaching for IAS examinations.

**(1x5=5 marks)**

2. Prepare a **fax message** to your friend in Mumbai, asking him to receive you at the international airport and also to make arrangements for your accommodation for a couple of days before you proceed to New York.

(1x5=5 marks)

3. Write a letter to a publisher, placing an order for books.

(1x5=5 marks)

4. You are the Managing Director of a company whose profits have recently increased and you would like to reward staff for this. Prepare a **Memorandum** regarding this for all staff.

(1x5=5 marks)

5. Frame **slogans** for **any one** of the following topics. (Five slogans)

(i) Global warming

(ii) Child labour

(iii) Environmental pollution

(1x5= 5 marks)

### SECTION D

Answer any six of the following questions

(6x2=12)

1. Describe how national bird symbolizes the pathetic condition of India.
2. Write a note about the relationship between mother and champaka tree.
3. Read the “Queens’s Rival” by Sarojini Naidu as a poem that dramatises the conflict between the physical and the emotional.
4. How Toru Dutt describes Lotus as a queen in her poem *The Lotus*
5. Yasoda as an Indian mother in the novel *Breast Giver*
6. The image of Naga in Girish Karnad’s *Nagamandala*
7. The class rival in the novel *Breast Giver*.
8. The relationship between Naga and Rani.

**F.B. 13: BUSINESS COMMUNICATIONS**

- 1           Communication  
            Nature, Scope, functions, limitation, communication channels and barriers
- 2           Development of communication skills – conversation skill –oral communication  
            – meeting-negotiations – public speaking- speeches in business, structure and  
            style of speeches
- 3           Written communication, preparation, analysis and interpretation of reports  
            Preparation of summary fo office notes, matters appearing in Economics and  
            commercial journals for use by officials- Meeting – agenda – minutes
- 4           Essentials of good business letter, Layout of a letters, types of letters.
- 5           Sales letters, applications for jobs, letters by the company secretary,

**SUGGESTED READINGS**

1. Rajendra Pal & J.S Koiahali                                 : Essentials of Business  
communications
2. Ramesh M.S &Pattan shetty C.C - Effective Business English &  
correspondance

**FOURTH SEMESTER (FIVE YEAR) LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.B. 13- BUSINESS COMMUNICATIONS**

**Time 3 Hrs**

**Max Marks 75**

**SECTION A**

**SECTION - A**

(Answer any five questions. Each question carries 3 marks.)

1. Describe the functions of communication.
2. How can you develop communication skills?
3. Differentiate between oral communication and written communication.
4. What is meant by lay out of a business letter?
5. What is a sales letter?
6. Define 'agenda' and 'minutes' of a meeting. (3 × 5 = 15 marks)

**SECTION - B**

(Answer any three questions. Each question carries 10 marks.)

7. Describe the nature and scope of communication.
8. What do you know of preparation, analysis and interpretation of report writing?
9. What are the essentials of a good business letter?
10. What is a job application letter? Which are the various types of job application letters? (10 × 3 = 30 marks)

**SECTION - C**

(Answer any two questions. Each question carries 15 marks.)

11. Describe the barriers to effective communication and suggest the measures to overcome the barriers.
12. What are the essentials for drafting a letter of appointment?
13. Prepare a sample cover letter and a resume. (15 × 2 = 30 marks)



### **F.B.14- COMPANY ACCOUNTS**

- 1            Company Accounts  
Issue of share, Debentures etc, Redemption of debentures and preference shares,  
Valuation of goodwill and shares
  
- 2            Company Account  
Final accounts of Companies, Amalgamation, , Absorption and reconstruction  
(internal & external) of joint stock companies
  
- 3            Company Accounts  
Consolidation accounts by holding companies with one subsidiary
  
- 4            Banking and Insurance Company Accounts  
Final Accounts of banking and insurance companies
  
- 5            Financial Statement Analysis  
Nature, objectives and essential qualities of financial statements. Their  
importance to various user objects, importance and limitations of financial  
statement analysis, various techniques of analysis and interpretation.

#### **SUGGESTED READINGS-**

1. Anil B Roy Chowdhary Guide to Company Balance Sheet, Profit & Loss  
Account with Different types of Accounting Methods
2. J.R.Monga, Fundamentals of Corporate Accounting
3. M.C.Shukla, T.S Grewal & S.C Gupta, Advanced Accounts (2 Vols)
4. R.L.Gupta & M.Radhaswamy, Computer Accounts
5. S.P.Jain & K.L narang, Cost and Management Accounting.
6. S.P. Jain & K.L.Narang, Company Accounts
7. T.P.Ghosh, Accounting Standards and Corporate Accounting.
8. V.K.Saxena & C.D.Vashist Cost and management Accounting.
9. Walter Reid and David Myddelton the meaning of Company Accounts

**FOURTH SEMESTER (FIVE YEAR) LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.B. 14- COMPANY ACCOUNTS**

**Time 3 Hrs**

**Max Marks 75**

**SECTION A**

**SECTION - A**

(Answer any five questions. Each question carries 3 marks.)

1. Briefly mention the factors affecting the value of goodwill.
2. Describe the purpose of issuing debentures.
3. What is internal reconstruction?
4. What is subsidiary company?
5. Describe the objectives of financial statements?
6. What do you mean by 'claims' in respect of insurance business?

(3 × 5 = 15 marks)

**SECTION - B**

(Answer any three questions. Each question carries 10 marks.)

7. Describe the different methods of valuation of equity shares.
8. From the balance sheets given below prepare a consolidated balance sheet of X Co. Ltd. and its subsidiary Y Co. Ltd. The interests of the minority shareholders of Y Co. Ltd., are to be shown in the consolidated balance sheet.

BALANCE SHEET OF X CO. LTD. AND Y CO. LTD  
as on 31-12-1973

	Rs. X	Rs. Y		Rs. X	Rs. Y
Share Capital: 200,000 shares of Rs.80 each	1,60,00,000		Land and buildings	1,52,00,000	
20,000 shares of Rs. 80 each		16,00,000	Plant and Mahinery	22,40,000	3,20,000
General reserve	80,00,000		Shares in Y Co. Ltd. 18,000 shares of Rs. 80 each	28,80,000	-
Creditors	48,00,000	3,20,000	Stock	48,00,000	8,00,000
Profit and loss appropriation A/c	16,00,000	24,00,000	Debtors	32,00,000	11,20,000
			Cash at bank	20,80,000	20,80,000
	<b>3,04,00,000</b>	<b>43,20,000</b>		<b>3,04,00,000</b>	<b>43,20,000</b>

9. Rising Engineers Ltd., have authorized capital of Rs. 50 lakhs, divided into 5,00,000 equity shares of Rs. 10

each. Their books show the following balances as on 31<sup>st</sup> December, 2010.

	Rs.		Rs.
Stock as on 1-1-2010	6,65,000	Bank – current a/c	20,000
Discount and rebates	30,000	Cash in hand	8,000
Carriage inwards	57,500	Debenture interest	
Patterns	3,75,000	(for ½ year to 30-6-2010)	10,000
Rates, taxes & insurance	55,000	Interest – banks	91,000
Furniture & fixtures	1,50,000	Preliminary expenses	10,000
Materials purchased	12,32,500	Calls-in-arrears	10,000
Wages	13,05,000	Equity share capital (2,00,000)	
Coal and coke	63,000	shares of Rs. 10 each)	20,00,000
Freehold land	12,50,000	4% debentures (repayable) after	
Plant and machinery	7,50,000	10 years)	5,00,000
Engineering tools	1,50,000	Bank overdraft	7,57,000
Goodwill	3,75,000	Sundry creditors (for goods)	2,40,500
Sundry debtors	2,66,000	Sales	36,17,000
Bills receivable	1,34,500	Rent (Cr.)	30,000
Advertisement	15,000	Transfer fees	6,500
Commission and brokerage	67,500	Profit and loss a/c (Cr.)	67,000
Business expenses	56,000		
Repairs	46,500		
Bad debts	25,500		

The stock as on 31<sup>st</sup> December, 2010 was Rs. 7,08,000. Outstanding liability for wages Rs. 25,000 and business expenses Rs. 25,000. Charge depreciation : Plant & machinery @ 5%; engineering tools @ 20%; patterns @ 10%; and furniture and fixtures @ 10%. Provide 2% on debtors as doubtful debts.

Prepare profit and loss account for the year ended 31<sup>st</sup> December, 2010.

10. The Moon Co. Ltd. and the Rising Star Co. Ltd. have agreed to amalgamate. A new company Sunshine Co. Ltd. has been formed to take over the combined concerns as on 31<sup>st</sup> December, 2010. After negotiations, the assets of the two companies have been agreed at as shown in the following balance sheet:

THE MOON CO. LTD.

Liabilities	Rs.	Assets	Rs.
Issued Capital		Land and buildings	5,00,000
1,00,000 Ordinary shares of Rs.10 each fully paid up	10,00,000	Machinery and plant	2,00,000
Sundry creditors	80,000	Patents	1,10,000
Profit and loss (Undistributed balance)	50,000	Stock	1,50,000
		Sundry debtors	1,20,000
		Cash at bank	50,000
	<b>11,30,000</b>		<b>11,30,000</b>

THE RISING STAR CO. LTD.

Liabilities	Rs.	Assets	Rs.
Issued Capital		Land and buildings	3,00,000
50,000 Ordinary shares of Rs.10 each	5,00,000	Machinery and plant	2,50,000
Sundry creditors	50,000	Good will	50,000
Reserve fund	50,000	Stock	20,000
Profit and loss (Undistributed balance)	50,000	Sundry debtors	20,000

Cash at bank	10,000
<b>6,50,000</b>	<b>6,50,000</b>

Show how the amount payable to each company is arrived at and prepare the amalgamated balance sheet of the new company.

### SECTION - C

(Answer any two questions. Each question carries 15 marks.)

11. Describe in the objectives, importance and limitations of financial statement analysis.
12. From the following information, prepare a profit and loss account of Vasari Bank Ltd., for the period ended on 31<sup>st</sup> March, 2010. (Working should form part of your answer.):

	(Rs.'000)
Interest on loans	300
Interest on fixed deposits	275
Commission	10
Exchange and brokerage	20
Salaries and allowances	150
Discount on bills (gross)	152
Interest on cash credits	240
Interest on temporary overdrafts in current account	30
Interest on savings bank deposits	87
Postage, telegram and stamps	10
Printing and stationary	20
Sundry expenses	10
Rent	15
Taxes and licences	10
Audi fee	10

Additional information :

- |                                                                                                   |    |
|---------------------------------------------------------------------------------------------------|----|
| (i) Rebate on bills discounted                                                                    | 30 |
| (ii) Salary of managing director                                                                  | 30 |
| (iii) Bad debts                                                                                   | 40 |
| (iv) Provision for income-tax is to be made @ 55%<br>(round off to nearest thousand)              |    |
| (v) Interest of Rs. 4,000 on doubtful debts was wrongly credited<br>to interest on loans account. |    |
13. The following balances appeared in the books of the Hindustan Fire and General Insurance Company Ltd. on 31<sup>st</sup> Dember, 2002.

	Rs.		Rs.
Reinsurance premiums paid	50,000	Commission	1,52,000
Reserves for unexpired risk as on 1-1-2002	8,24,800	Claims paid	2,21,000
Expenses of management	1,25,600	Loss on exchange	9,000

Premium received	7,89,000	Claims outstanding 1-1-2002	2,81,000
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You are required to prepare revenue account for the year ended 31<sup>st</sup> December, 2002 and a balance sheet after taking the following information into consideration: (i) Provide for unexpired risks at 50% of the premiums; (ii) Create additional reserve of Rs. 75,000; (iii) Premiums outstanding at the end of the year were Rs.1,50,000; (iv) On 31<sup>st</sup> December, 2002, the claims outstanding were Rs. 3,37,000.

(15 × 2 =

## F.L.8- FAMILY LAW II

1. Origin and constitution of Hindu Joint family-Concept of Coparcenary- - *Mitakshara* and *Dayabhaga* school of thought-Hindu Succession Act, 1956- Kinds of property in Hindu Law- Powers and duties of Manager of joint family business- *Mitakshara* and *Dayabhaga* joint family- *Marumakathayam* and *aliyanthanam* laws- Partition - concept, subject matter of partition-mode of partition- person entitled to a share-reopening and reunion. Inheritance- General Principles of inheritance-exclusion from inheritance-Hindu Succession Act, 1956- Importance of 2005 amendment.
2. Debts- Liability of heirs for debts of another- liability of undivided interest of a coparcener for his debts-liability of joint family property for personal debts of father- Doctrine of pious obligation- *Avyavaharika* debts-Alienation by father- Antecedent debts- Alienations- *Sthridhan* and women's estate-Changes brought about by the Hindu Succession Act, 1956- Dowry Prohibition Act,1961- Types of endowments- Valid dedication- *Maths*-Doctrine of *Cypres*- Impartible estates.
3. Muslim Law of Wills- Persons capable of making wills-bequest to heirs- bequest to non heirs- Limits of testamentary power-death bed gift-Acknowledgement. General rules of inheritance- Hanafi Law of inheritance-three classes of heirs- succession among sharers and residuaries- Doctrine of increase and return- *Shia* law of inheritance- Doctrine of representation.
4. Dower- right of Muslim Women- *Hiba* /Gift- Persons capable of making gift- essentials of gift- contingent gift-revocation of gift- *hiba bil iwaz*- *Hiba ba shart ul iwaz*- *Wakf*-Definition, subject, object- reservation of life interest for the benefit of *wakf*- public and private *wakf*- *Wakf* Act,1964- *Mutawallis*-powers-control-removal-Pre emptio.
5. Christian Law –Dowry – rights –matrimonial rights- Succession Law – domicile-consanguinity- intestate succession-testamentary succession-Will.

The student is supposed to peruse the following statutory materials: The Hindu Succession Act, 1956, The Indian Succession Act, 1925, The Hindu Law of Inheritance (Amendment) Act, 1929, Hindu Women's Right to Property Act, 1937, The Wakf Act, 1995

### Suggested Reading:

Mulla, *Hindu Law*  
 Paras Diwan, *Modern Hindu law*  
 Mulla, *Mohammedan Law*  
 AAA Fyzee, *Outlines of Mohammedan Law*  
 Paras Diwan, *Muslim Law in Modern India*  
 Sebastian Champapilly, *Christian Law*

**IV SEMESTER B.B.A., LL.B DEGREE EXAMINATION**  
**Model Question Paper**  
**F.L.8- FAMILY LAW II**

**Time : 3 Hours**

**Max Marks: 75**

**Part A**

**Answer any five of the following. Each question carries three marks:**

1. Explain the concept of coparcenary. State the differences between *Mitakshara* and *Dayabhaga* Coparcenary.
2. Nature of the concept of *Marumakataya* and *aliyasanthana*.
3. Briefly state the changes brought about by the 2005 amendment to Hindu Succession Act, 1956
4. State the requisites of a valid *wakf*.
5. How is gift revoked. When the power of revocation comes to an end?
6. Comment on *Mary Roy v State of Kerala* (AIR 1986 SC 1011).

(5X3 = 15)

**Part B**

**Answer any three of the following. Each question carries ten marks:**

1. A, a Hindu male dies leaving behind mother M, two widows W1, W2, three sons S1, S2, S3 and three daughters D1, D2, and D3. Divide the property among the successors.
2. F, a Hindu woman dies leaving her son, daughter and brother, son and daughter of the deceased husband by another wife. A has property inherited from her mother. Distribute.
3. X, a Shia Muslim dies, leaving her husband, two daughters, father and mother. Divide the property accordingly.
4. W, a Christian widow has a daughter B by her first husband. W married again and by her second husband she has 2 sons C and D. B died intestate and unmarried. Who are entitled to B's property?

(3X10 = 30)

**Part C**

**Answer any two of the following. Each question carries fifteen marks:**

1. Explain the rules regulating the order of succession among cognates. State the changes made by the Hindu Succession Act, 1956.

2. Explain how a *wakf* is created? Scope of the power of *Mutawallis* over the *wakf* property.
3. Explain the salient features of Indian Succession Act, 1925.

(2X15 = 30)



## F .L. 9 - CONTRACT – I (GENERAL PRINCIPLES)

1. Contract – Concept – origin and development - contractual obligations distinguished from other obligations – Contract in a commercially developed society – standard form of contract – contractual terms – exception and exclusion clauses – statutory and judicial attempts to prevent exploitation of weaker party – doctrine of fundamental breach – Contract *uberimae fidae*
  
2. Agreement – meaning and difference from contract – kinds of agreements – valid, void, voidable, illegal and unlawful agreements – Essentials of a valid agreement - consensus ad idem-intention to create legal obligations – offer, acceptance and revocation- invitation to offer- General offers- Standing offers -rules of valid acceptance - acceptance by post – telephone and e-contract – Agreements and public policy - Agreements without consideration- agreements in restraint of marriage, trade and legal proceedings-uncertain agreements-wagering contracts
  
3. Consideration- definition and pre-requisites – importance of - Privity of contract and privity of consideration --Adequacy of consideration- Exceptions of Consideration – Accord and Satisfaction – Rule in *Pinnel's Case* - Subscription for charitable purposes - Promissory Estoppel – legality of consideration
  
4. Capacity of parties – Minors, unsound persons, drunken persons and other incapacities – Legal effect of Contract with Minors – liability for necessities-beneficial contracts – misrepresentation as to age – Restitution – Contracts by persons of unsound mind, *pardanashin* woman – Other disabilities -contracts by corporations, sovereigns, etc – Vitiating elements of Free Consent – Coercion- duress under English law- Undue influence-equitable fraud-unconscionable bargains-Difference between fraud, misrepresentation - Mistake –bilateral and unilateral – mistake as to identity of parties and subject matter.
  
5. Contingent contracts – concept of quasi contract - Modes of discharge – performance-frustration- breach- agreement - Remedies for breach of contract- principles for damages – remedy by way of *quantum meruit* – Principles governing specific performance- Injunction

### Suggested readings:

J. Beatson (Ed.),	<i>Anson's Law of Contracts</i>
Pollock and Mulla,	<i>Indian Contract and Specific Relief Acts</i>
Avatar Singh,	<i>Law of Contract and Specific Relief</i>
T V Venkateswara Iyer,	<i>The Law of Contracts and Tenders</i>
M Kririshnan Nair,	<i>The Law of Contracts</i>

**IV SEMESTER B.B.A., LL.B DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L. 9 -CONTRACT – I (GENERAL PRINCIPLES)**

**Time: 3 hours**

**Maximum marks: 75**

**Part A**

**Answer any five. Each question carries three marks:**

1. Acceptance of an offer must be absolute and unqualified – Comment
2. A stranger to a contract cannot sue upon the contract- Explain
3. Undue influence
4. Minor's liability for necessaries
5. Agreements by way of wager.
6. Injunctions

(5 x 3 = 15)

**Part B**

**Answer any three. Each question carries ten marks**

1. A wrote a letter to B offering to sell his house at a particular price. B, unaware of A's letter wrote to A offering to buy the house at the same price. Is there a contract?
2. A sells, by auction, to B, a horse which A knows to be unsound. A says nothing to B about the horse's unsoundness .Can the contract be set aside on the ground of fraud?
3. A offered a reward to anyone who found out and brought back his missing son. B brought back A's son but was ignorant about the reward offered. He now sues A for the reward. Advise.
4. A promises to give Rs 5000 towards the reconstruction works of a temple. The trustee of the temple on the faith of the above promise incurs liabilities. A does not pay the promised amount. Can the trustee recover the amount from A?

(3x 10 = 30)

**Part C**

**Answer any two. Each question carries fifteen marks:**

1. What are the remedies available to an aggrieved party on breach of a contract?
2. Discuss the validity of agreements opposed to public policy
3. How is a contract discharged by supervening impossibility?

(2 x 15 = 30)

## F.L. 10 – HEALTH LAW

1. Principles of Medical ethics-Autonomy, non-maleficence, Beneficence, Justice-Code of Medical Ethics by MCI-Ethical guidelines for research-Deontological and Utilitarian theories-Conscientious objection
2. International perspective-Right to Health as a fundamental right in India-Mental Health Law- Realisation of right to health-private health sector regulation-AIDS patients and their fundamental right to health service-Barriers to Health care-Social, Economic, Religious, Legal and other barriers-Approach of judiciary
3. Right to know- universal acceptance- Position in Common Law, Constitutional law and Human Rights perspectives- Right to Know- Access to medical records-confidentiality-Informed Consent-Euthanasia-Right to refuse treatment – Legal Status of Body parts
4. Public health as an index of development-Reproductive health-Abortion-Assisted reproduction pre-natal diagnosis –Emergency Care – Geriatric Care-Health promotion-Contagious disease control.
5. Consent to treatment- Nature, Elements, Types- Withdrawal of Consent- Limits-incompetent patients-best interests rule- Legal liability of medical profession – Regulation of nursing profession –Medical Audit

The student is supposed to peruse the following statutory materials:

The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1955-The India Medical Council Act 1956-The Medical Termination of Pregnancy Act, Rules, Regulation-Mental Health Act, 1987- Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection Act,1994- Transplantation of Human Organs Act 1994- Infant Milk substitutes, feeding Bottles and infant foods (Regulation of production, Supply and Distribution) Act 1992- Indian Medical Council (professional conducts Etiquette and Ethics) Regulations, 2002  
The Report of the High Level Expert Group (HLEG) set up by the Planning Commission 12th five year plan-Consumer Protection Act 1986.

### **Suggested Reading:**

Dr.Nandita Adhikari, *Law & Medicine*  
 Montgomery, J., *Health Care Law*  
 Roach, Gardener, Carter and Douglas, *Medical Records and the Law*  
 Grubb, *Principles of Medical Law*  
 Verma, S.K., *Legal Framework for Healthcare in India*

**IV SEMESTER B.B.A., LL.B DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L.10 HEALTH LAW**

**Time: 3 hours**

**Max Marks: 75**

**Answer any five short notes. Each question carries three marks**

1. Beneficence
2. Quality of health care service in India
3. Right to know
4. Geriatric care
5. Medical Audit
6. Euthanasia.

(5x3 = 15 marks)

**Answer three of the following Problems. Each question carries ten marks.**

1. Mr X who is a chronic renal patient is advised to undergo kidney transplantation on an emergency basis. The prospective donor happened to be a convicted Prisoner. Authorisation committee rejected the request on that ground. Decide.
2. Doctor refused to attend an accident victim in a private hospital and victim succumbed to his injuries. Decide whether the doctor is legally liable.
3. Patient was in a PVS stage. Doctors decide to withdraw treatment. Decide whether doctor committed any offence
4. Mrs. A underwent laparoscopic sterilization operation on the basis of assurance given by doctors that there will not be any child birth in future. After that she became pregnant what remedy is available to her?

(3x10 = 30 marks)

**Answer two Questions. Each question carries fifteen marks.**

1. Examine with reference to the provision of the MTP Act, whether Abortion on demand has been legalized in India?
2. Examine the legal basis of right to refuse treatment.
3. Examine the legal safeguard to protect the rights of mentally disabled in India.

(2x15= 30 marks)

# FIFTH SEMESTER

**F.B. 15- MARKETING RESEARCH**

- 1 Introduction : Definition of Marketing Research – Nature & Scope – Marketing Research – An aid to rational decision making – Marketing Research Methodology.
- 2 - Sampling Techniques – Random – Stratified Area – Quota observation – Questionnaire Interview techniques – interviewing skills on the part of investigators.
- 3 Motivation Research – Product Research
- 4 Consumer survey  
Sales Control Research
- 5 Media Research – Various Techniques – Measuring advertising effectiveness.  
Analysis & reporting research finding to the management

**SUGGESTED READINGS**

1. Boyed & Westfall : Marketing Research
2. Gree Paul & Tall ; Marketing Research
3. Luck & Rubin : Marketing Research

**FIFTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
FB 15 - Marketing Research**

**Time: 3 hours**

**Max Marks: 75**

**Part A**

**Answer any five of the following. Each question carries three marks**

1. Define Marketing Research.
2. What is Quota Sampling ?
3. What is meant by media research ?
4. Explain the concept of motivation research.
5. What is structural questionnaire ?
6. What do you mean by interview skills ? [5 x 3 = 15]

**Part B**

**Answer any three of the following. Each question carries ten marks:**

1. Explain various tools to measure advertising effectiveness.
2. 'Product research is the back bone of marketing research'. Explain ?
3. Explain the importance of consumer survey in modern business.
4. What is sales control research ? Give its merits and demerits. [3 x 10 = 30]

**Part C**

**Answer any three of the following. Each question carries fifteen marks:**

11. Explain the important sampling techniques.
12. 'In the complex marketing world decisions are framed on the basis of systematic research'. Discuss.
13. What is the role of interviews in marketing research ? [2 x 15 = 30]

## F.L.11 – HUMAN RIGHTS LAW

1. Natural law and natural rights -Positivist criticism-Bentham and others - Nazi regime and legal controversy-Hart-Fuller debate (Law and Morality) -Human Rights and Western Liberalism -The English Bill of Rights -Declaration of Independence of the United States of America -The Bill of Rights of the United States of America -French Declaration of the Rights of Man and of the Citizen -Universal Declaration of Human Rights -Vienna Declaration and Programme of Action
  
1. Challenges To Universal Human Rights: Cultural Relativism-Asian values- Debating Human Rights-assertion of national sovereignty -Human Rights and Private Wrongs - Terrorism and counterterrorism measures
2. Nature And Content Of Rights: Civil And Political Rights- Economic and Social Rights - Self-Determination and Group Rights
  
1. International Mechanisms For Implementation Of Human Rights: UN Human rights council -Treaty based committees -Special rapporteurs -Role of NGOs
  
2. National Implementation Of Human Rights: Constitutional arrangements-powers of HC and SC- Constitutional and Statutory bodies and enforcement of human rights -SC & ST Commission, Backward Communities-Minorities-Women-Children-Elderly people- Human Rights Commissions-State and National.

### **Suggested Reading:**

Brownlie and Goodwin Gill, *Basic Documents on Human Rights*  
 A.H. Robertson and J.G. Merills, *Human Rights in the World*  
 Henry J. Steiner (et al), *International Human Rights in Context*  
 V.K. Sircar, *Protection of Human Rights in India*  
 Aswathi and Kataria, *Law Relating to Protection of Human Rights*



**FIFTH SEMESTER B.B.A., LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L. 11- HUMAN RIGHTS LAW**

**Time 3 hours**

**Max Marks: 75**

**PART A**

**Answer any five questions. Each question carries three marks.**

1. Structure and functions of UN Human Rights Council
2. Periodic reporting
3. Shadow reports
4. Self determination
5. Cultural relativism
6. National sovereignty

(5x3=15)

**PART B**

**Answer any three problems. Each question carries ten marks.**

1. Mr. X approached the National Human Rights Commission with an allegation of police torture and the Commission found the complaint to be well founded and true. The State Government concerned was asked to pay one lakh rupees as compensation to the victim. The government refused to take responsibility and has not paid the compensation. Advise the aggrieved complainant as to the legality of the stand taken by the State Government and the further legal steps the aggrieved complainant could take in this regard.
2. Mr. Ramachandran, a medical doctor was arrested and detained in custody for his alleged involvement in treating a person who was wounded in police action. According to the police, the wounded person was involved in terrorist activities and rendering medical assistance to such a person would amount to assisting terrorism. The doctor was remanded in custody and detained by denying bail. An NGO approaches you to take up the matter before the UN Human Rights Committee. Advise him as to the legal sustainability of such a claim.
3. Kurumbakudi is a tribal hamlet of Kerala situated in the Western Ghats inside the forest. The hamlet did not have water sources nearby. The inhabitants of the hamlet did not have water sources nearby. The inhabitants of the hamlet have to travel five kilometers inside the forest to collect drinking water from a natural stream. Due to human interference in the upstream, the water gets contaminated and it resulted in the spreading of water borne diseases in the tribal hamlet. The governmental authorities are not taking any preventive measures to conserve the health of the inhabitants of the hamlet and due to this lethargy many inhabitants succumbed to the ailment and health of many deteriorated considerably. An NGO noticed the plight of the tribals and wants to improve the situation. They want to initiate legal action against the government for their failure to provide healthy living conditions. Advise them about the legal sustainability of such a move.
4. A group of persons are detained in the premises of a mosque for treatment of their mental derailment and are tied up with chains to prevent their escape from the premises. The inmates are left unattended without any physical care or medication. A religious person occasionally visits the inmates and prays for the early cure of their ailment. There were so many persons so 'treated' for years without any notable change in their condition. No relative of any inmate is interested in their welfare and never cared to visit them. They are practically rejects from home and society and dumped in the premises of the mosque.

(3 x 10=30)

**PART C**

**Answer any two essays from the following questions. Each question carries fifteen marks.**

1. Write an essay on the theoretical basis of human rights.
2. Critically evaluate the pros and cons of subjecting private individuals to human rights norms
3. Write a critical essay on the feasibility of enforcing socio-economic rights through judicial process.

(2X 15 = 30)

## F.L.12- ENVIRONMENTAL LAW

1. Environmental protection – Need, Evolution, Relevance and Scope. Environmental law – Historical, Comparative and International Perspectives- International initiatives and its influence in evolving environmental jurisprudence in India- Constitutional perspectives regarding environmental protection- Right to Development *vis a vis* Sustainable development and various principles.
2. Causes and effects of various modes of pollution- Control of environmental pollution, water pollution, air pollution, noise pollution, marine pollution, pollution by dumping wastes, nuclear wastes, hazardous substances- Emerging areas which need special attention- Cess and other measures to augment environment protection- Ground water control and Regulation.
3. Forest, Wild life, Bio diversity related laws – principles, mechanisms and control- Tribals' rights. Climate Change and legal perspectives- Protection against cruelty to animals, Monuments and legal protection.
4. Framing of environmental policies- Emerging areas requiring regulation- Eco marking, Ecologically fragile land, Sand mining, Conversion of agricultural lands, Developmental Projects and environmental clearance, Environment Impact Assessment, Methods and Models, Public participation, Consultative Process and Public Hearings- Constitution of Tribunals, Green Benches - objectives and effects.
5. Constitutional law remedies, Common law remedies, Statutory remedies- Civil remedies and Criminal sanctions- Judicial approach to environmental protection – trends and perspectives- Efficacy of Statutory appeals and appellate mechanisms

In this course, students are expected to get acquainted with the following statutes, Rules and Notifications: The Environment (Protection) Act 1986 and Rules, 1986 , Hazardous Waste (Management and Handling) Act ,1989, the Manufacture, Storage, and Import of Hazardous Rules, 1989, the Public Liability Insurance Act, 1991, the National Environmental Tribunal Act, 1995, the National Environment Appellate Authority Act, 1997, the Biomedical waste (Management and Handling) Rules, 1998, the Municipal Solid Wastes (Management and Handling) Rules, 2000, the Batteries (Management and Handling) Rules, 2001, the Noise Pollution (Regulation and Control) Rules, 2000, the Biological Diversity Act, 2002, the Indian Forest Act, 1927, the Wildlife Protection Act, 1972 and Rules 1973, the Forest (Conservation) Act, 1980 and Rules, 1981, the Water (Prevention and Control of Pollution) Act, 1974, the Water (Prevention and Control of Pollution) Cess Act, 1977 and Rules, 1998, the Coastal Regulation Zone Notification, 1991, the Air (Prevention and Control of Pollution) Act, 1981 and Rules 1982, the Kerala Forest (Vesting and Management of Ecologically Fragile Lands) Act, 2003 and the relevant provisions of the Indian Penal Code, 1948, Criminal Procedure Code, 1973, The Easement Act, 1882, The Indian Fisheries Act, 1897, The River Boards Act, 1956, The Merchant Shipping Act, 1970, The Factories Act, 1948, The Atomic Energy Act, 1982, The Motor Vehicles Act, 1988, The Manufacture, Use, Import, Export, and Storage of Hazardous Micro-organisms/ Genetically Engineered Organisms or Cells Rules, 1989, The Kerala Ground Water (Control and Regulation), 2002, The (Kerala Protection of River Banks and Regulation of Removal of Sand) Act, 2001, The Kerala (Conservation of Paddy Land And Wetland) Act, 2008.

### **Suggested Reading**

P. Leelakrishnan, *Environmental Laws in India*  
 P. Leelakrishnan, *Environmental Law Case Book*  
 S.Shanthakumar, *Introduction To Environmental Law*

Justice T S Doabia, *Environmental and Pollution Laws in India*

Armin Rosencranz, Shyam Divan , *Environmental Law And Policy In India*

Satish C.Sasthri, *Environmental Law*

**Fifth Semester 5 Year LL.B Examination**  
**Model Question Paper**  
**F.L. 12- ENVIRONMENTAL LAW**

**Time : 3 hrs.**

**Maximum : 75 Marks**

**PART A**

Write Short on any *five* questions. Each Question carries *3 marks*

1. Effect of Stockholm Declaration of the UN Conference on the Human Environment in Indian Environmental jurisprudence
2. Regulations of new outlets and new discharges
3. Non-forest purpose
4. Sand mining and its regulation
5. Right to clean and healthy environment as a fundamental right
6. Conflict between general statutory remedies and specific statutory remedies.

[5 x 3 = 15 Marks]

**PART B**

Answer any *three* Problems. Each problem carries *10 marks*

1. X started a dyeing unit beside a water body. The water body is not used by people for any of their purposes. But the Unit was started without securing the permission or grant/licence from the Pollution Control Board. The same is challenged. Decide.
2. With a view to counter ever increasing conflicts between people and wild elephants, the people residing in a village started resorting to killing of wild elephants. The Government decided to interfere, but was met with stiff resistance from the residents of the village. Decide whose stand is justifiable.
3. Along the beach, the Cochin Corporation allowed permission of a 20 storied commercial building impairing the recreation facilities of this densely populous city. Advise the residents.
4. The management of an industrial undertaking is prosecuted for alleged activities for polluting the nearby water body. The action is being challenged before the High Court by the management. Advise the parties.

[3 x 10 = 30 Marks]

**PART C**

Answer any *two* of the following. Each question carries 15 marks:

1. Sketch the importance of the principles underlining the doctrine of Sustainable Development.
2. Outline the significance of Environment Impact Assessment and also evaluate whether public interest is adequately safeguarded in such instances.
3. Write Notes on the following:
  - (a) Noise pollution
  - (b) Hazardous waste management

[2 x 15 = 30 Marks]

## F.L. 13-CONSTITUTIONAL LAW- I

1. Constitution – meaning – kinds – features of Constitution – nature and features of Indian Constitution -- parliamentary form - Authorities under the Constitution – CAG, Election Commission, Inter-state Water Tribunal – Financial Commission – Attorney General – Advocate General – Vice President –Public Service Commission-Administrative Tribunal
2. Legislative powers under the Indian Constitution –Composition of Parliament and State Legislatures – Qualification of the members of the House- grounds for disqualification- Constitution of Parliament and State legislatures-duration- conduct of business-procedure relating to bills- Role of Speaker-Privileges of the House and Members – Officers of Parliament – Amendment of the Constitution – restrictions –Powers, privileges and immunities of the Houses and members
3. Executive Powers under the Constitution –Nature of executive power –definition and extent- the President and the Governor – Appointment – Tenure – Removal – Powers – Comparison- Council of Ministers-Conduct of government business
4. Judiciary under the Constitution – Union and State Judiciary – Appointment of Judges – Tenure – Removal – Independence of Judiciary under the Constitution – Various kinds of jurisdiction of the Supreme Court and High Court- Role played by the judiciary – Relationship between Legislative, Executive and Judicial Powers under the Constitution – Law Declared by the Supreme Court law of the land- subordinate Judiciary
5. Centre-State Relations – Legislative Relation –judicially developed doctrines –Residuary powers-Administrative Relation – Financial Relation – Collection of revenue and taxes – immunity of instrumentalities - Interstate Trade and Commerce – Commerce Clause- Services under the Centre and States –Doctrine of pleasure

### Suggested Reading:

- M.P. Jain, *Indian Constitutional Law*  
 M.P. Singh, *V.N. Sukla's Indian Constitution*  
 J.N. Pandey, *The Constitutional Law of India*

**FIFTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 13-CONSTITUTIONAL LAW I**

**Time: 3 hours**

**Max Marks: 75**

**Part A**

**Answer any five of the following. Each question carries three marks**

1. What do you mean by federal form of government?
2. Speaker under the Indian Constitution.
3. What is the procedure for removing the President?
4. What is the procedure for appointment of judges of the Supreme Court?
5. Role of Attorney General.
6. Doctrine of pleasure under Article 311. (5 x 3 = 15)

**Part B**

**Answer any three of the following. Each question carries ten marks:**

1. 'X' was a member of National Film Development Corporation. He was nominated by the President to the Rajya Sabha. 'M', a citizen challenged 'X's functioning as the member on the ground that he was holding an office of profit. 'X' replied that he has not accepted any remuneration for the being the member of the Corporation, though he was entitled to it. Decide.
2. Kiran and Bedi were sentenced by the Supreme Court to death for the offence of murder. Both filed mercy petition before the President. The President allowed the petition of the former while he rejected the petition of the latter. Bedi challenged the decision of the President under Article 32. Decide.
3. The President selected 'M' a District Judge, as the judge of the High Court. But, for the past 5 years he was on deputation under the government and was working as the Law Secretary. 'K' an aspirant to the post challenged the appointment on the ground that it violated Article 217 of the Constitution. Decide.
4. The Chief Justice of India recommended 3 persons as the Judges of various High Courts. The President accepted the names of two of them and rejecting the name of the third, selected another person. 'L', challenges the appointment. Decide. (3 x 10 =30)

**Part C**

**Answer any two of the following. Each question carries fifteen marks:**

1. Explain the principles of Centre-State relationship under the Indian Constitution.
2. Examine the basic features of the Indian Constitution.
3. Critically evaluate the role of the Election Commission under the Indian Constitution.

(2 x 15 = 30)

## F.L.14 – CONTRACT II

1. Contracts of indemnity: definition and nature- extent and commencement of liability of the indemnifier- rights of the indemnity holder - Contract of guarantee:-distinction from contract of indemnity-Extent of surety' liability- Discharge of surety from liability- Rights of the surety against the principal debtor , creditor and co-sureties
2. Bailment -duties and rights of bailor and bailee-bailee's lien - Finder of lost goods as a bailee-his rights and duties - Pledge as a special kind of bailment-rights of the pawnor and pawnee- pledge by non owners
3. Nature of agency and how principal agent relationship arises-creation of agency – requisites of a valid ratification-Duties and rights of the agent-delegation of authority by the agent- legal effects of proper and improper delegation-distinction between sub agent and substituted agent-liability of principal for acts done by his agent –implied authority of an agent- personal liability of an agent-determination of agency
4. Sale of goods-contract of sale and agreement to sell-conditions and warranties-implied conditions and warranties in a contract of sale-caveat emptor-its exceptions - Transfer of property in the goods-rules regarding passing of property- Transfer of title-passing of risk-*Nemo dat quod non habet*-its exceptions- Performance of contract- Delivery of goods- rights of unpaid seller against the goods and against the buyer personally - suits for breach of contract – Rules regarding auction sales
5. Partnership-essentials- Partnership distinguished from co-ownership, company and joint Hindu family- partnership at will –Limited Liability Partnership -Test for determining existence of partnership - Registration of firms- effects of non registration - Rights and duties of partners- Implied authority of a partner-rights and liabilities of partners against third parties and other partners - Legal position of a minor in a firm- Incoming and outgoing partners-retirement - Modes of dissolution of a firm

### Suggested reading:

Pollock and Mulla	<i>Indian Contract and Specific Relief Acts</i>
M Krishnan Nair	<i>The Law of Contracts</i>
Avatar Singh	<i>Mercantile Law</i>
T.S. Venkatesha Iyer	<i>Sale of Goods and Partnership Act</i>
Atiyah P.S.	<i>The Sale of Goods</i>
Mulla	<i>Sale of Goods Act</i>
Saharay H.K.	<i>Indian Partnership and Sale of Goods Act</i>
Narayana P.S.	<i>The Law of Partnership</i>

**V SEMESTER (5 YEAR) LLB EXAMINATION  
MODEL QUESTION PAPER  
F.L.14- Contract II**

**Time: 3 hours**

**Maximum marks: 75**

**Part A**

**Answer any five. Each question carries three marks**

1. Examine the essential features of a contract of guarantee.
2. What is the duty of care to be exercised by a bailee?
3. Who is substituted agent?
4. Difference between conditions and warranties.
5. Implied authority of a partner.
6. Explain partnership at will.

(5 x 3 = 15)

**Part B**

**Answer any three. Each question carries ten marks.**

1. A gives a cloth to B, a tailor, to stitch a coat. B promises A to deliver the coat as soon as it is finished, and to give three months credit for the price. B now refuses to deliver the stitched coat to A unless and until he immediately pays for his services. Advice.
2. A directs B, his agent to buy a certain house for him. B tells A that it cannot be bought and buys the house for himself. What is the remedy available to A?
3. A purchased a motor car from B and used it for several months. As B had no title to the goods, A had to return the car to its true owner. A now sues B for recovering the price paid by him. Advice.
4. A hires a carriage of B. The carriage is unsafe, though B is not aware of it, and A is injured. Is B liable to A for the injury caused to him?

(3 x 10 = 30)

**Part C**

**Answer any two. Each question carries fifteen marks.**

1. Explain the nature and extent of liability of the surety.
2. Examine the legal position of a minor in a partnership.
3. What are rights of the surety against the principal debtor, creditor and co-sureties?

(2 x 15 = 30)



## F.L.15 – DISABILITY LAW

1. Concept of disability- religious-pathological (physical and mental)-social-legal-Types of disability-temporary and permanent-partial and total-Sources of disability-congenital-natural calamity-accident-high risk industries-private and public undertakings- Approaches to disability-Traditional approach of sympathy and charity- Modern approach of rationality, secularity and human dignity-Determination of disability-varying criteria under different laws-administrative process for determining disability
2. Disability and international laws-I.L.O. initiatives-UDHR-UN General Assembly Declarations and Resolutions-International Treaties- UN Convention on the Rights of Persons with Disabilities-National perspectives-Indian Constitution-Disabilities Removal statutes-- National Plan of Action (1980)- U.K.-U.S.A
3. Reservation-Priority-Relaxation of rules -Reservation of seats in educational institutions- Special scholarships-schemes-Grant-in-aid-UGC fellowships- Incentives for self-employment- Special exemptions in income tax –Rights of Elderly-National Policy on older persons (Government of India)-The Maintenance and Welfare of Parents and Senior Citizens Act 2007
4. Independence and dignity of the individual- Education- Right to Education Act-role of Special educators-access to facilities-Right to employment-Service Law-Non-discrimination and inclusion in society-Right to access of Public Spaces-right to marry-right to procreate-euthanasia-genetic disease-congenital disabilities-institutionalisation
5. Compensation for injury for work-related accidents -Grievance Redressal Machinery- Role of Disability Commissioner-Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act 1995-Rehabilitation Council of India Act 1992-Mental Health Act 1987-The National Trust For Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999

In this paper, students are expected to peruse the following materials as amended from time to time:

The Indian Constitution, The Caste Disabilities Removal Act, 1850, Hindu Inheritance (Removal of Disabilities) Act, 1928, Hindu Succession Act, 1956, Indian Penal Code, 1860, Indian Contract Act, Indian Leprosy Act of 1989, Mental Health Act 1987, The Factories Act, 1948

### **Suggested Reading:**

Jayna Kothari, *The Future of Disability Law in India*

D'zouza, Deepika, *Disability and the Law: Human Rights Law Network, India*

Weber, Mark C., *Understanding Disability Law*

Doris Fleischer, Freida Zames, *The Disability Rights Movement: From Charity to Confrontation*

**V Semester 5 year LL.B. EXAMINATION  
MODEL QUESTION PAPER  
F.L.15- DISABILITY LAW**

**Time: 3 hours**

**Max Marks: 75**

**PART A**

**Write short notes on any five. Each question carries three marks:**

1. Explain the concept of disability.
2. Outline the National Plan of Action (1980).
3. What is the law regarding reservations for people with disabilities?
4. Explain the right of the disabled to access public spaces.
5. Explain the Indian Constitutional perspective regarding the rights of the disabled.
6. Explain the compensation for injury for work-related accidents in India?

(5x3=15marks)

**PART B**

**Write notes on any three. Each carries ten marks:**

1. Explain the varying criteria for determination of disability under various laws.
2. Explain the position adopted by the United Nations regarding the rights of the disabled
3. Explain the various national laws for protection of the rights of the disabled.
4. Explain the Maintenance and Welfare of Parents and Senior Citizens Act 200.

(3X10=30 marks)

**PART C**

**Explain any two of the following. Each carries fifteen marks:**

1. Explain how the rights of the disabled against non-discrimination are guaranteed both nationally and internationally.
2. Explain the National Trust For Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999
3. Explain the Grievance Redressal Machinery under the Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act 1995.

(2 x15=30)

# SIXTH SEMESTER

### **F.C. 16 ADVERTISING AND ITS LEGAL IMPACTS**

- 1 : Basic concepts and Advertising.
  - What is advertising?
  - Who are advertisers?
  - Techniques of advertising
  - What makes advertisements work? Headlines, slogans, testimonials, product characters, product comparison, repetition.
- 2 forms of Media
  - Newspaper ads
  - Television ads
  - Outdoor publicity
  - Direct Mail
  - Internet
  - Other ways of advertising
- 3 : Advertising Agencies and Brand Managers
  - Advertising agencies
  - Effective advertisement : Brand Managers challenge
- 4 : Indian Advertising Scene
  - Twenty top advertisers
  - Industry highlights
  - Profiles of advertising agencies
- 5 : Advertising Regulations and Laws
  - Self Regulation
  - Statutory Laws in India
  - Trademarks, Trade names and Designs
  - Price Misrepresentation and other dishonest Practices
  - Judicial Decisions in India
    1. : Codes of the Advertising Standards Council of India
      - Declaration of fundamental principles
      - Responsibility for observance of code
      - The code and the law
      - Definitions
      - Standards of conduct
      - ASCI code of advertising practice

#### **SUGGESTED READINGS**

1. Advertising Law and Ethics : Justice P B Swant and P.K.Bandyopadyay, Universal Law Publishers
2. The Trouble with Advertising ... John O Toole, chelsea House
3. Essentials of Advertising : J.S Chandran and two others, oxford and IBH Publishing Co.
4. Advertisement Management – Concepts and Cases : Mahendra Mohan, Tata MC Graw Hills

**FIFTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
FB 16 Advertising and its Legal Impacts**

**Time: 3 hours**

**Max Marks: 75**

**Part A**

**Answer any five of the following. Each question carries three marks**

1. Define Advertising.
2. What is AIDA Model ?
3. Distinguish between copy right and copy writing.
4. What is Concurrent Testing ?
5. What is meant by trade mark ?
6. Distinguish between Description and Advertising Clutter. [5 x 3 = 15]

**Part B**

**Answer any three of the following. Each question carries ten marks:**

1. Explain the process of media planning.
2. What is the role of internet in the modern advertising scene ?
3. Discuss the various methods of measuring the effectiveness of advertising.
4. Discuss the evolution of advertising in India. [3 x 10 = 30]

**Part C**

**Answer any two of the following. Each question carries fifteen marks:**

1. Explain different types of advertising.
2. What is an advertisement copy ? Explain various types of ad copies.
3. Explain the legal aspects in advertising. [2 x 15 = 30]

### **F.L.16 –LABOUR LAW – I**

1. Origin and growth of labour laws – object and scope – Industrial jurisprudence – concept and meaning – Nature of Industrial relations – Industrial labour in India – Regulation of labour in the interest of the employee – Need for State Interference – collective bargaining.
2. Concept of Industry – Industrial dispute and workman – meaning and definition – dispute resolution methods – conciliations, Arbitration & Adjudication – Authorities powers and functions – Reference by government.
3. Strike, lockout, lay-off, retrenchment closure and transfer of industrial establishments-compensation and procedure-legal controls-protected workman.
4. Law relating to Trade Unions-History-Trade unions and Indian Constitution-definition & registration of trade union-powers and functions of Registrar - cancellation and withdrawal of trade unions – general & political fund- Civil and Criminal liabilities, immunities of trade union nature & scope.
5. Regulation of service conditions and standing orders- concept and meaning-Model act- procedure for certification and modification of standing orders- Certifying officer- duties & functions – Disciplinary proceedings, unfair labour practices-safeguards

#### **Suggested readings**

Indian Law Institute, *Labour law and Labour relations*  
O.P. Malhotra, *Labour Law*  
K. Madhavan Pillai, *Labour & Industrial Law*

**Sixth Semester 5 year LL.B Examination  
Model Question Paper  
F.L. 16 - LABOUR LAW – I**

**Time: Three Hours**

**Maximum Marks : 75**

**PART – A**

**Answer any Three of the following. Each question carrier 5 marks.**

1. Write a note on 'Industrial Jurisprudence'.
2. Define Industrial Dispute. Distinguish between Industrial dispute and Individual dispute.
3. What is retrenchment ? Explain the procedure for a valid retrenchment.
4. How is a Trade Union registered ? State powers and functions of a Registrar under the Trade Union Act.
5. What do you mean by 'standing orders'. How is it certified ?
6. Distinguish between lockout and lay off

(5x3 = 15 Marks)

**PART – B**

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

1. Workers of a registered trade union gheraoed the manager of the establishment for two hours thus causing criminal offence of illegal confinement under the I P C. However the act is committed in furtherance of a trade dispute. Are these workers immune to any criminal liability ? Advice.
2. X, a workman is laid-off, within 15 days he is offered another employment in the same establishment situated in a town 15 miles away from the establishment to which he belongs. X refuses to take the employment. Is X entitled to lay-off compensation ?
3. The management of a factory applied for the amendment of the existing standing orders. Notice was issued to the Union. The certifying officer allowed the amendment after rejecting the objection raised by the union. Labour court rejected the appeal filed by the union on the ground that the union has no right of appeal. Advise the union quoting the relevant provision.
4. A group of persons employed in Raj Bhavan for domestic and other duties sought to form a trade union, applied to the Registrar for registration. The Registrar refused registration. Is the action of the registrar justifiable. Why ?

( 3 x 10 = 30 Marks )

**PART – C**

**Answer any two questions. Each question carries 15 marks.**

1. Explain the powers and procedures of Conciliation officer, Board of conciliation and Arbitrator under the Industrial Dispute Act.
2. Define 'Industry' with the help of legislative materials and case Laws.
3. What is collective bargaining? State the advantages and disadvantages.

(2 x 15 = 30 Marks)

## F.L. 17- LAW OF EVIDENCE

1. History and development of law of evidence- salient feature- definitions- legal and logical relevancy- relevancy and admissibility- best evidence rule- fact, fact in issue and relevant fact- kinds of evidence- evidence and proof- concepts- constitutional protections and adducing of evidence- *res gestae*, common intention- identity and identification- facts otherwise irrelevant- proof of right or custom- circumstantial evidence- principles- motive, preparation, conduct, occasion, cause, opportunity, conduct, state of mind, body, bodily feeling, similar facts, judicial notice.
2. Relevancy of facts- rule against hearsay evidence and exceptions- admissions- principles and applicability- confessions- kinds of confessions, valid confession, principles, exceptions- applicability and evidentiary value- co accused and approver- declarations by persons who cannot be called into court as witnesses- dying declarations- relevance of judgments- general principles- fraud and collusion- expert and non-expert opinion- judicial attitude to expert testimonies-areas where expert testimonies are reckoned.
3. Character evidence- civil and criminal cases- principles, applicability, exceptions and evidentiary value- character of parties, accused, third parties, witnesses- oral and documentary evidence- principles of evaluation and applicability of oral and documentary evidence- execution of documents- attestation- primary evidence and secondary evidence- oral vis a vis documentary evidence- kinds of documents- ambiguity in documents- cyber laws and evidence- science, technology and admissibility of evidence.
4. Burden of Proof- concept- application at different levels- standard of proof- general and special exceptions- presumptions and burden of proof- kinds of presumptions- presumption to legitimacy of child and presumption as to dowry death- estoppel – scope, principle, applicability- kinds- waiver and presumption.
5. Trial- evidence taken before trial- competency and compellability of witnesses- privileged communications- categories, scope and exceptions- examination of witnesses and various categories of examination- corroboration and contradiction- principles and mechanics- hostile witness- witness protection programme- leading questions- refreshing memory- compulsion to answer questions- improper admission of evidence-judge's power to intervene in trial.

### **Suggested reading:**

Sir John Woodroffe and Syed Amir Ali, *Law of Evidence* (4 Vols)

Rathanlal and Dhirajlal, *Law on Evidence*

Vepa P. Sarathi, *Law on Evidence*

Krishnamachari, *Law of Evidence*

Batuklal, *Law of Evidence*

Dr. Jaisingh P. Modi, *A Textbook of Medical Jurisprudence and Toxicology*



**SIXTH SEMESTER FIVE YEAR LL.B. EXAMINATION  
MODEL QUESTION PAPER  
F.L.17- LAW OF EVIDENCE**

Time : 3 hours

Max. Marks: 75

**PART A**

**Write a short note on any five questions: Each question carries 3 marks**

1. Relevance of *Res gestae*
2. Confession of co-accused.
3. Character evidence of witnesses.
4. Child witness
5. Conclusive evidence
6. Refreshing Memory

(5x3=15)

**PART B**

**Answer any three problems. Each question carries 10 marks.**

1. The deceased made four dying declarations, implicating the mother-in-law in the first one, terming the incident as an accident in the second, she was not aware as to who attacked her in the third and implicated her father-in-law in the fourth. All along she told that her husband came to her rescue. Her husband deposed that his parents were away at the time of the incident. Discuss the veracity of the dying declaration.
2. The judicial magistrate who recorded the confession of the accused failed to give the warning as per section 164 CrPC and the matter is challenged in the court by the defence that the same is not a valid judicial confession. Discuss.
3. A letter written by X to his former wife was sought to be proved against him by her father in a suit for defamation. The letter contained derogatory remarks about the plaintiff and the defendant resisting claims privilege in respect of that letter. Decide.
4. X and Z make a contract in writing that z shall sell certain goods which is to be paid on delivery. At the same time they make an oral agreement that three months credit shall be given to Z. In a suit between the two the same is challenged. Decide.

(3x10=30)

**PART C**

**Answer any two. Each question carries 15 marks.**

1. Discuss about circumstantial evidence and the judicial trend.
2. What are the categories of burden of proof and how it operates in relation with presumptions of law?
3. Write notes on (a) attestation (b) leading questions.

(2x15=30)

## F.L. 18-CONSTITUTIONAL LAW-II

1. Concept of State and the Relationship between the subject and the State – Limitation on the State Power – Origin and Development of Fundamental Rights – violation of fundamental rights– Judicial Review – Right to constitutional remedies - Scope of the Power and Jurisdiction of the Supreme Court and the High Court – Amendment of the Constitution and the Fundamental Rights – Emergency and Fundamental Rights –the relationship between the preamble, fundamental rights and directive principles
2. Right to Equality – Right to Freedoms- Concept of Reasonable Restriction- Right to Life and Personal Liberty –interrelationship between Articles 14,19 & 21-Right against Exploitation
3. Concept of Secularism and the Right to Religion and Minority Rights – Right to property- power of state to acquire property-doctrine of eminent domain-right to reasonable compensation-Article 31-B
4. Directive Principles of State Policy – Relationship between Fundamental Rights and Directive Principles –Fundamental Duties.
5. Emergency Powers –Kinds – Effect on fundamental rights –Amending the Constitution – kinds – the doctrine of basic structure

### Suggested Reading:

- M.P. Jain      *Indian Constitutional Law*  
M.P. Singh     *V.N. Sukla's Indian Constitution*  
J.N. Pandey    *The Constitutional Law of India*

**SIXTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 18- CONSTITUTIONAL LAW -II**

Time : 3 hours

Max. Marks: 75

Part A

**Write a short note on any five questions: Each question carries 3 marks**

1. What do you mean by judicial review?
2. Right to travel throughout the territory of India
3. Right to education under the Indian Constitution
4. Right to trade in liquor
5. What are the fundamental duties under the Indian Constitution?
6. What do you mean by the doctrine of proportionality?

( 5 x 3 = 15)

Part B

**Answer any three problems. Each question carries 10 marks**

1. 'Z' a government servant was charged for accepting illegal gratification. In the inquiry by the department he was found guilty and his service was terminated. He was found guilty and sentenced to 4 years imprisonment by the Sessions Court also. He challenges the decision on the ground of double jeopardy. Decide
2. As a protest to the government policies, 'KM' an association declared bandh and required the public not to travel on that day. 'L' a citizen approached the High Court against the proclamation on the ground that the same was violative of his right to personal liberty. Decide
3. The State of 'L' enacted the law protecting the right of the women against the male members of the family. Ram challenges the law as violative of equality. Decide
4. In the Panchayati Raj Act, the State M stipulated that persons with more than two children are disqualified to contest the election. 'A' challenges the law on the ground that the same was violative of the right to religion. Decide.

(3x10=30)

Part C

**Answer any two. Each question carries 15 marks**

1. What is meant by the doctrine of basic structure? Discuss its origin and development.
2. Discuss the concept of 'State' under the Indian Constitution and its development.
3. Explain the different types of emergency and the impact of emergency on the fundamental rights.

(2x15=30)

## **F.L.19 – BANKING LAW AND NEGOTIABLE INSTRUMENTS**

1. Definition of Banking- functions of Bank- multifunctional banks- Core banking- merchant banking- Investment banking- scheduled banks-co-operative banks – agricultural bank – Islamic banks- e-banking- letter of credit- Banker and customer: General relationship between banker and customer - special relationship- Banker’s lien- Business aspects of banking: Opening of new account, kinds of accounts; current account, savings account, deposit account, joint account, accounts of special customers. (Minor, partnership, company, trust, married women etc.) Payments of customer’s cheque- Protection of paying and collecting banker- Garnishee order
2. Central Banking- Functions of Central Banks- Banker to government- credit card monetary policy- Banker’s Bank- Reserve Bank- functions- Supervision over commercial Banks- Control over non-banking financial institutions-licensing- permitted functions – control over management- Account and audit of Banks- Amalgamation liquidation and reconstruction of Banks- Bank Nationalization- government control over banks
3. Lending by Banks- Principles of good lending- Security for loans- contractual security- Immovable property and intangible property as security- Recovery of Debts- Constitutional principles- Limitation Act- Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act - Debt Recovery Tribunal
4. Definition of Negotiable instrument- essential features of negotiable instruments, difference between negotiability and assign ability, Promissory note-bill of exchange, cheque and other analogous instruments(Bankers draft, travelers cheque, dividend warrant). Cheque: Kinds of cheques- crossing of cheques, endorsements and its kinds - holder and older in due course- payment in due course- marking of cheques -presentment – Material alteration
5. Negotiable Instruments- Liabilities of the parties to the negotiable instruments- Dishonor of Negotiable Instruments - Paying banker and statutory protection- Collecting banker and statutory protection - Noting and Protest- Discharge of Parties- Presumptions- Criminal Liability in dishonor of Cheque

### **Suggested Reading:**

Paget	<i>Law of Banking</i>
Sheldon	<i>Practice and Law of Banking</i>
Tannan	<i>Law of Banking</i>
Avtar Singh	<i>Law of Negotiable Instruments</i>

**SIXTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 19- BANKING LAW AND NEGOTIABLE INSTRUMENTS**

Time 3 hours

Max. Marks 75

## PART A

**Write a short note on any five questions: Each question carries 3 marks**

1. What is core banking
2. Reserve bank as banker's bank
3. Security for loans
4. Material alteration of a negotiable instrument
5. Crossing of a cheque
6. Notice of dishonor

(5x3=15)

## PART B

**Answer any three problems. Each question carries 10 marks**

1. P issued a cheque in favor of Q. When Q presented the cheque for payment, it was dishonored for insufficiency of funds. Explain the remedies available to Q
2. P, an employee of a company was dismissed from service for misappropriation of money. The company enquires with the bank to give details of accounts of P opened with the bank. The bank refuses to give information. Advise the Company
3. A bill of exchange is drawn payable at 20, Hill View Road, Tirur, but does not contain the name of the drawee. W, who resided at 20, Hill View Road, Tirur accepts it, Decide
4. A issued a cheque to B subsequently A wrote a letter to his banker countermanding the cheque. The banker had already paid the cheque before the receipt of the letter of A. Is the banker liable?

(3x10=30)

## PARTC.

**Answer any two. Each question carries 15 marks**

1. Discuss the principles of lending by a Bank and state the present legal position relating to the recovery of Bank Debt.
2. Examine the provisions relating to the supervisory control of Reserve Bank over other banks.
3. Discuss the difference between Holder and Holder-in- due course .

(2x15=30)

## F.L.20 – JURISPRUDENCE

1. Meaning and role of Jurisprudence – development as a discipline – significance in the contemporary world – Methodology of law
2. Schools of Law – Natural Law Theory – Origin and development – Middle Ages –and the Modern Age –Analytical Positivism – Historical Jurisprudence – Sociological Jurisprudence – American Realism
3. Right – right duty correlation – kinds – Person – Essentials of - Kinds of Person – Dead and Unborn Persons – Theories of Corporate Personality
4. Ownership – kinds – Possession – kinds –difference between ownership and possession – property – development of the concept – meaning in the contemporary world – kinds
5. Title - Liability – obligation

### **Suggested Reading:**

P.J. Fitzgerald, *Salmond on Jurisprudence*

G.W. Paton, *Jurisprudence*

Bodenheimer, *Jurisprudence*

M.D.A. Freeman, *Lloyd's Introduction to Jurisprudence*

N.K. Jayakumar, *Jurisprudence*

**Sixth Semester 5 Year LL.B Examination  
Model Question Paper  
F.L. 20-JURISPRUDENCE**

**Time: 3 hours**

**Max Marks: 75**

**PART A**

**Write a short note on any five questions: Each question carries 3 marks**

1. What is Jurisprudence?
2. What is Grund norm?
3. What are the ingredients of Right?
4. What do you mean by property?
5. What is derivative title?
6. What do you mean by '*volkgeist*'?

( 5x3=15)

**PART B**

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

1. Discuss the concept of law of Hart.
2. Discuss the development of Jurisprudence as a discipline.
3. What are the kinds of liability?
4. What are the kinds of obligation?

( 3x10 = 30)

**PART C**

**Answer any two questions. Each question carries 15 marks.**

1. Elucidate the Hohfeld's classification of right.
2. Examine the basic tenets of Natural Law theory.
3. Define ownership. What are the ingredients and incidents of ownership?

( 2x15 = 30)

# SEVENTH SEMESTER



## F.L. 21 – INSURANCE LAW

1. Nature and definition of insurance – History of Insurance business in India- Regulation of Insurance business- IRDA- function and powers- General principles of Insurance law- principles of good faith- disclosure – non- representation - Utmost good faith- Insurable interest- Indemnity- subrogation -and contribution- the risk- the premium – Proximate cause
2. Marine Insurance- Scope and nature- Disclosure and representation – Warranties- insured perils- Implied terms in marine policy- Partial loss and total loss- Measure of Indemnity
3. Life Insurance – Formation – Insurable interest- Proposal and Policy- Non disclosure and misrepresentation- Assignment – Nomination- Claims of policy
4. Fire Insurance- Standard fire policy- Proximate cause- Fire claims- Subrogation Double Insurance contribution and Average - Property Insurance and Liability Insurance- risk insured- Contractors risk insurance-Employer’s liability insurance- Goods in transit insurance- Public liability insurance
5. Motor insurance and Accident insurance - Scope- Compulsory Insurance of Motor vehicles- Motor Accident Claims Tribunals- Social security Insurance- sickness- old age and unemployment- ESI – Insurance for sea men

### **Suggested Reading**

Hardy Ivamy	<i>Law of Insurance</i>
B.N. Banerji	<i>Law of Insurance</i>
M.N. Sreenivasan	<i>Principles of Insurance Law</i>
Mishra, M.N.	<i>Insurance - Principles and Practices</i>

**Seventh Semester 5 Year LL.B Examination  
MODEL QUESTION PAPER  
F.L. 21- INSURANCE LAW**

Time 3 hours

Maximum Marks- 75

## PART A

**Write a short note on any five questions: Each question carries 3 marks**

1. Principles of Good faith
2. Insurable Interest
3. Warranties relating to marine insurance
4. Assignment
5. Public Liability Insurance
6. Social Security Insurance

( 5 x 3 = 15)

## PART B

**Answer any three problems. Each question carries 10 marks**

1. A and B were insured in respect of motor car risk under separate policies issued by different companies . Each policy contained condition to the effect that (1) if the risk insured was covered by another insurance , the insurer were not liable and (2) if the risk insured was covered by any other insurance, the liability to contribute rateably. B while driving A's car with his consent, became liable in damages to third party in the circumstances in which he was covered by both policies. Each insurance Co. denied the liability. Advice.
1. A ship was for a voyage from London to Cochin. The ship starts from Southampton to Cochin. Insurance denies the insurance claim as there is a different route. Advice
2. A yacht was insured under a marine policy in which fire was also one of the perils insured. It was totally destroyed by fire. But the insurance Co. alleges that arson was the cause of the fire. Discuss the liability of the insurance Co.
3. X took a mediclaim policy from ABC insurance Co. During the insurance period he had to undergo a major surgery. Doctors opined that the symptoms of disease shows history of more than 15 years. Can the insurance claim exemption.

( 3x10 = 30)

## PART C

**Answer any two. Each question carries 15 marks**

- 1 Briefly explain about the terms “ Risk “ and “Premium” in relation to the general principles of Insurance law.
- 2 What is meant by Insurable Interest ? Explain the relevance of the term insurable interest in the context of different kinds insurance policies /
3. Examine the importance of Public Liability Insurance Act high lighting judicial decisions

( 2x15 = 30)

## F.L. 22 – CODE OF CIVIL PROCEDURE AND LIMITATION ACT

The students are expected to be acquainted with the principles and operation of the Code of Civil Procedure, Civil Rules of Practice, 1971, Civil Courts Act and Indian Limitation Act, 1963

1. Main features – Concept of Law – Suit – Definitions – Decree – Order – Legal Representatives – *Mesne* Profits - Parties to suit – non-joinder – misjoinder – representative suit
2. Jurisdiction – bars and suits – Sub Judice – Res Judicata – Bar to further suits – Conclusiveness of Foreign Judgment – Place of suing – Objection –Transfer and withdrawal – Institution of suits – Summons – Pleadings –Plaint and written statement – Amendment – Counter claim – Set off –Framing of issues
3. Procedure during hearing – Appearance and consequence of non-appearance – Ex parte procedure – Discovery and inspection – Interrogatories – Admission – Production – Impounding of documents – Affidavit – Judgment – Decree – Cost – Compensatory cost – Interest – Commissions – Appointment of Receiver – Power – duty – removal – Restitution – Caveat – Inherent Powers – Abatement and withdrawal of suits – Suits in particular cases – Suit by or against Government – Suit by or against minor – Suit by indigent persons - Appeal – Interpleader suit – Arrest and attachment before judgment – Temporary injunction
4. General Principles of execution – Powers of Executing court – Modes of Execution – Precepts – rateable distribution – Garnishee Order – Arrest –Detention – Release – Exemption – Attachment -Exemptions – Sale – Setting Aside - Proclamation
5. Appeals from Original Decrees –Preliminary Decree – Second Appeal – Appeals to Supreme Court – Stay Proceedings – Forms of Appeals – Computation Applications – Exclusion –Extension – Effect of Acknowledgement

### Suggested Reading:

Mulla, *Civil Procedure Code*

Tandon, *Civil Procedure Code*

Thakwani, *Civil Procedure Code*

**Seventh Semester 5 year LL.B Examination  
Model Question Paper**

**F.L. 22- CODE OF CIVIL PROCEDURE AND LIMITATION ACT**

Time: 3 hours

Maximum marks: 75

PART A

**Write a short note on any five questions: Each question carries 3 marks**

1. Explain the underlying principles and essentials of '*Res Sub Judicata*'
2. Distinguish between order and decree
3. What are the rules relating to 'place of suing of immovable property'?"
4. Explain the circumstances where limitation does not run
5. Explain the procedure for lodging a Caveat
6. Define 'Mesne Profit'

( 5x3 = 15)

PART B

**Answer any three problems. Each question carries 10 marks**

1. Ramu let his house to Govind for a monthly rent of Rs. 2500. The rent of the whole years 2009, 2010 and 2011 is due and unpaid. Ramu sues Govind for the rent of 2009. Subsequently, Ramu sues Govind for the rent of 2010 and 2011. Decide
2. 'A' files a suit for money against 'X', 'Y' and 'Z'. on the date of the first hearing 'Y' and 'Z' appeared in the court. 'A' prays for an ex parte decree. Can it be granted/
3. 'X' obtained a decree against 'Y' in a money suit. 'X' wants to execute it by the sale of an immovable property of 'Y'. The sale was conducted on 31.12.2011 and dthe same was confirmed later. After a period of 3 months 'Y' wants to pay the decree amount in order to get back the property. Advice 'Y'
4. 'A' filed a suit against 'B' for injunction. The suit was dismissed. Subsequently, 'A' filed a suit against 'C' for the same cause of action. In the subsequent suit 'C' pleads res judicata. Decide.

( 3x10 = 30)

PART C

**Answer any two. Each question carries 15 marks**

1. What is a plaint? Explain the essentials of a plaint
2. The courts have jurisdiction to try all suits of a civil nature unless they are barred. Explain
3. Discuss the circumstances for filing second appeal. Can the court reverse erroneous finding of facts in a second appeal?

$$(2 \times 15 = 30)$$

## **F.L. 23- CODE OF CRIMINAL PROCEDURE**

1. Classification of offences – functionaries under the Code – powers and functions of Prosecutors and defence counsels – Hierarchy of courts – powers – Jurisdiction of executive magistrates – Powers and functions – enquiry, inquiry, investigation and trial.
2. Pre-trial Procedures – features of fair trial – initiation of criminal proceedings – arrest - rights of arrested person – search and seizure – investigation and its various aspects of investigation – FIR - final report - Jurisdiction of courts – cognizance of offences – transfer of cases – commitment and consolidation of cases - complaint.
3. Trial procedures – general provisions regarding inquiries and trials - Bail – anticipatory bail – charges – joinder of charges - Trial of summons and warrant cases – Summary trial – trial before court of sessions – discharge and acquittal.
4. Disposal of cases without trial – withdrawal and compounding of offences - Judgment – Appeals – revision – reference – transfer – execution – suspension – remission – commutation of sentences.
5. Preventive and precautionary measures – Dispersal of unlawful assemblies – Removal of public nuisance – functions and powers of Executive Magistrates – security for keeping peace and good behaviour – habitual offenders - Maintenance of wives, children and parents.

### **Suggested Reading**

Ratanlal and Dhirajlal

K.N. Chandrasekharan Pillai (ed.)

K.N. Chandrasekharan Pillai (ed.)

*The Code of Criminal Procedure*

*R.V.Kelkar's, Outline of Criminal Procedure*

*R.V.Kelkar's Lectures on Criminal Procedure*

**Seventh Semester 5 Year LL.B Examination  
Model Question Paper  
F.L. 23-CODE OF CRIMINAL PROCEDURE**

Time: 3 hours

Maximum marks: 75

## PART A

**Write a short note on any five questions: Each question carries 3 marks**

1. Distinguish between investigation, inquiry and trial.
2. Explain the importance and use of FIR.
3. Explain the rules regarding the territorial jurisdiction of a criminal court for trying an offence.
4. What is 'anticipatory bail'? Explain the circumstances in which such bail can be granted.
5. Examine critically the rules regarding compounding of offences.
6. Explain the difference between appeal and revision.

( 5x3 = 15)

## PART B

**Answer any three problems. Each question carries 10 marks**

1. A was charged under section 138 of the Negotiable Instruments Act. Subsequently an FIR was filed against A under Sec. 420 IPC (Cheating) for issuing cheque without sufficient amount in the account. A approached the High Court with a petition for quashing the FIR. Decide.
2. P commits an offence punishable with imprisonment for a term not exceeding one year. Magistrate takes cognizance of the offence 380 days after the commission of the offence. P objected the prosecution.
3. X married Y an employee of the State government on 10-08- 2008. Two years after the marriage he was convicted on a charge of corruption and sentenced to one year imprisonment. Due to this their relationship was strained and Y went to her house. On 10-05-11 Y, filed a petition under section 125 Cr.P.C. for maintenance against X. Both were examined on 23-01-2012. Decide the maintainability of the petition.
4. The Magistrate issued a warrant to search for a document in the custody of the Post-master of Thiruvananthapuram GPO. Post master objected this search warrant. Decide.

( 3x10 = 30)

## . PART C

**Answer any two. Each question carries 15 marks**

1. What is the basis for the distinction between arrest with a warrant and arrest without warrant? Explain the circumstances under which police can arrest without warrant.
2. Explain the hierarchy of criminal courts and their powers.
3. What are the periods of limitation prescribed by Cr.P.C for taking cognizance of an offence? Can such period of limitation be extended?

( 2 x15 =30)



## F.L.-24 – LAW OF PROPERTY

1. Transferability of property – rule against inalienability - repugnant conditions - transfer for benefit of unborn person - rule against perpetuity -class gift vested and contingent interest - condition precedent and condition subsequent – election – apportionment.
2. Covenants running with land – transfer by ostensible owner - doctrine of feeding the estoppels - transfer by co-owner – doctrine of equitable estoppels – doctrine of *lis pendens* – fraudulent transfer – part performance.
3. Sale, meaning and scope of sale and contract for sale - right and liabilities of seller and buyer – marshalling – discharge of encumbrance on sale
4. Mortgage - different types of mortgage - right and liabilities of mortgagor and mortgagee – priority, marshalling, contribution – redemption, foreclosure – subrogation - Charge
5. Lease, scope and meaning, how made - right and liabilities of lessor and lessee-Exchange, scope and meaning - right and liabilities – Gift, scope and meaning - mode of transfer-resumable gift, onerous gift, universal done - *donatio mortis causa*- actionable claims.

### Suggested Reading

D.F.Mulla , *Transfer of Property Act*  
G.C.V.Subba Rao, *Transfer of Property Act*  
G.P.Tripathi, *Transfer of Property Act*  
S.N.Shukla, *Transfer of Property Act*  
P.S. Saxena, *Property Law*

**Seventh Semester 5 Year LL.B Examination  
MODEL QUESTION PAPER  
F.L.-24 TRANSFER OF PROPERTY**

**Time: 3 hours**

**Max Marks: 75**

**PART A**

**Answer 5 questions. Each question carries 3 marks.**

1. Explain *Spes Successionis*.
2. Explain doctrine of Acceleration.
3. Write a short note on Part Performances.
4. Explain Subrogation.
5. What is Onerous Gift?
6. What are the rights and duties of a seller?

(5x3=15)

**PART B**

**Answer any three questions. Each question carries 15 marks.**

1. 'A' transfers property to 'B' for life, then to 'C'. What is the nature of interest of 'B'. If 'C' dies before 'B', in whom will the property vest on the death of 'B'?
2. 'A' gives by his will Rs.10,000 to 'B'. By the same will he gives 'C' property worth Rs.1000 belonging to 'B'. 'B' declines to part with his property. What are the rights of 'C'?
3. A executes a usufructuary mortgage in favour of B with a condition that if 'A' does not redeem within 10 years, the mortgage shall become a sale. Discuss the validity.
4. 'A' makes an oral gift to 'B' of a jewel which is under pledge with a money lender. He redeems the jewel but refuses to deliver it to B. Decide.

(3x10=30)

**PART C**

**Answer any two. Each question carries 15 marks.**

1. Once a mortgage always a mortgage and nothing but a mortgage". Explain with suitable illustrations.
2. Explain the Rule of Perpetuity. Compare it with English Doctrine.
3. Explain the Doctrine of *lis pendens*. What are its limits?

(2x15=30)

## F.L. 25 –ADMINISTRATIVE LAW

1. Definition, Origin and Scope of Administrative Law, Reasons for the growth, Welfare state and Constitutional principles, Need for Administrative reforms, Changes in the concept of government regulation , Relevance of Global Administrative Law, Role of Civil Service, Comparison with other countries. Doctrine of Separation of Powers, Rule of Law, Parliamentary Sovereignty, Classification of administrative powers.
2. Delegated legislation – Reasons, Scope and Limitations; Forms and methods; Parliamentary and Judicial Control. Administrative Discretion - relevance and scope, Fundamental Rights as a limitation, Judicial control over Administrative Discretion-Principles, Categories and new grounds as applied by courts. Administrative Instructions.
3. Administrative Adjudication – Need, Scope and Relevance. Exercise of Quasi judicial powers. Natural Justice Principles and its changing horizons; Exceptions, Exclusions and its effects. Powers of Enquiry and Investigation of the Administration and various statutory mechanisms. New Regulatory agencies and adjudicatory process.
4. Remedies in Public Law. Judicial Review of Administrative action relevance, scope and limitations. Articles, 32, 136, 226 and 227 of the Constitution and its topical relevance, scope and distinctions. Kinds of Writs and their scope and general and special grounds for invoking. Locus standi and Public Interest Litigation, New principles and remedies as applied by Courts in public law at relevant times. Doctrine of ultra vires. Remedies in Private Law, Statutory Appeals. Tribunals System - Central and State Administrative Tribunals.
5. Government as litigant - Liability for Wrongs - Tortious and Contractual- Principles. The evolution and its contemporary status, Principles evolved by Courts at relevant times and its contemporary significance. Government Privileges in legal proceedings. Right to information and open government. Public Corporations- Contemporary scenario and Parliamentary and Judicial Control.

### Suggested Reading

Shakeel Ahmed Khan, (ed.), *Principles of Administrative Law*  
 Justice G.P. Singh & Justice Alope Aradhe, (eds.) *Principles of Administrative Law*  
 I.P. Massey, *Administrative Law*  
 S.P. Sathe, *Administrative Law*  
 C. K. Thakwani & M.C. Thakker, *Lectures on Administrative Law*  
 N.K. Jayakumar, *Administrative Law*  
 C.K.Thakker & M.C. Thakker, *V.G.Ramachandran's Law of Writs*  
 Paul Craig, *Administrative Law*  
 William Wade and Christopher Forsyth, *Administrative Law*  
 Lord Woolf, *et. al. S.A. De Smith's Judicial Review of Administrative Action*  
 Brian Jones & Catherine Thompson, *Garner's Administrative Law*  
 Charles H. Koch, Jr., *Administrative Law: Cases and Materials*

**SEVENTH SEMESTER B.B.A., LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 25-ADMINISTRATIVE LAW**

**Time : 3 hrs.**

**Maximum : 75 Marks**

**PART A**

**Write Short on any *five* questions. Each Question carries 3 marks**

1. French concept of Rule of Law
2. Administrative Instructions
3. Doctrine of necessity in Rule against Bias
4. Exhausting alternate remedies
5. Vicarious liability of state
6. Fundamental rights and Administrative discretion

[5 x 3 = 15 Marks]

**PART B**

**Answer any *three* Problems. Each problem carries 10 marks**

1. The nationalisation policies adopted by the Regional Transport Authority which comprised of the Secretary of the Department as well as the Minister for Transport as ex officio and others envisaged the minister to receive complaints if any regarding the policies. The same was challenged as violative of rule against bias. Decide.
2. The Director of Public Instructions was empowered to grant exemptions in appropriate cases in relaxing the stipulations regarding age of candidates for SSLC examinations. The Director took a stand that he will not give relaxation, if the period sought is beyond two years. The impugned order is challenged before the High Court.
3. A quantity of gold was recovered from X, on the impression that the same was stolen property. The gold which was kept in the police station was stolen by a constable who fled to Nepal. Meanwhile X who was prosecuted was acquitted and on finding that the gold was stolen files a suit for damages against the Government. Decide.
4. A group of students who misbehaved with girls by trespassing into the girl's hostel was proceeded against for disciplinary actions by the Principal. The demands of the delinquents for cross examination was turned down by the Principal and as they were found guilty were terminated from the college. The students challenge the order on the ground of denial of cross examination. Respond.

[3 x 10 = 30 Marks]

**PART C**

**Answer any *two* of the following. Each question carries 15 marks**

1. Explain the grounds for invoking the writ of Mandamus. Cite case laws.
2. What are the reasons for the growth of Administrative Law. Whether the contemporary situation calls for a change in the perception towards this branch of law?
3. Write Notes on the following:
  - (a) Doctrine of proportionality
  - (b) Legitimate Expectation

[2 x 15 = 30 marks]

## F.L. 26 – LABOUR LAW – II

1. Concept of Social security - the result of Industrialization - Relation with Social Justice & Social Security – social insurance and social assistance- I L O & Social security- its emergence in India- Effects of social security measures
2. Social security measures against employment injuries- compensation to workmen- employers liability- nature and extent- Notional Extension of time and place of employment- Powers of Employees Compensation Commissioner
3. Employees State Insurance Scheme Administration and function of ESI corporation, standing committee & medical benefit council, benefits – ESI Fund- Liability of the principal employer- adjudication of disputes & claims E.S.I court- Jurisdiction & proceedings
4. Industrial hygiene and Industrial health, Industrial accidents, safeguards approval, licensing & registration of factories – health, safety & welfare measures of workers - legislative protection for children and young person- authorities and their powers
5. Concept of wages – Regulation & fixation of wage periods, deduction and fines- authorities and adjudication of fines. Fixation and revision of minimum wages- powers of advisory Board & Committees payment of minimum wages- Maternity benefits – regulation & protection to women employees – Bonus- meaning and eligibility – minimum & maximum bonus – Gratuity- meaning and eligibility – forfeiture- Employees provident fund scheme & employee pension scheme- Law relating to shops & commercial establishments

### Suggested Reading:

S.C. Srivastava

K.D. Srivastava

Ganguly

K. Madhavan Pillai

S.N. Misra

*Social Security Laws*

*Workmens Compensation Act*

*ESI Act*

*Labour & Industrial Law*

*Labour & Industrial Laws*

**Seventh Semester 5 Year LL.B Examination**  
**Model Question Paper**  
**F.L. 26- LABOUR LAW-II**

**Time: Three Hours**

**Maximum Marks: 75**

**PART – A**

**Answer any five of the following. Each question carries 3 marks**

1. Explain the meaning and concept of social security, social assistance and social insurance.
2. What is personal injury and what are the conditions for obtaining compensation for personal injury under the Employees Compensation Act, what are the defenses available to the employer.
3. What is Employees State Insurance fund ? What are the purposes for which the fund may be utilized?
4. What is a factory under the Factories Act. Briefly discuss the safety measures under the Act for the protection of the worker?
5. State the eligibility for bonus under the Payment of Bonus Act, 1965. What are the disqualifications for claiming bonus?
6. Explain the powers of Employee's Compensation Commissioner.

(5x3 = 15 marks)

**PART – B**

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

1. Mr. Raju, a driver of a bus belonging to A, had driven the bus from Ernakulam to Kozhikode. On the next day when he was about to take the bus from Kozhikode for return journey, he sustained heart attack and died. Mrs. Raju, the widow claim compensation from A. Decide
2. A notice of dismissal is given by Employer to B, an employee, during the period B is in receipt of sickness benefit under the ESI Act. Explain the effect of the notice of dismissal given to B
3. X carries on a business of sale of Diesel oil, motor spirit, lubricant. Servicing of cars and lorries, repairing vehicles and charging batteries with the aid of power by employing more than 20 labourers- Does this amount to manufacturing process. Discuss
4. P, the manager of a theatre who had no statutory obligation to run a canteen, entered into an agreement with Q, to run a canteen for the better amenities of his theatre business. Whether P, is liable to pay contribution to the Employees State Insurance as the Principal Employer of the workmen employed by Q

( 3x10 = 30 marks )

**PART - C**

**Answer any two. Each question carries 15 marks**

1. The quest for social security and freedom from want and distress has been the consistent urge of man through ages. Examine this statement tracing the history of social security legislations in India
2. How far does gratuity under the Payment of Gratuity Act, 1972 operate as a retrial benefit? Give a brief statement of the coverage and scheme designed under the Act
3. a. Examine the concept of minimum wage and distinguish it from fair wage and living wage  
 b. Which are the authorized deductions under the Payment of Wages Act, 1936?

(2x15 = 30 marks)

# **EIGHT SEMESTER**

## F.L. 27-MEDIA AND LAW

1. History of Communication Systems – Theories of Freedom of Expression– Free Speech- International Perspectives- Role of Media in a Democratic Society.
2. Media Legislations in the pre-constitutional period – Constitutional Status of the media – Rights and Restrictions-Courts and Legislature in relation to the Media – Media and the laws of security, reputation, privacy, obscenity and defamation.
3. Media as the Fourth Estate –Press Commission Reports- Press Council of India – powers, functions and responsibilities- Copyright, Taxation and Competition Law in relation to the media-Professional Regulation and Accountability- Journalistic Ethics-Right of Access to media and Disclosure of sources of information-Freedom of Information- Right to information – Constitutional and Statutory perspectives-Regulation of advertisements-censorship and licensing.
4. History of Broadcasting in India- Public service Broadcasting in India – Socio-legal perspective – Delinking- Uplinking - Downlinking-Diffusion – Cable Television Networks – Telecom Regulatory Authority of India (TRAI) and Telecom Dispute Settlement and Appellate Authority (TDSAT).
5. Historical Development of the Telecommunication sector in India – Legal framework relating to Telecommunication Service – Telecom Policies in India- Convergence of Technologies – Response of the Indian Legal System.

The student is expected to be acquainted with the following materials: The Indian Constitution, The Contempt of Courts Act, 1971, The Press Council of India Act 1978 and the Indian Penal Code

### **Suggested Reading**

Fenwick and Phillipson, *Media Freedom Under the Human Rights Act*  
 Vikram Raghavan, *Communications Law in India*

D.D.Basu, *Law of the Press*

Robertson and Nicol, *Media Law*



**VIII SEMESTER B.B.A.,LL.B DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L. 27- MEDIA AND LAW**

**Time: 3 hours**

**Max Marks: 75**

**PART A**

**Write short notes on any five of the following. Each question carries three marks.**

1. Explain the American concept of Free Speech.
2. Explain the Indian law in relation to privacy of speech.
3. What are the constitutional safeguards regarding censorship of cinematographic films?
4. Explain VOIP.
5. Explain the report of the Ind Press Commission.
6. What is meant by convergence of technologies?

**(5x3=15)**

**PARTB**

**Write notes on any three of the following. Each question carries ten marks:**

1. Explain the powers and functions of the Press Council of India.
2. Explain the regulation of commercial speech in India.
3. Explain the history of communication systems.
4. Explain the constitutional status of the print media.

**(3X10=30)**

**Explain any two of the following. Each question carries fifteen marks.**

1. Explain the powers and functioning of the *Prasar Bharati*.
2. Enumerate on the National Telecom Policies of India and explain how they have been instrumental in paving the way for the present day scenario of the telecom industry.
3. How does the Cable Television Networks (Regulation) Act, 1995 regulate advertising?

**(2 x15=30)**

## **F.L.28- RIGHT TO BE HEARD AND CHILD RIGHTS ADVOCACY**

1. Concept of childhood-capacity debate-age debate-intersectionality debate-child rights in conjunction with issues of caste, class, disability, sex, HIV/AIDS, poverty-categorisation under the JJA-historical perspective- Basic concepts of child development-theories-mental health impact of abuse, labour, trafficking on children
2. Jurisprudence of Child Rights-*Dharma* principles-Protection rights and liberty rights-Will theory of rights and interest theory of rights- best interests of the child, distinction between protection rights and individual rights- John Rawls- International standards-UNCRC, Optional Protocols, EU conventions- Indian standards- Constitution, statutes-labour, abuse, education- policies, schemes for protection of CR-Survival Rights of Children – basic rights-malnutrition, maltreatment
3. Protection Rights of children-child as victim, witness, perpetrator-offences against children-sexual offences-child labour, anti-beggary, child trafficking, Juvenile Justice Act and Indian Penal Code offences-Development rights of children-Right to Education Act, right to health, disability rights-participation rights of children-how to promote effective participation of the child in political and legal processes- Right to be heard, Children’s Gram Sabha, Children’s Parliament etc
4. Institutional framework- court procedure, fast tracking-Juvenile Justice Board-Child Welfare Committee-- Special Children’s Courts- Participation by Civil Society and NGOs-Human Rights Institutions-Legal Service Authority
5. Is there need for informal, non-adversarial techniques?-Sensitivities in procedure in receiving children under the criminal justice system- Child psychology-- ensuring objectivity and accuracy, interviewing and special interviewing techniques-Representing a child in the legal process-as victim, witness and perpetrator-Restorative Justice-Legal aid clinics

The student is expected to peruse the following material for his study: UDHR, ICCPR, ICESCR, CEDAW, UNCRC, , Convention on the Rights of Persons with Disabilities, 2006, ILO Conventions, Juvenile Justice Act, National Legal Service Authority Act and State Legal Service Authority statute, Constitution of India, 1950 (Aa. 21A, 41, 45, 46, 51A (k), 350 A), Right of Children to Free and Compulsory Education Rules, 2009, The Right of Children to Free and Compulsory Education Act, 2009 and Rules 2010, Model Rules under the Right of Children to Free and Compulsory Education Act, 2009, Protection of Children from Sexual Offences Act, 2012, Goa Children’s Act, 2003, UN Basic Principles on the Use of Restorative Justice programmes in Criminal Matters, 2000, the UNODC Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, 2009, UN General Comments on Right to be Heard, Compendium of UN Standards and Norms in Crime Prevention and Criminal Justice, UN New York, 2006.

### **Suggested Reading:**

Bajpai, Asha, *Child Rights in India: Law, Policy and Practice*

Kumari, Ved, *Juvenile Justice System in India*

Adenwalla, Maharukh, *Child Protection and Juvenile Justice System, For Juvenile in Conflict with Law*

Kalpna Kannabiran & Ranbir Singh ed., *Challenging the Rule(s) of Law Colonialism, Criminology and Human Rights in India*

**VIII SEMESTER B.B.A.,LL.B DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L. 28-RIGHT TO BE HEARD AND CHILD RIGHTS ADVOCACY**

**Time: 3 hours**

**Max Marks: 75**

**Part A**

**Answer any five of the following. Each question carries three marks:**

1. Explain the legal capacity of a child.
2. Explain the Will theory.
3. How does the Indian Constitution protect child rights?
4. Explain the concept of Child Gram Panchayat.
5. Explain fast tracking of procedure regarding children.
6. Explain Child Witness. (5x3=15)

**Part B**

**Answer any three of the following. Each question carries ten marks.**

1. Explain the categorisation of children under the Juvenile Justice (Care and Protection) Act, 2006?
2. Explain the developmental rights of children.
3. How can objectivity and accuracy be maintained in child interviewing techniques?
4. Is there need for informal, non-adversarial techniques in ensuring a just representation of the child in the legal process?

(3x10=30)

**Part C**

**Answer any two of the following questions. Each question carries fifteen marks.**

1. Explain the institutional framework under the Juvenile Justice (Care and Protection) Act, 2006 for child offenders.
2. Explain the various sexual offences against children under the Protection of Children from Sexual Offences Act, 2012.
3. Explain the various international instruments to guarantee the rights of a child.

(2x15=30)

## **F.L. 29 – PUBLIC INTERNATIONAL LAW**

- 1 Basic aspects of International law - Nature and basis of International law- definition-relationship between Municipal law and International law - sources
- 2 State as subject of International law - essentials of Statehood - rights and duties of states and other entities- mode of acquisition and loss of state territory- state responsibility
- 3 Recognition -succession – concept of recognition-theories-kinds and consequences of recognition- nationality – extradition- asylum- State jurisdiction- sovereign immunity- diplomatic privileges and immunities
- 4 Equitable resource utilization and justification- air space- outer space- common heritage of mankind- Treaty-reservations-*pacta sunt servanda*-modes of termination of treaty
- 5 UNO- organs of UNO- International Economic Institutions-WTO, IMF, IBRD, UNCTAD

### **Suggested Reading:**

Oppenheim, *International Law*  
SK Kapoor, *Public International Law*

**EIGHTH SEMESTER 5 YEAR LL. B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 29-PUBLIC INTERNATIONAL LAW**

**Time: 3 hours**

**Max Marks: 75**

**PART A**

**Answer any five of the following. Each question carries three marks:**

1. *Pacta sunt servanda*
2. Treaty
3. Asylum
4. International law
5. Municipal law
6. Statehood

(5x 3 =15)

**PART B**

**Answer any three of the following. Each question carries ten marks.**

- 1 Arun Thapar was an Indian Diplomat in Syria. He was accused of murdering a fellow colleague. He absconded and was later found in Rajasthan. Is India liable to extradite him to Syria for trial or can he claim diplomatic immunity.
- 2 Motara state was recognized by several states as a separate state. China failed to recognise it as a state . Will it affect the recognition process
- 3 George was a national of India. He migrated to USA and took the citizenship. Will he lose Indian citizenship?
- 4 It was alleged against Jordan that there was human rights violation. Can the UN interfere in its domestic matters?

(3 x 10 = 30)

**PART C**

**Answer any two of the following. Each question carries fifteen marks.**

- 1 Explain the different definitions of International law and construct your own definition relevant in the present context.
- 2 Explain the difference between Nationality and Citizenship.
- 3 What do you mean by Equitable resource utilization in the World. Explain the International law in this area.

(2 x 15 =30)

### **F.L. 30 -INTELLECTUAL PROPERTY LAW**

1. Concept of Intellectual property – historical origin of different fields of IP – policy considerations – national perspective and international demands – TRIPS Agreement and WTO Dispute Settlement mechanism
2. Copyright – nature of protection – originality – idea/expression dichotomy – subject matter of protection – works protected under copyright law and meaning of performance – the International requirements regarding nature and subject matter of protection -Patent – concept of novelty, inventive step and utility – patentable inventions (subject matter of protection) – the International requirements regarding nature and subject matter of protection - Designs – concept of originality or novelty – requirements for protection and nature of protection – the International requirements regarding nature and subject matter of protection -Trademark – concept of distinctiveness – relevance for deception and confusion - concept of well-known marks-Traditional knowledge and Geographical Indications as Intellectual Property.
3. Acquisition, Ownership and transfer of Intellectual Property-Copyright – method of acquiring protection – author and owner – transfer of copyright – rights conferred under copyright protection for different works – the International requirements regarding these areas -Patent – method of acquiring protection – true and first inventor and patentee – rights conferred by patent protection – transfer of patent rights – the International requirements regarding these areas- Trademark – eligibility requirements for registration and requirements for protection for unregistered trademarks – transfer of trademark.
4. Public interest and intellectual property rights -Term of protection under different forms of intellectual property and its significance – international requirements - Copyright – fair use, compulsory licensing, statutory licensing– international requirements -Patent – research and experimental use exceptions, compulsory licensing– international requirements -Trademarks and parallel imports – international requirements
5. Infringement, remedies and enforcement of intellectual property rights -Copyright – infringement – civil, criminal and administrative remedies – enforcement of rights – international requirements -Patent – infringement – patent claim construction – remedies and enforcement of rights – international requirements -Trademark – infringement and passing off – new trends in passing off – comparative advertisement, character merchandising, ambush marketing and dilution – remedies and enforcement of rights – international requirements

**Suggested Reading:**

Lionel Bently and Brad Sherman, *Intellectual Property law*

W.R. Cornish, *Intellectual Property patents, copyrights, trademarks and allied rights*

Narayanan, P., *Intellectual Property Law*

N.S. Gopalakrishnan and T.G. Agitha, *Principles of Intellectual Property*

**EIGHTH SEMESTER 5 LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 30 -INTELLECTUAL PROPERTY LAW**

Time: 3 Hours

Maximum Marks: 75

**Part A**

**Answer Any Five Questions. Each Question Carries Three Marks**

1. Write a brief note on WTO Dispute Settlement Mechanism
2. What are the implications of protecting “Well-known marks”?
3. What is meant by “trafficking” in trademarks?
4. Briefly examine the concept of fair use.
5. Discuss in brief the administrative remedies for the infringement of copyright
6. Explain the meaning of ‘Geographical Indications’

(5x3 = 15)

**Part B**

**Answer Any Three Questions. Each Question Carries Ten Marks**

1. Apple Company challenged the mark ‘Apple constructions’ alleging that such use may result in diluting their well-known mark. Decide.
2. A composer wants to challenge the assignment of satellite rights of his music in a film to company A by the producer of the film without his consent and claims a share in the royalty. Advise him.
3. Roche holds patent for a medicine in India. The medicine is available at a cheaper price in Bangladesh where there is no patent law. NATCO buys the medicine from Bangladesh and sells it in India without authorization from Roche at a price cheaper than that of Roche. Roche files a case alleging infringement of its patent. Advise NATCO
4. Channel X produced a realty show of Mix matching. Using the same concept Channel B produced a realty show of mix matching. Channel X alleges copyright infringement against channel B. Discuss.

(3x10 = 30)

**Part C**

**Answer Any Two Questions. Each Question Carries Fifteen Marks**

1. Discuss the standards of patentability under the Indian Law
2. Critically examine the historical justification of patents and how far it is reflected in the TRIPS context
3. What are the procedures to ensure protection under the Geographical Indication of Goods (Protection and Registration) Act?

(2x15 = 30)

## F.L. 31 – COMPANY LAW

1. Company- Meaning, Nature and definitions- Corporate personality- Theories of Corporate personality- Advantages and disadvantages of Incorporation- Doctrine of Lifting of corporate veil- Company distinguished from other Association- Limited Liability partnership- Different Kinds of companies- Promoters their position, duties and liabilities- Registration and Incorporation of a Company- Emerging trends in Corporate social responsibility
2. Memorandum of Association – Articles of Association—Alteration – Doctrine of constructive notice and Indoor management- Prospectus- definition and its contents – Statement in lieu of prospectus- Misrepresentation and remedies-
3. Membership- Definition and mode of acquiring membership- Shares- Kinds of shares- Allotment of shares- Register of share holders- Share capital- equity share capital- Stock-Issue of shares at a discount and premium- Dividends- Transfer and transmission of shares- Reduction of share capital – Redemption of share capital- Forfeiture of shares- dematerialized shares (DEMAT)
4. Borrowing powers of a company – Ultra vires borrowing and its consequences- Debentures – Kinds of debentures- charges , fixed and floating - The Board of Directors- their appointment, powers , duties , liabilities and removal - Managing Director - Secretaries – Meetings- Resolutions: Insider trading - Oppression and Mismanagement- Investigation- Company Law Board and its powers- Auditors their powers and duties- Amalgamation and Reconstruction of companies
5. Winding up – Different kinds of winding up- Grounds – Commencement and consequences of winding up- Winding up by court- Voluntary winding up- Powers of courts – Appointment of liquidators- their powers , position and duties and liabilities- Liability of members- Payment of liabilities and preferential payments

### Suggested Reading:

L.C.B Gower	<i>Principles of Modern Company Law</i>
Avtar Singh	<i>Company Law</i>
Tax Mann's	<i>Company Law and Practice</i>



**EIGHTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 31-COMPANY LAW**

**Time : 3 hours**

**Max. Marks 75**

**PART - A**

**Answer any five short notes. Each question carries three marks**

1. Define company
2. Statement in lieu of prospectus
3. Equity share capital
4. Ultra vires borrowing
5. Compulsory winding up
6. Company Law Board

(5 x 3 = 15)

**PART - B**

**Answer any three problems. Each question carries ten marks**

1. X Ltd. was incorporated on 1-4-2009 and received its certificate of Incorporation on 1-5-2009. What is the legal status of a contract entered on 10-4-2009.
2. The object clause of the memorandum of a company empowers to carry on distillery business and any other allied business. The company wants to alter its memorandum for doing cinema business. Advise the company
3. An allottee of a shares in a company has brought an action against the Director in the company in respect of false statement in the prospectus. The director has contended that the statement was prepared by promoters and he had relied on them. Is it a valid contention? Why?
4. The secretary of a company forged the signature of the directors and seal of the company, issues share certificate in favour of B purporting to be signed by the directors and secretary, and has seal of the company. Can the Company liable for the shares covered in the share certificate? Give reasons

(3 x 10 = 30)

**PART - C**

**Answer any two questions. Each question carries fifteen marks.**

1. Discuss the mode of appointment of Directors in a Company and state the legal position of a Director.
2. Discuss briefly about the provisions for the Annual General Meetings. State the requisites of a valid meetings
3. What is meant by Compulsory Winding Up? Discuss the grounds for compulsory winding up of a Company.

(2 x 15 = 30)

## F.L. 32 –LAND LAWS

1. Concept of real property- State ownership.-Doctrine of eminent domain- Concept of real property under Indian systems of law and constitutional provisions.
2. Land reform legislations- land to the tiller- *kudikidpukar*- rights and liabilities, fixity of tenure, Ceiling area, Authorities and powers.
3. Land acquisition law- public purpose- procedure for acquisition of land- procedure in case of urgency- reference to court- procedure for acquisition of land for companies- compensation and remedies.
4. Law related to tribal land- restriction on transfer of tribal land- restoration of land – Authorities and powers- Assignment of govt land to the tribes- conditions and procedure for assignment- Protection of forest land- reserved forest- rights of tribes in forest land.
5. Conservation of land- *poramboke*- procedure related to unauthorised occupation of government land. Conservation of paddy land and wet land. Assignment of government land- procedure related to land assignment. Land use control-Authorities and powers to regulate land utilisation.

The student is expected to peruse the following statutes for his study:

Kerala Land Reforms Act,1963; Constitution of India-Art.31,19(1)(f)and 300A; Land Acquisition Act,1894; Kerala Scheduled Tribes( restriction on transfer by and restoration of lands to Scheduled Tribes) Act,1999; Kerala Forest Act,1961; Conservation of Paddy Land and wet land Act,2008; Kerala Land Conservancy Act,1957; Kerala Land Assignment Act,1960; Kerala Land Utilization Order,1967; Kerala Assignment of Govt. land to the Scheduled Tribes Rules,2001

### **Suggested Reading:**

Sugathan, *Land Laws of Kerala*

A.Gangadharan, *Law of Land Reforms in Kerala*

A.Gangadharan, *Laws on Land in Kerala*

George Johnson, *Law of Land Reforms in Kerala*

**EIGHTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 32- LAND LAWS**

**Time :Three hours**

**Maximum marks: 75**

**Part A**

**Answer any five questions. Each question carries three marks**

1. What is the rationale of state ownership control of property?
2. Enumerate the special powers of Collector in case of urgency for land acquisition?
3. What are rights and liabilities of a *kudikidappukar*?
4. What are the restrictions on transfer of property of tribals?
5. Explain the term *poramboke*.
6. Define Government land

(5x3=15)

**PART B**

**Answer any three problems. Each question carries ten marks:**

1. A *kudikidappukaran* has obtained ownership and possession of 50 cents of land at a distance beyond 5 km from his *kudikidappu*. The owner of the land seeks to evict him from his *kudikidappu*. Can he do so? Examine and discuss.
2. There was an unexplained delay in taking possession of the land after invoking the urgency clause under S.17 (4) of the Land Acquisition Act, 1894. In view of the delay thus made it was contended that the proceedings reflected absence of urgency and therefore liable to be quashed. Decide.
3. X, the owner of a paddy field discontinued paddy cultivation and kept the field barren for two years. Later he arranged for steady flow of fresh water and started prawn culture. Can he be proceeded against for the violation of the Kerala Land Utilisation Order, 1967. Decide.
4. A group of tribal people forcefully occupy the forest land alleging that the land in question was originally occupied by the ancestors of those tribal people. Government contends that the land in question being forest land is inviolable. Decide.

(3 x 10 = 30)

**PART C**

**Answer any two questions. Each question carries fifteen marks.**

1. Discuss the concept of property under the Indian constitution before and after the incorporation of Art. 300A.
2. Analyse the Kerala land Utilization Order, 1967. Point out the merits and demerits of the Order.
3. Critically examine the Kerala Conservation of Paddy Land & Wet land Act, 2008.

(2 x 15 = 30)

# **NINTH SEMESTER**

### **F.L.33 –REFUGEE LAW, IMMIGRATION LAW AND INTERNATIONAL HUMANITARIAN LAW**

1. Introduction to International Humanitarian Law-Historical background, source and development of International Humanitarian Law; Relation of International Humanitarian Law to International Law and Human rights Law; Fundamental rules of International humanitarian Law ; scope of applicability of International Humanitarian Law-International v. Non International Armed conflict, categories of persons under International humanitarian Law
2. Protection of victims of armed conflict-Role, mandate and activities of International Committee of Red Cross, The general obligations of humane treatment –wounded, sick and ship wrecked persons; combatant status and protection of prisoners of war; protection of civilians, controlling the means and methods of war fare, protection of cultural property and natural environment
3. Implementation International Humanitarian Law- National, bilateral, International measures and state obligations; Enforcement of International Humanitarian Law-Responsibility of States for Repression of Breaches, role of national legislation and military law, command responsibility and superior orders; International criminal responsibility- War crime tribunals and International Enforcement Mechanisms.
4. Refugee Law- global refugee situation, International initiatives, Human Rights and Refugee protection, UNHCR and its role in refugee protection in India, definition of Refugee, procedures for refugee status determination, Internal displacement, Asylum, Non-Refoulement and Refugee protection, Statelessness, Durable solutions to refugee situations.
5. Fundamental right to movement, immigration-meaning, causative factors, International and National laws; Illegal migration to India- reasons, problems for Indian population and National security, International and national initiatives in dealing illegal Immigration.

The following statutes shall be perused by the students: The Immigration (Carriers Liability) Act, 2000, The Immigrants (Expulsion from Assam) Act, 1950, The Immoral traffic prevention Act, 1956, The passport (entry into India) Act, 1920 and Amendment Act, 2000, The passports Act, 1967 & Amendment Act, 2002, The Registration of Foreigners Act, 1939, Immigration Reform and Control Act, 1986, The Foreigners Act, 1946, The Refugees and Asylum Seekers (protection) Bill, 2006, UN Declaration on Territorial Asylum, 1967.

#### **Suggested Reading**

Christopher Harland, *Basic documents on International Humanitarian law-South Asia collection*

Larry Maybee & Banerji, *International Humanitarian Law : A reader for South Asia*

B.S. Chimni, *International Refugee Law : A Reader*

*ISIL Year Book of International Humanitarian and Refugee Law, Vol.VII, 2007*

ICRC, *The Geneva Conventions of 12 August 1949 and Protocols Additional to the Geneva Conventions of August 1949*

**NINTH SEMESTER FIVE YEAR LL.B. EXAMINATION  
MODEL QUESTION PAPER  
F.L. 33- REFUGEE LAW, IMMIGRATION LAW AND  
INTERNATIONAL HUMANITARIAN LAW**

Time: 3 hours

Max Marks: 75

**PART A**

**Answer any five questions. Each question carries three marks.**

1. Explain the relation of international humanitarian law and human rights law.
2. Explain the various measure to control the means and methods of warfare?
3. Write a note on war crime tribunals.
4. Define refugee.
5. What are the causative factors for illegal migration to India .
6. Write a note on Protection of Victims of armed conflict.

(5 x 3 = 15)

**PART B**

**Answer any three questions. Each question carries ten marks.**

1. A dispute has arisen between Antonia and Rhodania and the armed forces of the two states are fighting on the border. The Prisoners of War held by Rhodania are being ill treated and are being hidden from ICRC. Botha re parties to the Geneva Conventions and additional protocols. Discuss whether Rhodania has violated International Humanitarian Law.
2. Armed forces of Countries P and Q are fighting on the borders. Country Q bombed a famous hospital in the capital city of P, in which wounded soldiers of P are admitted. Decide whether Q has violated the principles of International Humanitarian Law.
3. Country A suddenly declared war on Country B. There were several nationals of Country B residing in the territory of Country A. How has international Humanitarian Law protected the rights of those persons?
4. Armed forces of countries M and N are fighting in the borders. Country M is convinced that Prisoners of War held by N are ill treated and even ICRC is prevented from visiting them. M decided to take the following steps:
  - a. Bombing certain military bases of N using chemical weapons
  - b. Suspending visits of ICFRC to N's Prisoners of War
  - c. Refer the matter to UN Security Council. Decide whether these measures adopted by M are in accordance with international humanitarian law.

(3 x 10=30)

**PART C**

**Answer any two questions. Each question carries fifteen marks.**

1. Explain national initiatives taken in India to deal with Illegal Migration.
2. Explain the role of UNHCR regarding refugee protection in India
3. Explain the role of ICRC in ensuring respect for International Humanitarian Law

(2 x 15=30)

## F.L. 34 –CONFLICT OF LAWS

1. Nature , scope and general principles of Private International Law – Distinction between Public and Private International Law – Theories of Private International Law.
2. Classification of cause of action – *renvoi* - jurisdiction of courts – immunity enjoyed by the sovereign – assumed jurisdiction – Proof of foreign law - Exclusion of foreign law.
3. Domicile – Presence, residence, domicile and nationality of corporations – recognition and enforcement of foreign judgments – stay of action.
4. Principles of Private International Law relating to :- contract, tort , movable and immovable property, insolvency, succession
5. Principles of Private International Law relating to :- marriage, matrimonial causes, legitimacy and legitimation, adoption, guardianship and custody of minors and children

### **Suggested Reading:**

Cheshire	<i>Private International Law</i>
K. Sreekantan	<i>Private International Law</i>
Paras Diwan & Peeyushi Diwan	<i>Private International Law</i>
Morris JHC	<i>Cases and Materials on Private International Law</i>
Graveson RH	<i>Conflict of Laws</i>
Dicey and Morris	<i>Conflict of Laws</i>

## NINTH SEMESTER 5 YEAR LL.B EXAMINATION

### MODEL QUESTION PAPER F.L. 34-CONFLICT OF LAWS

Time: 3 hours

Max Marks: 75

#### PART A

**Answer any 5 questions. Each question carries 3 marks.**

1. Differentiate between Public and Private International Law.
2. Explain the immunity enjoyed by the Sovereign.
3. Explain Mocambique Rule.
4. Compare the domicile of origin with domicile of choice.
5. By applying which law would you determine whether a marriage is monogamous or polygamous?
6. Distinguish between legitimacy and legitimation.

(5x3=15)

#### PART B

**Answer any 3 problem. Each carries 10 marks.**

1. When 'X' was born in England his father's domicile is in India. When he was 22 years old, he chose USA as his domicile. At the age of 40 he left USA in order to make England his permanent home. But on the way he died. Decide his domicile at the time of his death.
2. A contract was entered into between 'A', an Italian National and 'B', an Indian national in England. It was decided by the parties that if any dispute arises, it will be settled according to Indian Law. Decide the validity of this clause.
3. 'A' and 'B', first cousins validly married in England and settled down in France. According to French Law, marriage between first cousins is void. 'A', without divorcing 'B' marries 'C' in France. Is the marriage between 'A' and 'C' valid?
4. The Government of a foreign state passes a decree expropriating certain jewellery belonging to X, which at the time of the decree is situated within the state. 'X', later brings that jewellery to London and there upon the foreign government institutes a claim in the English Court, claiming the jewellery on the basis of the above decree. 'X' contends that the court has no jurisdiction. Decide.

(3x10=30)

#### PART C

**Answer any 2. Each question carries 15 marks.**

1. Explain the "Doctrine of Renvoi". What are the drawbacks of this doctrine?



2. "The court of no country executes the Penal or Revenue laws of another". Explain and comment.
3. State the salient principles of the Law of Succession.

(2x15=30)

### **F.L. 35 –CYBER LAW**

1. Definition of cyber space-scope-jurisdiction-E-contracts-Software Licensing-Shrink-wrap-source code-escrow-internet protocol-UNCITRAL-data protection-international approaches
2. Information Technology Act 2000-digital/electronic signature-certifying authorities-Cyber Appellate Tribunal-security features and risks-cryptography-cyber forensic tools-security policies
3. Intellectual Property Law-copyright-software piracy-patents-trademark-domain name disputes and WIPO-database protection-sui generis extraction right
4. Online contracts-privacy-regulation of E-banking-RBI-e-cash transnational transactions-taxation in cyberspace-permanent establishments-double taxation- OECD-WTO-GATT-GATS
5. Cyber crimes-Information Technology Act-penalties and offences- investigation-adjudicating officer-Controller-CERT-Free Speech-USA and EU-International Regulation-Jus Cogens

#### **Suggested Readings**

Nandan Kammath, *Law relating to Computers, Internet and E-Commerce*  
 Roderic Broadhurst and Peter Grabosky, *Cyber Crime: The Challenge in Asia*  
 Cornish and Llewelyn, *Intellectual Property: Patents Copyright, Trademark & Allied Rights*  
 Stephen Saxby, *Encyclopedia of Information Technology Law*  
 Graham Smith, *Internet Law and Regulation*.  
 Richard Morgan and Kit Burden, *Morgan and Burden on Computer Contracts*  
 Laurent Garzaniti and Matthew O'Regan, *Telecommunication Broadcasting and Internet*  
 Major USAF Bonnie N.Adkins, *The Spectrum of Cyber Conflict: From Hacking to Information Warfare*  
 Ernesto U. Savona, *Crime & Technology: New Frontiers for Regulation, Law Enforcement & Research*

**NINTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 35-CYBER LAW**

Time: 3 hours

Max Marks: 75

**Part A.**

**Answer any five questions. Each question carries three marks**

1. What are shrink-wrap agreements?
2. Explain the concept of ethical hacking.
3. What is meant by sui generis extraction right?
4. What is a permanent establishment?
5. Is sending spam mail an offence in India?
6. Elucidate on hate speech.

(5 x 3=15)

**Part B.**

**Answer any three of the following. Each question carries 10 marks**

1. Explain the concept of jurisdiction in cyber space with reference to the international positions on the issue.
2. Explain protection of data in cyberspace, with reference to the laws on the issue in UK and USA
3. Explain the concept of electronic signature under the Information Technology Act 2000.
4. Explain the concept of software patents with reference to USA, E.U. and India.

(3x10=30)

**Part C.**

**Answer any two questions. Each question carries 15 marks**

1. Explain the OECD initiatives in international taxation.
2. How does the RBI regulate e-banking in India?
3. What are the mechanisms for dealing with cyber-crimes under the Information Technology Act of 2000?

(2x 15=30)

## F.L. 36 –INTERPRETATION OF STATUTES

1. Meaning of legislation –statutes –kinds of statutes –Parts of Statutes – Commencement of Statutes – Repeal of Statutes – Revival of Statutes – Interpretation of Statutes – meaning – difference from Construction - Rules and Policies of Interpretation of Statutes –Basic Rules of Interpretation of Statutes – literal –golden and mischief rules –Interpretation of Statutes in an era of globalization and cyber age
2. Internal and external aids to construction – Use of *travaux preparatoires* – parliamentary discussion – parliamentary history –public opinion – Policies of Statutory construction-Beneficial construction-Liberal construction-Restrictive construction-Construction to prevent abuse and evasion-Equitable construction -*Bonam partem*
3. Construction of general words and technical words – construction of words and phrases - *ejusdem generis* – *noscitur a sociis*- *expression unius exclusion alterius*-*reddendo singulari singularis* - Interpretation of statutes on the basis of nature – penal statutes-taxing statutes-mandatory and directory laws-statutes conferring benefits and imposing obligation- - statutes conferring power – Special Rules of interpretation of the Constitution
4. Presumptions of statutory construction – regarding jurisdiction-ouster of jurisdiction –How far statutes affect the Crown and the Government –Presumptions against what is inconvenient and unreasonable – Presumption against unjust consequences or absurdity – Presumption of interpretation of impairing obligations or allowing advantages from one's own wrongs –Presumption regarding retrospective operation of Statutes.
5. Principles of legislation – Utilitarian theory – Pain Pleasure theory -Principles of Legislative drafting –qualities of a good draftsman

### Suggested Readings:

Maxwell,	<i>Interpretation of Statutes</i>
	<i>Craie on Legislation</i>
G.P. Singh,	<i>Interpretation of Statutes</i>
Vepa Sarathy,	<i>Interpretation of Statutes</i>
M.N. Rao, MITA Dhanda (Ed.),	<i>N.S. Bindra's Interpretation of Statutes</i>

**NINTH SEMESTER 5 YEAR LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 36- INTERPRETATION OF STATUTES**

Time: 3 hours

Max Marks: 75

**Part A**

**Answer any five questions. Each question carries 3 marks**

1. *Reddendo singular singularis*
2. Preamble
3. *Ejusdem generis*
4. Ascetic Principle
5. Doctrine of Pith and Substance
6. Ouster of jurisdiction

( 5x3= 15)

**Part B**

**Answer any three of the following. Each question carries 10 marks**

1. What are the parts of a statute .
2. Explain beneficial construction.
3. What do you mean by *contemporaneo* exposition
4. What are the different kinds of legislation

( 3x10= 30)

**Part C**

**Answer any two questions. Each question carries 15 marks**

1. What are the presumptions of statutory interpretation
2. Critically evaluate the Utilitarian theory of legislation as propounded by Bentham.
3. What do you mean by penal statutes? Discuss the rules of interpreting penal statutes.

(2 x 15= 30)

## F.L. 37 – LAW OF TAXATION

1. Tax- definition , meaning- Principles of Taxation- Canons of Taxation- Distinction between Tax and Fee- Different kinds of Taxation- Direct and Indirect Tax- Constitutional basis of taxation- Income Tax Act- Assessee- Mutual relation between Income Tax Act with Finance Act – Concept of the term Income – Basis of Charge in Income Tax- Scope of Total Income- Residential Status under Income Tax Act- Income which do not form part of the Total Income
  
2. Heads of Income under Income Tax Act - Computation of income under each head- Clubbing of Income- Set off and carry forward of losses – Advance payment of Tax and Tax deducted at source- Assessment- Appeals- Revision- Collection and Recovery- Authorities under Income Tax Act- Agriculture Income under Kerala Agriculture Income Tax Act 1991- computation of Agriculture Income- Authorities and procedure of assessment.
  
3. Wealth Tax Act, 1957- Definition- Concept of net wealth- Assets- Deemed Assets- Exempted Assets- Deduction- Valuation of different Assets- Authorities and procedure of Assessment- Appeals – Revision and reference- Offence and penalties
  
4. Central Sales Tax Act - Definition: Dealer, Place of Business, Sale-Concept of interstate sale or in the Course of Import Export - Liability to Tax on interstate Sales , Registration & Cancellation and Penalties.
  
5. Kerala Value Added Tax Act – 2003- Sale- Authorities – Incidence and Levy of tax- Registration and permit- Assessment and recovery- Appeals- Reference- Revision- Penalties -Service Tax Meaning and importance -Taxable Services-, application of Service Tax, Administration of Service Tax

### Suggested Reading

Vinod K. Singhaniania , *Direct Tax Law and Practice*  
 Kanga & Palkiwala, *The Law and Practice of Income Tax*  
 S.K. Agarwala, *The Law and practice of Income Tax*  
 Sugathan, *Law of Sales Tax in Kerala*

**NINTH SEMESTER LL.B EXAMINATION  
MODEL QUESTION PAPER  
F.L. 37- LAW OF TAXATION**

Time 3 hours

Max. Marks 75

**Part A**

**Answer any five questions. Each question carries 3 marks**

1. Tax and Fee
2. Direct tax and indirect tax
3. Tax deducted at source
4. Net wealth
5. Dealer under Central Sales Tax Act
6. Value added tax

(5x3=15)

**Part B**

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

1. Summons has been served on a person to produce books of accounts in relation to accounting year 2007-08 and certain specified documents. In the event of failure, discuss the powers of the Income Tax authorities.
2. Ramu was in France for over ten years. Due to difficult economic condition, he returned to India during the previous year and stayed there during that year for 160 days. Though he wants to go abroad for a suitable job, he is worried over the tax considerations. Is he liable to pay tax in India?
3. Compute taxable net wealth of Mr. X, an ordinarily resident, from the following: Gold bond under gold deposit scheme 12 lakhs, residential building Rs 11 lakhs, jewelry Rs. 8 lakhs, cash in hand Rs. 85,000/-, cash at bank Rs. 2 lakhs, fixed assets in England Rs. 18 lakhs.
4. James is a citizen of India and ordinarily resident in India. He has got three houses in Cochin, Calicut and Kayamkulam at the rate Rs. 50 lakh each. His minor son has got wealth worth Rs. 7 lakhs. Compute the net wealth.

(3x10= 30)

**Part C**

**Answer any two questions. Each question carries 15 marks**

1. Examine the provisions relating to the incidence and levy of tax under Central Sales Tax Act for interstate sale or purchase.
2. Discuss the assessment of tax and recovery of tax under the Kerala Value Added Tax Act.
3. What is meant by Service Tax? How is it levied? Discuss briefly about the taxable services.

(2x15 = 30)

## F.L. 38-INTERNATIONAL TRADE LAW

1. Meaning of international trade law, Overview of the principles and structure of international trade law, The Concept and Nature of International Trade Law, Origins, Theories of International Trade, Historical Background of the General Agreement on Tariffs and Trade-GATT, 1947, ITO, Evolution and Inception of the WTO, The Inter-Relationship between Multilateral Rules, Regional Agreement and FTAs, UNCTAD, NIEO, IMF and IBRD
2. Substantive obligations in the agreements that form part of the World Trade Organization Agreement, including tariff and customs-related matters, subsidies, antidumping and countervailing duties, safeguards, textiles and clothing, agriculture, trade-related investment measures, government procurement, trade in services, and trade-related intellectual property rights, competition, NAMA, GATS, BITS
3. Overview of International Sale of goods, Types of International Sale of Contracts, Essentials of Sales Contracts, Incoterms, Interpretation of Commercial Terms, Documents of Title, Bill of Lading or Charter Party, Letters of Credit, Carriage of goods, International transportation, Documentary Credit and other Payment Arrangements
4. Regulation of International Trade in India, Institutional Structure, Foreign trade (Development and Regulation) Act, 1992, Foreign Trade Policy, Foreign Trade Procedures, The Special Economic Zones Act, 2005, International Contracts Claims before National Courts, SAFTA
5. Methods of Settlement of Disputes, Arbitration; Disputes Resolution through International Arbitration, the Principles Governing Arbitration, Agreements, Proceedings and Awards, Settlement of Disputes in Various WTO Multilateral Agreements, Countervailing Measures and Allied Matters. Dispute Settlement Body (DSB) in WTO and UNCITRAL Model of Settlement of Disputes, ICC Arbitration Rules, ICSID Arbitration Rules

### **Suggested Reading:**

John H. Jackson, *The World Trading System: Law and Policy of International Economic Relations*  
 Michael J. Trebilcock and Robert Howse, *The Regulation of International Trade*  
 Robert E. Hudec, *The GATT Legal System and World Trade Diplomacy*  
 Kenneth W. Dam, *The GATT: Law and International Economic Organization*  
 Asif H. Qureshi and Andreas R Ziegler, *International Economic Law*  
 Day, D. M. and Griffin, Bernardette, *The Law of International Trade*  
 Mitsuo Matsushita, Thomas J. Schoenbaum and Petros C. Mavroidis, *The World Trade Organization. Law, Practice, and Policy*  
 Schmittoff, M. Clive, *The Law and Practice of International Trade*  
 Stefan Vogenauer, *Unification of General Contract Law: The Case of the UNIDROIT Principles of International Commercial Contracts*  
 WTO Secretariat, *A Handbook on the WTO Dispute Settlement System*, 2004  
 Basic Instruments and Selected Documents (GATT)

**NINTH SEMESTER FIVE YEAR LL.B. EXAMINATION  
MODEL QUESTION PAPER  
F.L. 38- INTERNATIONAL TRADE LAW**

**Time 3 hours**

**Max Marks: 75**

**PART A**

**Answer any five questions. Each question carries 3 marks**

1. Letters of Credit
2. Incoterms
3. Regional Trade Agreements
4. MFN Clause and National Treatment
5. UNICITRAL
6. New International Economic Order

(5x3=15)

**PART B**

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

1. State A and B are members of WTO. State A banned the import of tobacco from State B on health grounds. But protected its domestic tobacco industry on the ground of protecting the livelihood of labourers working there. What are the remedies available to State A? What are the arguments available to State B
2. A CIF seller instead of endorsing and delivering the BIL to the CIF buyer mistakenly endorsed and delivered it to a sub buyer. The sub buyer returned it to the seller who struck out the endorsement and re-endorsed it to the CIF buyer. Examine whether the sub buyer is a lawful holder of the bill of lading
3. A send a consignment of fruits with B to be carried through sea. On reaching the destination the cargo of fruits were found to be in a deteriorated condition. Hence A initiated action against B for the loss. Decide?
4. A political party started a labour union in the notified SEZ area in India and issued notice for strike with various demands. Discuss the legal effects.

(3 x10=30)

**PART -C**

**Answer any two questions. Each question carries 15 marks.**

1. Write a critical analysis of origin and evolution of World Trade Organisation?
2. Write an overview of International Sale of goods?
3. What are the roles of international organizations in promoting and regulating foreign trade?



# TENTH SEMESTER

### **F.L. 39 –MARITIME LAW**

1. History and jurisdiction: Public international law and its relation with maritime law, UNCLOS and relation with domestic law in India, Merchant Shipping Act .
2. Flag jurisdiction and State responsibility: Equality of Flag and use of National ports, Merchant shipping in territorial waters and High seas - Powers of Coast Guard.
3. Carriage by Sea- Charter party contracts, bill of lading, Rights and Duties of Ship-owners at Common law , Carriage of Goods by Sea Act, 1924, Protection of Ship owner and Limitation of liability under the Merchant Shipping Act , bill of lading as a document of title in India and abroad, C.I.F and F.O.B terms.
4. Marine Pollution - International conventions , damages , loss and abandonment of ship and goods in the high seas, salvage
5. Marine Insurance- General principles, damages and International obligations, duty of disclosure, conditions, indemnity, assignment, reinsurance.

#### **Suggested Reading**

S.K. Kapoor, *Public International Law*

J G Starke, *Introduction to International law*

R. Churchill and A. V. Lowe, *The Law of the Sea*

A. V. Lowe and S. A. G. Talmon, *Basic Documents on the Law of the Sea: The Legal Order of the Oceans*

Rothwell & Stephens, *International Law of the Seas*

**TENTH SEMESTER 5 YEAR LL.B  
MODEL QUESTION PAPER  
F.L.39 - MARITIME LAW**

**Time: 3 hours**

**Max Marks: 75**

**Part A**

**Answer any five questions. Each question carries 5 marks**

- 1 Title
- 2 EEZ
- 3 C.I.F contract
- 4 Flag ship jurisdiction
- 5 Lien
- 6 Indemnity

( 5x3 = 15)

**Part B**

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

1. Ship Jamal was passing innocently through Sri Lankan Territorial waters. Under false alarm, the Srilankan Navy fired on the Ship. Argue for the Ship.
2. Ship registered at Baghdad, collided with an Indian Ship in the Indian waters. Which State has jurisdiction to decide the case.
3. The goods were loaded at the Egypt Port. While in the transit the ship got wrecked on the rocks and goods damaged. Who will bear the salvage charges.
4. A pirate ship was captured in the high seas by UK Navy. How can the jurisdiction for deciding the case be determined.

( 3x10 = 30)

**Part C**

**Answer any two questions. Each question carries 15 marks.**

1. Elaborate upon the maritime zones under the Indian law.
2. Explain the difference in liability in reference to CIF and FOB contracts.
3. Explain the concept of flag ship jurisdiction.

( 2x15 = 30)

**F.L. 40 – ALTERNATE DISPUTE RESOLUTION (PRACTICAL PAPER)**

This course will be taught through class instructions and simulation exercises, preferably with assistance of practising lawyers/Retired Judges. Evaluation may also be conducted in practical exercises at least for a significant part of evaluation. The maximum marks for the paper is 100. 70 marks for external examination and 30 marks for internal examination.

**Outline of the course**

- (i) Negotiation skills to be learned with simulation program
- (ii) Conciliation skills
- (iii) Arbitration Law and Practice including International Arbitration Rules.

**Pattern of Internal Examination**

Out of 30 marks, 5 marks may be given for attendance. The rest 25 marks may be given for 3 problems of Role play dealing with the above aspects

**TENTH SEMESTER FIVE YEAR LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER**

**F.L. 40- ALTERNATE DISPUTE RESOLUTION (PRACTICAL PAPER)**

Time: 3 hours

Max: Marks: 70

**PART A**

**Answer any five questions. Each question carries 2 marks.**

1. What is arbitration? How does it differ from proceedings in ordinary courts?
2. What is Public Interest Litigation? Discuss the issue of *locus standi* in public interest litigation.
3. What are the implied conditions in arbitration agreements?
4. Discuss the nature and scope of legal aid to the poor.
5. Discuss the salient features of the Legal Services Authorities Act, 1978.
6. What is the role of “*Neethimela*” and “*Loknyayalaya*” as quasi judicial forums for out of court arrangement for dispute settlement?

( 5x2= 10)

**Part B**

**Answer any three problems. Each question carries 10 marks.**

1. In a contract for sale the purchaser of the goods made a reference to the forum, claiming damages for supplying goods of inferior quality. After a decision was taken by it disposing other reference made to it, a subsequent reference was made by the purchaser to the same authority claiming the right to reject the goods and getting the earnest money paid back. It was contended that the subsequent reference was barred by Res Judicata. Decide.
2. A railway official was appointed as the arbitrator by mutual consent in arbitration proceedings in which the railway was one party. His appointment as arbitrator was challenged on the ground that he will be highly prejudiced in favour of the railway in making the award. In fact there was nothing in evidence to the effect that the official concerned was disposed in favour of the railway or against the other party in arbitration proceedings. Discuss the legality of his appointment as arbitrator.
3. Where a party to an arbitration proceedings met the expenses of the arbitrator for his air ticket and hotel accommodation, the question for consideration was whether this amounted to misconduct on the part of the arbitrator so that the arbitration proceedings may be invalidated. Examine and discuss whether this conducts of the arbitrator amounted to such a misconduct as to render the arbitrator proceedings invalid and the award being set aside.
4. After the award was made the arbitral tribunal resumed its powers of the authority of a court order. The court order remitting the matter to the tribunal provided for taking fresh evidence also. The tribunal was authorized to modify or correct the award if necessary on a purely legal ground. But the court itself made corrections and modifications fo the award in such a way as to make it obsolete, by substituting its own order the the award. The tribunal after the fresh hearing endorsed the order of the court as the award of the tribunal. Examine the validity of the award.

( 3x10= 30)

**Part C**

**Answer any two questions. Each question carries 15 marks.**

1. Discuss the various powers of the court with regard to arbitral proceedings. What are the grounds on which an arbitral award may be set aside? What are the consequences of an award being set aside?
2. Discuss the scope of conciliation and mediation as means of settlement of disputes. What is the difference between conciliation and arbitration, conciliation and mediation?
3. Discuss how the arbitrator is appointed and what are his powers.. Discuss how the award is enforced.

(2x15= 30)

## **F.L. 41 –DRAFTING, PLEADING AND CONVEYANCING (PRACTICAL PAPER)**

This course will be taught through class interaction and simulation exercises, preferably with the assistance of practising lawyers/retired judges. Total marks for the paper is 100 of which 30 marks will be through internal assessment and viva voce and 70 by external examination.

1. **Drafting:** General principles of drafting and relevant substantive rules applicable for the same shall be taught.

2. **Pleading:**

Civil matters: (i) plaint (ii) written statement (iii) Interlocutory application- temporary injunction-petition to set aside ex parte-attachment before judgment-arrest before judgment etc. (iv) Original petition (v) Affidavit (vi) Execution petition (vii) Memorandum of appeal-Civil Miscellaneous Appeal and Revision (viii) Petition under Articles 226 and 32 of the Constitution of India (ix) Divorce Petition -divorce by mutual consent (x) Caveat Petition

3. Criminal matters: (i) Complaint (ii) Criminal Miscellaneous Petition (iii) Bail Application (iv) Memorandum of Appeal and Revision (iv) Petition under s. 125 Cr.P.C.

4. **Conveyancing:** (i) Agreement for Sale (ii) Sale deed (iii) Mortgage deed (iv) Lease Deed (v) Gift Deed (vi) Will (vii) Promissory Notes (viii) Power of Attorney

**TENTH SEMESTER FIVE YEAR LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L.41-DRAFTING, PLEADING AND CONVEYANCING (PRACTICAL PAPER)**

**Time : 3 hours**

**Maximum Marks: 70**

**PART A**

**Answer any two questions. Each question carries ten marks.**

1. What is meant by pleading and what are the general rules of pleading?
2. What are the main principles of drafting?
3. Write a note on territorial jurisdiction of courts.
4. Briefly explain the basic principles as to drafting of plaints.

(2 x 10=20)

**PART B**

**Attempt any five problems. Each problem carries ten marks.**

1. Gopi, aged 57 years, son of Sivaraman, an agriculturist, residing at Ambujavilasam, Kanayannur Village, Kanayannur Taluk, Ernakulam district, has lent an amount of Rs. 50,000 to Ramu, aged 35 years, son of Ayyappan, business, residing at Poonkavanam, Kanayannur Village, Kanayannur Taluk, Ernakulam District, on the strength of a promissory note executed on 12/05/ 2011 payable on demand with interest @12% p.a. The debtor has not repaid the amount even after repeated demands. Gopi approaches you to take legal steps for the realization of the amount due to him. Draft a notice.
2. Gopi, aged 57 years, son of Sivaraman, an agriculturist, residing at Ambujavilasam, Kanayannur Village, Kanayannur Taluk, Ernakulam district, has lent an amount of Rs. 50,000 to Ramu, aged 35 years, son of Ayyappan, business, residing at Poonkavanam, Kanayannur Village, Kanayannur Taluk, Ernakulam District, on the strength of a promissory note executed on 12/05/ 2011 payable on demand with interest @12% p.a. The debtor has not repaid the amount even after repeated demands. Gopi sent a notice on 9/5/2012 claiming the amount of Rs. 50,000 due to him. Ramu sent a reply notice on 13/11/2011 stating that he had repaid the amount and interest for the same and he does not owe an amount of Rs. 50,000 but owes only Rs. 40,000 and interest for the same. Gopi filed a suit against Ramu for Rs. 40,000. Ramu wants to contest the suit.the suit is posted for filing of the written statement by Ramu. Draft a written statement for Ramu.
3. Raman, aged 40 years, son of Ramakrishna, working as a doctor at Ernakulam, is residing in Remya Nivas, in Ernakulam Village, Ernakulam Taluk, Ernakulam district. He is the owner and is in possession of one acre of agricultore land comprised in Survey No. 124 of Kakkanad Village in Ernakulam Taluk, in Ernakulam District. Krishnan, aged 35 years, son of Sudhakaran, residing in Sudha Mandir, Ernakulam, has entered into an agreement on 12/1/2011 with Raman to purchase the property of Raman for a total consideration of Rs. 5 lakhs and paid an amount of Rs. 50,000 as agreemen t for sale. Sale was not completed because of the fault of Raman. Krishnan filed suit against Raman for specific performance of the agreement. It is now reliably understood that Raman is planning to sell the property to a third person namely Sankaran. Draft an interlocutory application for temporary injunction for restraining Raman selling the property to Sankaran or to any other person till the final disposal of the suit.
4. The marriage between Gokulakrishnan and Remadevi was solemnized on 12/5/2000 as per Hindu rites at Udayanapuram Devi, Temple, Thrippunithura. After marriage they lived as husband and wife in the house of Gokulakrishnan at Thiruvananthapuram for a period of six months. But their relationship strained for several reasons and Remadevi separated for her



husband on 10/1/2001 and is residing in her father's house since then. Now the husband and wife mutually consent to divorce. Prepare a divorce petition for them.

5. Anujan is arrested by the Sub- Inspector of Police, North Police Station, Ernakulam on a charge of theft and is produced before the Judicial Magistrate of the First Class, Ernakulam. The magistrate remanded him to the Sub-Jail, Ernakulam. Prepare an application for bail.
6. Ramachandran, aged 55 years, son of Gopalan, an agriculturist, residing at Elankillal Veedu, Vanchiyoor Village, Thiruvananthapuram Taluk, Thiruvananthapuram District agrees to let his building No. TC 126/35 to Thomas, aged 50 years, son of Mathew, Section Officer, Higher Education Department, Secretariate, Thiruvananthapuram, residing at "Roja", Nellapaly Village, Chittur Talik, Palghat District for residential purpose on a monthly rent fo Rs. 1,5000/- with effect from 1/6/2012. Draft a lease deed.

(5 x 10=50)

## **F.L. 42 – PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS AND BAR-BENCH RELATIONS (PRACTICAL PAPER)**

Total marks for the paper is 100 of which 30 marks will be through internal assessment and viva voce and 70 by external examination.

1. Role and functions of a lawyer – Enrolment and qualifications –Disqualifications –Bar Council of India –Functions and powers –Committees –Right to practice –Professional Ethics –Standards of Conduct laid down by the Bar Council –Duties of a lawyer – Ten Commandments – *Panchaseels* of the Bar
2. Professional misconduct –Power and jurisdiction of the Bar Council of India –Disciplinary proceedings –Judicial Decisions
3. Art of Advocacy –Role and functions of a lawyer –Qualities of a Lawyer –Art of presentiment and winning a case –Examination of witness –Manner and skill of cross-examination
4. Contempt of court –Meaning and purpose –Criminal Contempt- Civil contempt –*Mens rea* principle in contempt cases-Innocent publication- Fair criticism – Power of the High Court –punishment –Procedure in contempt by Judges -Appeal –Limitation
5. Charging of fees from clients – Rules – law and morality –duty to the clients- Maintenance of accounts by the Lawyers – Changing the role of a lawyer in the era of globalization

The student is expected to peruse the following statutes for his study: The Contempt of Court Act, 1971, The Advocates Act, 1961

### **Suggested Reading:**

Krishna Murthy Iyer	<i>Advocacy</i>
B. Mallik	<i>The Art of Lawyer</i>
The Bar Council of India	<i>The Code of Ethics</i>

**TENTH SEMESTER FIVE YEAR LL.B. DEGREE EXAMINATION  
MODEL QUESTION PAPER  
F.L. 42-PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS AND  
BAR-BENCH RELATIONS**

**Time: 3 hours**

**Maximum Marks: 70**

**PART A**

**Answer any five questions. Each question carries 2 marks.**

1. What are the essentials of criminal contempt?
2. What are the duties of an advocate to the client?
3. What is the right of pre-audience?
4. What is fair criticism?
5. What is the art of presenting and winning the case?
6. What are the disqualifications for enrolment?

(5x2 =10)

**PART B**

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

1. What are the seven lamps of advocacy?
2. What are the powers of the disciplinary committee?
3. What are the functions of the Bar Council of India?
4. What is the manner and skill of cross-examination?

( 3x10=30)

**PART C**

**Attempt any two questions. Each question carries 15 marks.**

1. Explain the object and scope of the Contempt of Court Act.
2. What is professional misconduct? What are the disciplinary proceedings which can be initiated in the case of professional misconduct?
3. Explain the duties which the advocate owes to the community in general.

( 2x15=30)

### **F.L. 43 – MOOT COURT EXERCISE AND INTERNSHIP**

The paper may have three components of 30 marks each and viva for 10 marks.

- (a) Moot Court (30 marks) - Every student may be required to do two moot courts arguing for each side. He shall act as judge in one moot court. Each shall carry 10 marks. Each team shall comprise of not more than two students. The moot court shall be on the basis of problems assigned by the two faculty members in charge of the course. The students who act as judges in a moot court shall read out the relevant portions of the judgment he has written in the moot court and marks shall be awarded only after evaluating the written submission. There shall be 5 marks for assigned problems and 5 marks for oral advocacy. Each student shall attend 75% of the total moot courts and shall prepare a summary of arguments of both sides and the judgment. The schedule of the moot court shall be prepared and published at the commencement of the programme. Being an examination, the moot courts shall not be postponed.
- (b) Observance of trial in two cases: one civil and one criminal (30 marks)- Students may be required to attend two trials in the course of the last two or three years of LL.B studies. They will have to maintain a record of the various stages of the court procedure they have observed while attending the court. Students are expected to closely watch the court procedure, maintaining its decorum, behaviour in the court, how evidence is adduced, cases are argued etc.
- (c) Interviewing techniques and pre-trial preparations and internship diary: (30 marks)- Each student will have to observe two interviewing session of clients at the lawyer's office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further have to observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will have to be recorded in a diary which will carry 15 marks.
- (d) The fourth component of this paper will be the viva voce examination on all of the above three components. This will carry 10 marks.

Provided that while assessing the candidate, due weightage shall be given to his performance/involvement in the compulsory internship of the previous semesters as evidenced by his Internship Record.

To get a pass in this paper, the student has to undergo training/do all of the above components in the same semester.