



LDA – 1637

LL.B. Degree (Semester – VI) Examination, April 2016
INTERPRETATION OF STATUTES

Duration : 3 Hours

Total Marks : 100

Instructions : 1) Answer **any 10** questions from Q. No. 1 to 14.
2) **Each** question carries **10** marks.

(10×10=100)

1. "The Literal Rule is the first and most elementary rule of construction". Discuss with the help of cases.
2. Explain with the help of cases what is meant by construction 'ut res magis valeat quam pereat.'
3. Discuss the circumstances in which the courts apply the mischief rule of interpretation.
4. Explain the use of definition sections in the interpretation of statutes.
5. Explain statutes in pari materia with the help of cases.
6. Discuss the presumption against ousting the jurisdiction of courts with the help of suitable cases.
7. Explain beneficial construction with the help of cases.
8. "Words are known by the company they keep" – Explain the principle Noscitur a sociis.
9. Explain the maxim generalia specialibus non derogant with the help of cases.
10. "The question whether a statute is mandatory or directory depends on the intention of Legislature and not on the language used in the statute" – Discuss.
11. Explain the presumption against the retrospective operation of statutes.
12. Define any two of the following under the General Clauses Act :
 - i) Duty to be taken pro rata
 - ii) Computation of time
 - iii) Powers conferred.
13. Explain construction in bonam partem.
14. Write on **any two** of the following :
 - a) Intention of the legislature
 - b) Contemporaneo exposition
 - c) Expressio unius est exclusio alterius.



L.L.B. Degree (Semester - VI) Examination, April 2016
INTERPRETATION OF STATUTES

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(10x10=100)

1. "The Literal Rule is the first and most elementary rule of construction." Discuss with the help of cases.
2. Explain with the help of cases what is meant by construction ut res magis valeat quam pereat.
3. Discuss the circumstances in which the courts apply the mischief rule of interpretation.
4. Explain the use of definition sections in the interpretation of statutes.
5. Explain statutes in pari materia with the help of cases.
6. Discuss the presumption against ousting the jurisdiction of courts with the help of suitable cases.
7. Explain beneficial construction with the help of cases.
8. "Words are known by the company they keep" - Explain the principle. Illustrate with suitable cases.
9. Explain the maxim generalis specialibus non derogant with the help of cases.
10. The question whether a statute is mandatory or directory depends on the intention of the legislature and not on the language used in the statute - Discuss.
11. Explain the presumption against the retrospective operation of statutes.
12. Define any two of the following under the General Clauses Act:
 - i) Duty to be taken into account
 - ii) Computation of time
 - iii) Powers conferred
13. Explain construction in bonam partem.
14. Write on any two of the following:
 - a) Intention of the legislature
 - b) Contemporaneous exposition
 - c) Expressio unius est exclusio alterius



LDA – 1644

LL.B. Degree (Semester – VI) (New Course) Examination, April 2016
LABOUR LAW – II

Duration : 3 Hours

Total Marks : 100

Instructions : 1) Answer any 10 questions.
2) Each question carry equal marks.

(10×10=100)

1. Elaborately discuss the liability of the employer to pay compensation under Employees Compensation Act, 1923.
2. Discuss the concept of notional extension developed by judiciary with the help of case laws.
3. What is disablement ? Discuss its kinds under Employees Compensation Act, 1923.
4. Discuss the role and functions of the Commissioner under Employees Compensation Act, 1923.
5. Write a note on rate of compensation under Employees Compensation Act, 1923.
6. Define wages under Payment of Wages Act, 1936 with the help of case laws.
7. What is deduction ? Discuss the role of employer in deductions.
8. Explain power and functions of the Inspectors under Payment of Wages Act, 1936.
9. Explain sickness and maternity benefits under Employees State Insurance Act, 1948.
10. Discuss the role of ESI Corporation with special reference to the Standing Committees.
11. Discuss the process of constitution of ESI Funds, with special reference to method of contribution.
12. Discuss the process of adjudication of disputes under Employees State Insurance Act, 1948.
13. Define wages under Minimum Wages Act, 1948 and distinguish it from wages under Payment of Wages Act, 1936.
14. Explain the procedure of fixation and revision of minimum wages.



LDA – 1638

LL.B. Degree (Semester – VI) Examination, April 2016
LABOUR LAW (Old Course)

Duration : 3 Hours

Total Marks : 100

Instructions : a) Answer **any ten** questions.
b) **All** questions carry **equal** marks.

1. Explain the concept of unfair labour practices under Industrial Disputes Act, 1947.
2. Discuss the provisions relating to voluntary reference provided under Sec. 10-A of Industrial Disputes Act, 1947.
3. Explain the following :
 - a) Collective bargaining
 - b) Powers of registrar under Trade Unions Act.
4. Examine the concept of “arising out of and in the course of employment” with reference to the Employees’ Compensation Act.
5. Define lay-off when is workman entitled to Lay-off compensation.
6. What is deduction ? Discuss permissible deductions under the Payment of Wages Act.
7. Define minimum rates of wages. State the procedure of fixing and revising of minimum wages under the Minimum Wages Act, 1948.
8. Examine the procedure for certification and modification of standing orders.
9. Explain the term ‘dependant’ under the Employees’ Compensation Act.
10. Explain the following with reference to Trade Unions Act.
 - a) Political fund
 - b) Civil immunities to registered trade union.
11. Discuss powers of Inspectors under the Payment of Wages Act.
12. Examine the concepts of living wages, fair wages and minimum wages under the Minimum Wages Act.
13. Write short notes on :
 - a) Labour court
 - b) Lock-out.
14. Examine the term ‘Industry’ under the Industrial Disputes Act, 1947 in the light of triple test laid down by Supreme Court.



L.L.B. Degree (Semester - VI) Examination, April 2016
LABOUR LAW (Old Course)

Total Marks : 100

Duration : 3 Hours

Instructions : a) Answer any ten questions
b) All questions carry equal marks

1. Explain the concept of unfair labour practices under Industrial Disputes Act, 1947.
2. Discuss the provisions relating to voluntary reference provided under Sec. 10-A of Industrial Disputes Act, 1947.
3. Explain the following :
a) Collective bargaining
b) Powers of registrar under Trade Unions Act
4. Examine the concept of "arising out of and in the course of employment" with reference to the Employees' Compensation Act.
5. Define lay-off when is workman entitled to lay-off compensation
6. What is deduction? Discuss permissible deductions under the Payment of Wages Act.
7. Define minimum rates of wages. State the procedure of fixing and revising of minimum wages under the Minimum Wages Act, 1948.
8. Examine the procedure for certification and modification of standing orders.
9. Explain the term 'dependent' under the Employees' Compensation Act.
10. Explain the following with reference to Trade Unions Act
a) Political fund
b) Civil immunities to registered trade union.
11. Discuss powers of inspector under the Payment of Wages Act.
12. Examine the concepts of living wages, fair wages and minimum wages under the Minimum Wages Act.
13. Write short notes on :
a) Labour court
b) Lock-out
14. Examine the term 'industry' under the Industrial Disputes Act, 1947 in the light of triple test laid down by Supreme Court.



LDA – 1643

LL.B. (Degree) (Semester – VI) (New Course) Examination, April 2016

LAW OF TAXATION

Duration : 3 Hours

Max. Marks : 100

Instructions : i) Answer **any ten** questions.

ii) **All** questions carry **equal** marks.

1. The incidence of income tax depends upon the residential status of an assessee. Discuss. 10
2. What is "Agricul. purpose" ? Explain with the help of suitable cases. 10
3. Mention the principles under which the income of a previous year is chargeable to tax in the same year. 10
4. Enumerate any ten categories of income which are exempted from tax, giving reasons in each case for each exemption. 10
5. Mention the hierarchy of VAT Authorities and specify various wards for implementing the provisions of Goa VAT Act, 2005. 10
6. Explain the term "dealer" under Goa VAT Act, 2005 and mention the circumstances for compulsory registration and voluntary registration. 10
7. What is meant by clubbing of income ? What are the instances in which income of other persons are included in the assessee's total income ? 10
8. "Ownership of house property is an important criterion for income to be assessed". Explain the circumstances in which house property income is exempted from tax. 10
9. Critically examine the concept "Income from other sources" with deductions as laid down under Income Tax Act, 1961. 10
10. Explain the provisions regarding set-off and carry forward of losses under Income Tax Act, 1961. 10
11. What is assessment ? Explain any five categories of assessment under the Income tax legislation. 10

P.T.O.



- 12. Identify the various Authorities established under Income Tax Act, 1961 and explain the functions of Central Board of Direct Taxes (CBDT). 10
- 13. Examine in detail various kinds of returns to be filed before the Income tax Authorities under Income Tax Act, 1961. 10
- 14. Write short notes on : 10
 - a) Person
 - b) Deduction of Tax at source.



LDA – 1639

LL.B. (Semester – VI) Degree Examination, April 2016

**LAND LAWS INCLUDING CEILING AND ANY OTHER LOCAL LAWS
(Old Course)**

Duration : 3 Hours

Max. Marks : 100

Instructions : i) Answer **any ten** questions.

ii) **All** questions carry **equal** marks.

1. With reference to the provisions of the Goa Agricultural Tenancy Act, i) Discuss power of the Mamlatdar to resume and dispose land not purchased by the tenant and ii) Tenants right to operate sluice gates.
2. Discuss the provisions in the Goa Agricultural Tenancy Act, 1964, dealing with Modes of Termination of Tenancy.
3. Define 'lease' and discuss the provisions in the Goa Agricultural Tenancy Act, 1964, which provide relief to a tenant in case of threatened wrongful dispossession from the agricultural land.
4. Explain the modes of recovery of arrears of land revenue under the Land Revenue Code.
5. Discuss the provisions in the Land Revenue Code which deal with partition of land and holdings.
6. Define Agriculture and discuss the procedure prescribed under the Land Revenue Code for conversion of use of land from one purpose to another.
7. Discuss the provisions in the Land Revenue Code which deal with removal of encroachments on land vesting in Central Government.
8. Discuss the provisions in the Goa Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968, which deal with Requisitioning of Building.
9. Explain the provisions in the Goa Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968, which deal with recovery of possession of building by landlord for purpose of repairs or reconstruction.

P.T.O.



10. Which are the various authorities under the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 ? Briefly outline the powers of these authorities.
11. Discuss the provisions of the Goa Daman and Diu Mundkars (Protection from Eviction) Act, 1975, which deal with procedure for purchase of dwelling house by the Mundkar.
12. With reference to the Goa Daman and Diu Mundkars (Protection from Eviction) Act, 1975, define i) dwelling house and ii) member of the family.
13. Discuss how the decision of the Mamlatdar has to be executed under the provisions of the GDD Mamlatdars Court Act.
14. Examine the provisions under the GDD Mamlatdars Court Act which deals with 'Plaint'.



LDA – 1641

LL.B. (Degree) (Semester – VI) (Old and New Course)
Examination, April 2016
INTELLECTUAL PROPERTY LAW

Duration : 3 Hours

Total Marks : 100

Instructions : i) Answer **any ten** questions from Q. No. 1 to 14.
ii) **Each** question carries **10** marks.

(10×10=100)

1. Examine the role of WTO in protecting intellectual property rights.
 2. Explain the rights of a patentee under patent law.
 3. Explain the various grounds of opposition for grant of a patent.
 4. Discuss in detail the provisions of the Patent Act in relation to compulsory licences.
 5. Enumerate important elements of a complete specification.
 6. Examine the grounds for refusal of registration of trademark.
 7. What is infringement of trade mark ? What acts constitute infringement under Trade Marks Act, 1999 ?
 8. Define the term 'passing off'. What are the reliefs and defences available in passing off action ?
 9. What is copyright ? Examine the works in which copyright subsist.
 10. Examine the remedies available against the infringement of copyright.
 11. Explain the role of Copyright Societies in relation to copyright law.
 12. Discuss the economic rights of a copyright owner.
 13. Answer the following :
 - a) Functions of Copyright Board
 - b) International Copyright.
 14. Answer the following :
 - a) Confidential Information
 - b) Term of copyright.
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L.L.B. (Degree) (Semester - VI) (Old and New Course)
Examination, April, 2016
INTELLECTUAL PROPERTY LAW

Total Marks: 100

Duration: 3 Hours

Instructions: i) Answer any ten questions from Q. No. 1 to 14.
ii) Each question carries 10 marks.

(10x10=100)

1. Examine the role of WTO in protecting intellectual property rights.
2. Explain the rights of a patentee under patent law.
3. Explain the various grounds of opposition for grant of a patent.
4. Discuss in detail the provisions of the Patent Act in relation to compulsory licences.
5. Enumerate important elements of a complete specification.
6. Examine the grounds for refusal of registration of trademark.
7. What is infringement of trade mark? What acts constitute infringement under Trade Marks Act, 1999?
8. Define the term 'passing off'. What are the reliefs and defences available in passing off action?
9. What is copyright? Examine the works in which copyright subsists.
10. Examine the remedies available against the infringement of copyright.
11. Explain the role of Copyright Societies in relation to copyright law.
12. Discuss the economic rights of a copyright owner.
13. Answer the following:
a) Functions of Copyright Board
b) International Copyright.
14. Answer the following:
a) Confidential Information
b) Term of copyright.



LDA – 1627

LL.B. Degree (Semester – II) Examination, April 2016
WOMEN AND LAW

Duration : 3 Hours

Max. Marks : 100

Instruction : Answer **any ten** questions from Q. No. 1 to 14.

1. Discuss the position of women under various personal laws bringing out the need for enacting the Uniform Civil Code. 10
2. Write short notes on **any two** : 10
 - a) Maternity Benefit Act, 1961
 - b) Adultery
 - c) Cruelty by husband and relatives.
3. Examine the various provisions that protect a girl child under the Pre-conception and Pre-natal Diagnostic Technique Act, 1994. 10
4. Explain the various provisions of Indian Evidence Act, 1872 which are relevant to women. 10
5. Analyse the salient features of the Equal Remuneration Act. 10
6. Explain Sati system and analyse the law relating to it. 10
7. Explain the offences affecting human body under the Indian Penal Code with respect to women. 10
8. Examine the various grounds of divorce granted to women under the Hindu Marriage Act. 10
9. Critically evaluate the effectiveness of Dowry Prohibition Act, 1961. 10
10. Examine the salient features of the Immoral Traffic (Prevention) Act, 1956. 10
11. Indecent Representation of women is punishable. Discuss the said statement in the light of Indecent Representation of Women Act, 1986. 10
12. Discuss the provisions for maintenance of women under various law. 10
13. Write a note on National Commission for women. 10
14. Analyse the concept of Sexual Harassment of women at workplace in the light of vishaka guidelines. 10



LDA – 1642

LL.B. (Degree) Semester – VI (New Course) Examination, April/May 2016
CRIMINAL PROCEDURE CODE

Duration : 3 Hours

Max. Marks : 100

Instructions : i) Answer **any ten** questions.
ii) **Each** question carries **10** marks.

1. When can a police officer arrest a person without a warrant from Magistrate and explain the procedure prescribed for arrest under Cr.P.C.
2. Explain Summons as a process to call the accused and witness in Criminal Trial.
3. Explain the concept of double jeopardy (Autrefois acquit and Autrefois convict) under Criminal Procedure Code.
4. "Public Prosecutor should not be over enthusiastic about securing the conviction of the accused. He is to act as an agent of Justice" – explain the role of public prosecutors and their powers under Cr.P.C.
5. Explain the importance of Bail under Criminal Jurisprudence and discuss under what circumstances Bail is mandatory.
6. Explain the procedure prescribed for Remand under Sec. 167 of Criminal Procedure Code.
7. What are the powers conferred on the Executive Magistrate for the removal of Public Nuisance ? Under what circumstances can these powers be exercised ? What is the procedure to be followed in such cases ?
8. Explain the hierarchy of Criminal Courts and discuss their powers under the Code of Criminal Procedure.
9. State the provisions for granting maintenance to the wife under the Code of Criminal Procedure ? Can the court grant interim maintenance ?
10. Explain the procedure prescribed for trial before court of session under Cr.P.C.
11. "Any person may set the criminal law in motion" – explain the limitations on the wide power of Magistrate to take cognizance of offence.

P.T.O.



12. Elucidate the rule that “For every distinct offence there should be a separate charge and each charge should be tried separately” and briefly explain the concept of Joinder of Charges.
13. Answer the following :
- a) Bailable and Non-bailable offence
 - b) Inquest
14. Render legal advice on **any two** of the following by giving reasons and citing relevant provisions of law :
- a) A was charged with criminal breach of trust. The property was entrusted to him at place X for disposal. He dishonestly disposed the property at place Y. It was however, not certain whether embezzlement took place at place X or Y. In which court (Territorial Jurisdiction) the case can be tried ?
 - b) A is accused of theft on one occasion and of causing grievous hurt on another occasion. Can he be charged and tried jointly for the offences ?
 - c) A is tried for causing grievous hurt and is convicted. The person injured afterwards dies. Can A be tried again for culpable homicide ?