



LDA – 1731

**LL.B. Degree (Semester – VI) Examination, April 2017**  
**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. “Words of an enactment are to be given their literal meaning” – Discuss with the help of cases.
2. “In construing a statute, one must look at the mischief which has to be cured as well as at the cure provided”. Explain the rule with the help of cases.
3. Explain construction ‘ut res magis valeat quam perat’ with the help of decided cases.
4. “A proviso may serve four different purposes in the interpretation of statutes” Explain.
5. Discuss the importance of foreign judgments and dictionaries in the interpretation of statutes.
6. Explain the role of the preamble and punctuations in the interpretation of statutes.
7. “The use of the word shall does not always make a provision mandatory”. – Elucidate with the help of cases.
8. Discuss the meaning and the utility of the principle *Noscitur a sociis* with the help of suitable cases.
9. Discuss the presumption against exceeding territorial operation of statutes.
10. Explain beneficial construction with cases.



11. Explain the presumption against ouster of jurisdiction of courts.
12. Explain the maxim *Generalia specialibus non derogant* with the help of cases.
13. Answer **any two** of the following with reference to the General Clauses Act :
  - a) Coming into operation of the enactment
  - b) Gender and number
  - c) Measurement of distances.
14. Explain **any two** of the following :
  - a) Construction in bonam partem.
  - b) Reddendo singula singulis
  - c) Codifying statutes.



LDA – 1736

LL.B. (Degree) Semester – VI Examination, April 2017  
LABOUR LAW – II (New Course)

Duration : 3 Hours

Total Marks : 100

**Instructions :** 1) Answer *any ten* questions.  
2) *All* questions carry *equal* marks.

(10×10=100)

1. Examine the terms personal injury, accident and occupational disease as covered under the Employees Compensation Act, 1923.
  2. State and discuss on the right of the workmen to receive compensation under Employees Compensation Act, 1923.
  3. Explain the powers and functions of the Commissioner under the Employees Compensation Act, 1923.
  4. Elaborate on the concept of notional extension developed by judiciary with the help of case laws.
  5. Discuss on rate of compensation under the Employees Compensation Act, 1923.
  6. Explain the concept of wages under Payment of Wages Act, 1936 with the help of judicial pronouncements.
  7. "The object of the Payment of Wages Act, 1936 is to safeguard the wages of the employees from unlawful deductions". Discuss on deductions.
  8. Who are responsible to pay the wages and the time and manner of payment under the Payment of Wages Act ?
  9. Analyse the definitions of dependent, employment injury and manufacturing process under Employees State Insurance Act, 1948.
  10. Discuss the functioning of ESI Corporation with special reference to the Standing Committees.
  11. Examine the types of benefits available under Employees State Insurance Act, 1948.
  12. Elaborate on process as to Disputes and its adjudication under the Employees State Insurance Act, 1948.
  13. State and explain various concepts of wages under Minimum Wages Act, 1948.
  14. Elaborate on the procedure as to fixation and revision of minimum wages.
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Raj

21/04/2017

LDA – 1732

**LL.B. (Degree) (Semester – VI) Examination, April 2017**  
**LABOUR LAW (Old Course)**

Duration : 3 Hours

Total Marks : 100

**Instructions :** 1) Answer **any ten** questions.  
2) **Each** question carries **equal** marks.

1. Define retrenchment. What are the conditions preceding a retrenchment ?
2. Examine the concept of strike and lockout. When a strike or lockout is termed as illegal ?
3. What is lay off ? State the conditions under which the workman is entitled to get lay off compensation.
4. Examine the provisions regarding reference under the Industrial Disputes Act.
5. Explain the concept of "Industry" under Industrial Disputes Act in view of triple test laid down by the Supreme Court.
6. Briefly analyse the concept of Industrial Dispute under the Industrial Disputes Act.
7. "An employer is not always liable to pay compensation". Discuss.
8. Explain who are responsible to pay wages and state the time and manner of payment under the Payment of Wages Act.
9. State and explain the various authorized deductions under payment of Wages Act.
10. Examine the authorities under the Minimum Wages Act.
11. Define the concept of trade union and analyze the rights of a recognized trade union.
12. Write short notes on :
  - a) Living wage
  - b) Minimum wage.
13. Notional extension of time and place of employment can make an employer liable to pay compensation, elucidate ?
14. Write short notes on :
  - a) Public utility services
  - b) Notice of change.



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**LDA – 1733**

**LL.B. (Degree) (Semester – VI) (Old Course) Examination, April 2017**  
**LAND LAWS**

**Land Laws Incl. Ceiling and any other Local Laws**

Duration : 3 Hours

Total Marks : 100

1. Define 'to cultivate personally' under the Goa, Daman and Diu Agricultural Tenancy Act, 1964. What is a deemed tenant ?
2. Write short notes on the following :
  - a) 'Agriculture' and 'allied presents'.
  - b) Tenant's right to operate sluice gates.
3. Explain various authorities and their powers under the Agricultural Tenancy Act, 1964.
4. Explain the methods of termination of Tenancy under the Agricultural Tenancy Act, 1964.
5. What are the different authorities and their powers under the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 ?
6. What are the grounds of eviction of a tenant under the Goa, Daman and Diu Buildings (Lease, rent and eviction) Control Act, 1968.
7. Define 'Mundkar'. Discuss the right of a Mundkar to purchase his dwelling house.
8. What are the grounds on which a Bhatkar can evict a Mundkar under the relevant law ?
9. Write short notes on the following :
  - a) Boundary marks and survey marks.
  - b) Dwelling house of a Mundkar.

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10. What is the procedure followed by a Mamlatdar when a plaint is filed under the Goa Mamlatdar's Courts Act, 1966 ?
11. Explain the powers of a Mamlatdar under the Goa Mamlatdar's Courts Act, 1966.
12. Explain the procedure under The Goa Land Revenue Code for conversion of land.
13. Define 'Land Revenue'. What are the various methods of recovery of Land Revenue under the Goa Land Revenue Code ?
14. Write short notes on **any two** of the following :
  - a) Termination of agricultural tenancy by surrender by a tenant.
  - b) Right of a Mundkar to enjoy supply of water or power.
  - c) Partition of land under Land Revenue Code.

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BA

21/04/2017

LDA – 1738

**LL.B. (Degree) Semester – VI (New Course) Examination, April 2017**  
**LAW OF TAXATION**

Duration : 3 Hours

Max. Marks : 100

- Instructions :** 1) Answer **any ten** from Qn. Nos. 1 to 14.  
2) **All questions carry equal marks.**

1. What is Agricultural Income ? Explain with the help of suitable case laws.
2. Outline the mode of determining the residential status of an individual.
3. Enumerate any eight categories of income which are exempted from tax, giving reasons in each case for such an exemption.
4. Examine the criteria for chargeability of income from house property.
5. Define the concept "Previous Year". Mention the principles under which the income of a previous year is chargeable to tax in the same year.
6. Write short notes on the following :
  - a) Income under Income Tax Act, 1961
  - b) Person
7. What is charitable purpose ? What are the conditions to be met for claiming exemptions by a charitable trust ?
8. Explain the provisions regarding set off and carry forward of losses under the Income Tax Act, 1961.
9. Define a Capital Asset. Show how short term and long term gains are computed for the purpose of taxation.
10. Examine the different authorities under the Income Tax Act, 1961.
11. Explain the terms self assessment and regular assessment of income.
12. Critically analyse the circumstances wherein the transferor is liable to pay tax for the income of transferee with suitable illustrations.
13. Explain the terms 'business', 'trade', 'intercourse' and 'adventure in the nature of trade'.
14. Write short notes on :
  - a) Winning from lotteries
  - b) Capital receipts and revenue receipts

RF 27/04/2017



LDA – 1735

**LL.B. Degree (Semester – VI) Examination, April 2017**  
**INTELLECTUAL PROPERTY LAW**  
**(Old and New Course)**

Duration : 3 Hours

Total Marks : 100

**Instructions :** 1) Answer **any 10** from Q. No. 1 to 14.

2) **Each answer carries equal marks.**

**(10×10=100)**

1. Critically examine patenting of Micro-organism and its impacts.
2. Examine types of inventions which are not patentable in India with suitable examples.
3. "Patent is a monopoly right available exclusively to the inventor for a specified period". Analyze the concept of invention and highlight the procedure laid down to obtain a patent under the Patent (Amendment) Act, 2005.
4. Discuss the provisions relating to Constitution, powers and functions of patent office and specify the remedies in case of infringement of patent.
5. Comment on the negotiating history of the WTO. How do these negotiations protect the interest of developing and least developed countries ?
6. Explain the concept of deceptive similarity with the help of case-laws.
7. Examine the definition of trademark. Enumerate the essentials and functions of a good trademark.
8. Explain in detail the procedure relating to registration of trademark.
9. Write short notes on :
  - a) Goodwill.
  - b) Reliefs for infringement of a trademark.



10. Write short notes on :
  - a) Author and ownership of copyright.
  - b) Sound recording.
11. Enumerate in detail the concept of literary work with exceptions under the Copyright Act, 1957.
12. 'Registration of copyright is optional and not mandatory'. Explain the authorities involved in granting copyright.
13. Examine the rights of performers and reproduction rights of broadcasting organisations.
14. "There can be either primary or secondary infringement in relation to copy right". Explain the elements constituting infringement.



BR

29/04/2017

LDA – 1734

**LL.B. (Degree) (Semester – VI) Examination, April 2017**  
**CRIMINOLOGY**

Duration : 3 Hours

Max. Marks : 100

**Instructions :** 1) Answer **any 10** questions from Question No. 1 to 14.  
2) **All** questions carry **equal** marks.

1. Discuss the nature and scope of criminology.
  2. Explain the theories of punishment.
  3. Analyse Lombroso's theory of criminal anthropology.
  4. Explain the nine propositions of Differential Association theory.
  5. What does the labeling theory of Criminology propose ?
  6. 'Crime is a result of variety of factors'. Comment.
  7. What is Organised Criminality ? Explain the types.
  8. What is white collar crime ? How is it different from traditional crime ?
  9. What are the causes of sexual offences ?
  10. Explain the role of judiciary in relation to capital punishment.
  11. Explain the role of police under the Police Act.
  12. Discuss the rationale behind open prison system.
  13. What is juvenile delinquency and what are its causes ?
  14. Explain the meaning and purpose of parole.
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BW

LDA – 1737

**LL.B. (Degree) (Semester – VI) (New Course) Examination, April 2017**  
**CRIMINAL PROCEDURE CODE**

Duration : 3 Hours

Total Marks : 100

**Instructions :** 1) Answer **any ten** questions.  
2) **Each** question carries **10** marks.

1. Explain the constitution and powers of Criminal Courts under the Code of Criminal Procedure.
2. Explain the purpose of arrest and the rights of arrested person provided under Code of Criminal Procedure.
3. Explain under what circumstances Magistrate can issue search warrant and explain the procedure for search under Code of Criminal Procedure Code.
4. Bail is a matter of right if the offence is bailable. But it can only be a matter of disclosure in case of non-bailable offence. Explain the factors to be considered while granting bail in non-bailable offence.
5. "Plea Bargaining is a method of Alternative Dispute Resolution system in Criminal Jurisprudence" – Explain the provisions relating to Plea Bargaining under Criminal Procedure Code.
6. Explain the provisions relating to maintenance of Wife and Parents under the Code.
7. Explain the powers of Executive Magistrates with regard to disputes relating to immovable property under Code of Criminal Procedure.
8. Explain the concept of remand and describe the rules relating to remand under Sec. 167 of Criminal Procedure Code.
9. Explain the provisions relating to Complaint to Magistrate and commencement of proceedings before Magistrate under Criminal Procedure Code.
10. Describe the procedure of trial to be adopted by the Court of Sessions under Criminal Procedure Code.
11. What is the procedure to be followed by the High Court and Court of Session while hearing the revision petition ?

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7/1/2015

12. What are the exceptions for the general rule “Any person may set the criminal law in motion” in Code of Criminal Procedure as limitations on cognizance of offence ?
13. Answer the following.
  - a) Case Diary
  - b) Summary Trial.
14. Render legal advice on **any two** of the following by giving reasons and citing relevant provisions of law :
  - a) A is accused of disobeying a direction of the law with intent to save B from punishment. But the charge has not set out the manner of disobedience and the law infringed. Is the charge valid ?
  - b) A and B were undertaking a journey from Vasco to Mangalore. Somewhere between Vasco and Udipi an altercation took place between A and B regarding reservation of berth and A caused grievous hurt to B. Both A and B broke their journey at Udipi. They want to try the case in Mangalore Court ? Explain whether Mangalore Court has jurisdiction.
  - c) A, an indigent accused has been convicted in a trial in which he was not provided legal aid. He prays for the conviction to be set aside because he could not defend himself properly without the help of any advocate. Will he succeed ?

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