

12/11/12



**BSM – 1715**

**LL.M. (Semester – III) Examination, January 2017**  
**INTELLECTUAL PROPERTY RIGHTS – I**

Duration : 3 Hours

Max. Marks : 75

**Instructions :** a) Answer **any five** questions.

b) **Each** answer carries **15** marks.

(5×15=75)

1. Examine the Berne Convention for the Protection of Literary and Artistic Works, 1886.
  2. Explain the international IP rules for a changing world promoted by WIPO.
  3. Analyse the rights of performers and producers of phonograms under WIPO performances and Phonograms Treaty.
  4. Explain the role of Convention on Biological Diversity in the protection of Intellectual Property Rights.
  5. Deliberate on the role of United Nations Conference on Trade and Development in promoting Intellectual Property Rights.
  6. Explain the significance of Paris Convention for the Protection of Industrial Property, 1883.
  7. Discuss the obligation state parties to take adequate measures to prevent the unauthorised distribution on or from its territory of any programmes carrying signals transmitted by satellite, under Brussels Convention, 1974.
  8. Write notes on **any two** of the following :
    - a) Traditional knowledge and intellectual property.
    - b) European Patent Convention, 1973.
    - c) WIPO Copyright Treaty.
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17/1/17

BSM – 1717

LL.M. (Semester – III) Examination, January 2017

CRIMINAL LAW – I

(Crime and Administration of Criminal Justice – I)

Duration : 3 Hours

Max. Marks : 75

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

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

(5×15=75)

1. "Every crime takes place in a person's mind before they are carried out, so by investigating or studying the mind of an accused with or without consent, would render a great help in the investigation process". Explain the legality and admissibility of Narco Analysis test in India.
  2. "Criminologist looked to a wide range of factors to explain why a person would commit a crime". Explain.
  3. "No Court has a pure accusatorial or inquisitorial system". Explain the process of judicial inquiries in criminal justice system.
  4. "Disposal of cases by the method of Plea Bargaining is an alternative method to deal with the huge arrears of criminal cases". Explain the provisions relating to plea bargaining in criminal jurisprudence in India.
  5. Explain the organizational hierarchy of criminal courts, its powers and functions in the administration of criminal justice in India.
  6. "The tendency to give false evidence with impunity has been one of the major causes for the failure of the criminal justice system in the Country". Explain the need for witness protection in India.
  7. "Investigation of crimes is sine quo non for the peace and prosperity of a nation". Explain the importance of Police in Administration of Criminal Justice.
  8. Write a short notes on **any two** of the following :
    - a) FIR
    - b) Withdrawal from prosecution.
    - c) Expert Evidence.
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17/1/17

BSM – 1719

LL.M. (Semester – III) Examination, January 2017  
LABOUR LAW – I  
(Law Relating to Industrial Relations – I)

Duration : 3 Hours

Max. Marks : 75

**Instructions :** 1) Answer *any five* questions.

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

1. Critically analyze the trade union movement in India post Independence.
  2. Critically examine how far the workers' rights are protected in India and to what extent the policies of the government is affecting workers rights.
  3. Analyze the process and technique of collective bargaining, what are the minimum conditions the trade unions should observe to ensure a fair settlement of an Industrial dispute.
  4. What are the basic ingredients of a strike ? Explain effect of legal and illegal strike.
  5. What is Retrenchment ? Critically examine the procedure to be followed in cases of Retrenchment by different industries.
  6. Critically examine how conciliation agreements are entered into and what is the legal status of conciliation agreements/settlements under the Industrial Disputes Act 1947.
  7. The system of compulsory adjudication under the Industrial Disputes Act 1947, has taken away the initiative and advantages of collective bargaining as a method of settlement of Industrial Disputes in India. Comment.
  8. Write short note on :
    - a) Industrial dispute
    - b) Labour Court.
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Adhony 19-1-17



BSM – 1718

LL.M. (Semester – III) Examination, January 2017  
CRIMINAL LAW – II  
(Penology and Treatment of Offenders – II)

Duration : 3 Hours

Max. Marks : 75

- Instructions :** 1) Answer **any five** questions from question nos. 1 to 8.  
2) **Each** question carries **15** marks.

(5×15=75)

1. "Lack of deterrence in punishment and lenient provisions of criminal law encourage criminals to commit crimes with impunity." Comment in the light of the Criminal Law (Amendment) Act, 2013.
  2. Discuss the contribution of the reformatory theory to modern penology.
  3. Critically examine imprisonment as a form of punishment.
  4. "Though the death penalty is retained as a punishment under the criminal law, its use is to be guided by the rarest of rare principle." – Discuss judicial pronouncements on death penalty.
  5. Discuss the salient features of the Probation of Offenders Act, 1958.
  6. What is juvenile delinquency? Examine the contributory factors in the causation of juvenile delinquency.
  7. State and explain the rights of crime victims in India.
  8. Write notes on :
    - a) Criminal justice administration in India.
    - b) Pardon by the President of India.
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Asburang

17-1-17



BSM – 1720

LL.M. (Semester – III) Examination, January 2017  
LABOUR LAW – II  
(Law Relating to Labour Welfare – II)

Duration : 3 Hours

Max. Marks : 75

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

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

(5×15=75)

1. Examine the Constitutional and Statutory provisions enumerating the rights of workers which protect and promote Social Security and Welfare.
2. Discuss various Theories of Wages and also examine their viability and relevance in the present era of Privatisation.
3. Explain the relevant provisions of Maternity Benefit Act that speak of entitlement, continuation and payment of Maternity Benefit to woman employees.
4. Define 'Unorganised Sector' and discuss the role of judiciary in the protection of rights of unorganised workers.
5. Define 'Agriculture Labour' and elucidate the features of Agricultural Laborers and Causes for the Growth and problems of Agricultural Labourers.
6. Explain the concept of 'Bonus'. How is it calculated under the Payment of Bonus Act, 1965 ? Examine the current controversy with regard to the nature of Bonus in India.
7. Discuss the role played by I.L.O. in incorporating welfare measures through labour legislations in India.
8. Explain the following (**any two**) :
  - a) Fair Wage and Living Wage
  - b) Recommendation of the Second National Commission on Labour in respect of Social Security Legislations.
  - c) 'Equal pay for equal work'.

Library 19-1-17



BSM – 1716

LL.M. (Semester – III) Examination, January 2017  
INTELLECTUAL PROPERTY RIGHTS – II

Duration : 3 Hours

Max. Marks : 75

**Instructions :** a) Answer **any five** questions.

b) **Each** question carries **15** marks.

(5×15=75)

1. 'Author is the first owner of copyright this statement has certain exceptions'. Elucidate the concept owner and author of copyright with respect to various categories of work.
  2. 'Original literary work alone is protected under the Copyright Act, 1957'. Explain in detail the various kinds of work brought within the meaning literary work with exceptions.
  3. Critically analyze the idea of infringement, remedies in violation of infringement and authorities under the Copyright Act, 1957.
  4. Define the term trademark. Enumerate the essentials, functions and mention non registrable trademarks under the Trademarks Act, 1999 as amended.
  5. 'Infringement is available in case of registered trademark'. Discuss the idea of infringement of a trademark, various modes of infringement and remedies with appropriate cases/illustrations.
  6. 'Design attracts the eyes of consumer'. Examine the essentials of a design and mention the remedies in case of piracy of a design under the Designs Act, 2000.
  7. 'Misuse of computer technology falls under the purview of Information Technology Amendment Act, 2008. Critically explain the need and importance of the Act in the changing conditions.
  8. Answer **any two** of the following :
    - a) Authorities under the Trademark legislation.
    - b) Passing of in relation to trademark.
    - c) Mention Cyber Crimes against a person.
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