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NEW DELHI

ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN TAX LAW

PAPER I – CONSTITUTIONAL AND ECONOMIC ASPECTS OF TAXATION

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. “Under constitutional provisions each tax levied or collected has to be backed by an accompanying law, passed either by the Parliament or the State Legislature”. Explain the principles, provisions and limits of taxation in light of the above statement.
2. Through various writ petitions the constitutionality of the Service Tax was challenged but the Supreme Court of India in various judgments upheld the constitutionality of the same. Explain and elaborate the constitutionality of Service Tax in light of Supreme Courts decisions.
3. a. State level VAT is introduced to avoid cascading effect of state taxes. Explain  
b. VAT is consumption based tax on sale of commodities. Explain.
4. a. What is Reverse charge under service tax? Explain.  
b. What is the negative list under service tax? Name any five items in negative list of services.
5. GST (Goods and Service Tax) is proposed to replace all indirect taxes levied on goods and services by the Central and State governments being comprehensive for most goods and services. Explain the rationale, proposed mechanism, benefits and limitations of GST.
6. Finance Commission is a constitutional body whereas the Planning Commission is a non-statutory institution. Compare, contrast and evaluate the role and functions of both commissions.
7. What is the purpose, mechanism and importance of appropriation bill in terms of financial control under parliamentary system?
8. Write short notes on any TWO of the following:
  - a. Grant – in – aid
  - b. Returns under VAT
  - c. Vote on Account



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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW

PAPER I – GENERAL REGIME ON INTELLECTUAL PROPERTY RIGHTS LAW

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. “Different kinds of intellectual property right can co-exist in relation to a particular work” Do you agree with this? Substantiate your answer with suitable illustrations. Explain the interface between (i) copyright and trademark and (ii) copyright and design.
2. Does strong IPR policy promote economic growth? Examine with the help of economic theories of IPR, how does the IPR policy correlate with the economic development?
3. Analyze the relationship and overlap between intellectual property law and competition law. Also access the antitrust implications of patent pooling and cross licensing.
4. Comment on the rationale of compulsory licensing? In which branches of IPR compulsory licensing can be granted? Write a critique of *Natco Pharma Ltd. v Bayer Corporation*.
5. What are the international conventions and treaties for the protection of plant varieties? How does India protect the new varieties of plants?
6. Define traditional knowledge? How the collective rights of communities over biological resources and traditional knowledge can be protected in India under the existing legal framework?
7. State the significance and scope of TRIPS Agreement? Give a brief discussion of its contents.
8. State the rationale of protecting intellectual property? What are the major forms of IPR that are being protected in India?

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN HUMAN RIGHTS LAW

PAPER I – HUMAN RIGHTS: AN INTRODUCTION

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Illustrate briefly the contributions of 'Magna Carta' and the 'Declaration of American Independence' in the development of human rights concept.
2. With suitable examples discuss as to why some rights are non-derogable under all circumstances. Distinguish between the 'derogable' and 'non-derogable' rights.
3. Briefly explain the differences between 'universalism of human rights' and 'cultural rights' of a community or group.
4. What is right? How is it linked to the concept of duties? Distinguish between *rights in rem* & *rights in persona* with suitable examples.
5. Discuss with suitable citations how judiciary may enforce the customary international law of human rights in India?
6. Enumerate the individual and collective rights envisaged in the French Declaration, 1789.
7. What is humanitarian law? Explain the provisions of the First Geneva Convention 1949, "for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field".
8. Write short notes on any two of the following:
  - a) Group Rights
  - b) Lotus Case, 1927
  - c) Right in *stricto sensu*.

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN CYBER LAW

PAPER I – BASIC OF COMPUTER AND CYBER WORLD

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Match the following:

- |                          |  |
|--------------------------|--|
| a) Joseph-Marie Jacquard | i) Power Supply                                    |
| b) Herman Hollerith      | ii) Decima 16                                      |
| c) SMPS                  | iii) Loom controlled by punched cards              |
| d) HDD                   | iv) Input Device                                   |
| e) 10h                   | v) A basic text editor                             |
| f) Touch Screen          | vi) Storage Device                                 |
| g) Fh                    | vii) Tabulating machine, input through punch cards |
| h) NIC                   | viii) Decimal 15                                   |
| i) MMC                   | ix) Multimedia card                                |
| j) Notepad               | x) Network card                                    |

2. Answer any FIVE in short:

- a. What is bootstrap?
- b. What is BIOS?
- c. Describe briefly, what is Internet?
- d. What is an Internet Browser? Give examples.
- e. What care should be taken to work on secured websites?
- f. What is binary language?
- g. What is high-level language, give examples?
- h. What is static charge?
- i. What is RAM?

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3. What is a software and explain various types of software? Discuss.
4. What is an Operating System? Describe various roles of operating system.
5. What are various ways to connect to internet, what devices are required to work on Internet?
6. What is an IP Address? What is current IP Address system in use?
7. What is an email and explain various types of emails. What is an online messenger, explain its functions?
8. What are basic threats to a computer? What basic precautions should be taken to avoid these threats?

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION

PAPER I – FUNDAMENTALS OF ALTERNATIVE DISPUTE RESOLUTION

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. What is Alternative Dispute Resolution? Explain the various methods of Alternative Dispute Resolution.
2. How a Conciliator is appointed? Examine his rights and duties.
3. What is Mediation? Explain the various stages of mediation.
4. Discuss in detail the various strategies of negotiation and its significance in dispute resolution.
5. Examine the relevancy of Lok Adalat in dispute settlement. Do you think that Lok Adalat are effective in resolving the disputes speedily?
6. What is the role of mediator? How does he ensure the confidentiality of mediation proceedings?
7. What is Arbitration? Explain the different modes of arbitration.
8. Write short note on any TWO of the following:
  - a) Hard Negotiation
  - b) Gram Nyayalaya
  - c) Sec. 89 of the Civil Procedure Code

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN INTERNATIONAL TRADE LAW

PAPER I – INTERNATIONAL SALES AND CARRIAGE OF GOODS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Explain the law relating to formation of contract under the Indian Contract Act
2. What do you mean by a contract of sale? Explain the difference between an agreement to sell and a sale contract?
3. What do you mean by Multimodal Transportation of goods? Examine the key features of the Multimodal Transportation of Goods Act, 1993.
4. Write in detail the rights and liabilities of the seller and buyer under FOB and CIF contracts.
5. Examine the importance of documents in international sale contracts with particular reference to CIF contracts.
6. In a CIF contract for purchase of 100 quintals of pepper, draft five clause which you consider essential to the contract apart from the clause which illustrate that the contract is a CIF contract.
7. Examine the evolution of law relating to international transportation of goods by air from Warsaw Convention to Montreal Protocol.
8. Write a short not on any TWO of the following:
  - (a) Rights of unpaid seller
  - (b) Incoterms
  - (c) Conditions and warranties in marine insurance.

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ANNUAL EXAMINATION-APRIL 2013  
P.G. DIPLOMA IN ENVIRONMENTAL LAW & MANAGEMENT  
PAPER I – ENVIRONMENTAL LAW OF INDIA

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Discuss the role played by the apex court in developing environmental jurisprudence in India.
2. “Short sighted commercial and industrial policies that have rapidly reduced the forest cover since independence, have also contributed to erosion and the decline of India’s wildlife.” Has the Wildlife (Protection) Act, 1972 and the subsequent amendments improved the situation? Examine critically.
3. Discuss the origin and development of environmental law in India.
4. Examine critically the penal provisions against violators in the Forest (Conservation) Act, 1980.
5. Explain the relevance of common law principles in protection of environment.
6. Discuss the powers and functions of the Pollution Control Board related to air pollution.
7. “Section 133 of the Code of Criminal Procedure is not repeated by the Air Act or the Water Act”. Discuss the provision with the aid of case law.
8. Write short notes on any TWO of the following:-
  - a) The tragedy of commons
  - b) *Om Prakash Bhatt v. State of U.P. (Bugiyal case)*
  - c) Sustainable Development

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN CORPORATE LAWS & MANAGEMENT

PAPER I – GENERAL PRINCIPLES OF COMPANY LAW-I

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Discuss the development of company law in India.
2. (a) A corporation is an artificial being which is separate entity, invisible, intangible, existing only in contemplation of the law. Elucidate.  
  
(b) Explain the merits and demerits of incorporation of a company.
3. (a) Memorandum of a company is an unalterable charter which defines the limitation on the powers of the company. Discuss  
  
(b) What legal formalities must be complied with for changing object clause of a company?
4. Explain the rule laid down in the *Royal British Bank v. Turquand*? What are the exceptions to this rule?
5. Explain the law relating to issue and allotment of shares.
6. Define director? Discuss his legal position in the light of decided cases. Do they incur any criminal liability under the Act, if so, under what circumstances?
7. “The Board of Directors of a company shall be entitled to exercise such powers and so all such acts, as the company is authorized to exercise and do in general meetings”. Critically examine the statement with special reference to the shareholders right to intervention?
8. Write short note on any TWO of the following:
  - i. What is dividend? Can it be paid out of capital?
  - ii. Inter-corporate loans and investments?
  - iii. Reduction in share capital?

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN LABOUR LAW

PAPER I – LAW OF INDUSTRIAL DISPUTES

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Discuss with the help of decided cases the definition of ‘workman’ under the Industrial Disputes Act, 1947.
2. Discuss the powers of the appropriate Government to make a reference of industrial dispute to Industrial Tribunal. Are the reasons given by the government in refusing a reference justiciable?
3. Discuss the composition, powers and duties of Labour Court.
4. Explain the term “Lay-off”. What is the procedure for closing down of an undertaking under the Industrial Disputes Act, 1947?
5. When can a strike be declared illegal under the Industrial Disputes Act, 1947. Can an illegal strike be justified?
6. Distinguish between “award” and “settlement”. Who are the persons on whom settlement and award are binding? When settlement or award comes into operation under the Industrial Disputes Act, 1947.
7. Discuss the management’s power to take disciplinary action against workmen. Refer to decided cases.
8. Write short notes on any TWO of the following:
  - (a) Board of conciliation
  - (b) Lock-out
  - (c) Delay in disposal of cases and its implications



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ANNUAL EXAMINATION-APRIL 2013  
P.G. DIPLOMA IN SECURITIES & BANKING LAWS  
PAPER I – STATUTES GOVERNING SECURITIES

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. What is meant by share capital and what are the various components of capital of a company? Explain various types of capital of a company? What should be the minimum paid up capital of a private and public company?
2. With reference to the provisions of the Foreign Exchange Management Act, 1999, explain the following terms:
  - a) Residential Status
  - b) Various Bank Accounts
3. Who is a consumer under the Consumer Protection Act, 1986? What are the various Redressal Forums under the Act? What is the limitation period for filing complaints under the Act?
4. Answer the following:
  - a) a) A private company raised capital without issuing a prospectus? Explain its validity? Will your answer be different if a public company raised capital by way of private placement?
  - b) Kirti Limited has a paid up capital of Rs. 100 crores and free reserves of Rs. 60 crores. How much capital can be bought back by the Board of Directors under their powers and by the members by way of special resolution?
  - c) Max Limited raised capital by making a public issue and the issue opened on 10<sup>th</sup> March and closed on 20<sup>th</sup> March of a year.  
What is the date within which minimum subscription should be raised under the Companies Act, 1956 and as per relevant SEBI Regulations?
  - d) Rough Limited, an unlisted company wants to make an issue of debentures but list the debenture issue. Is it legally permitted?
5. What is meant by Buy back of shares? What are the provisions of Companies Act, 1956 and SEBI Regulations in this regard?

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6. What is meant by interim dividend? What are the provisions of Companies Act, 1956 regarding compulsory transfer to reserves when dividend is paid? Can it be paid out of past profits and what are the relevant legal provisions?
7. Who is a depository participant? What is the procedure for dematerialization and rematerialization? What are the benefits of depository system?
8. Write short notes on any TWO of the following:
  - a) Transmission of shares
  - b) Debentures
  - c) Mergers

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN DRAFTING OF LEGISLATION, TREATIES AND  
AGREEMENTS

PAPER I – LEGISLATIVE DRAFTING: HISTORICAL OVERVIEW AND GENERAL  
PRINCIPLES

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Describe the elements of a good legislative draft.
2. Write an essay on the common errors in legislative drafting.
3. Trace the history of legislative drafting in India.
4. What are the most dangerous consequences resulting from the incompetency of a draftsman?
5. What are the lessons Indian draftsmen can learn from the modern plain English movement in England?
6. Is legislative drafting a struggle for language? Discuss.
7. The legislative drafter trying to produce a good draft must wear different hats and has an unenviable task. Do you agree? Give reasons.
8. Write short note on any TWO of the following:
  - a. Codification Act
  - b. Consolidation Act
  - c. Sources of uncodified law.

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN TAX LAW

PAPER II – ACCOUNTING AND AUDITING

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Define the term “Accounting” and discuss its functions.
2. Define the term “Audit”. Briefly explain the rights and liabilities of an auditor.
3. Briefly explain the concept of “Cost”. How does Cost Accounting contribute to the effective and efficient management of an industrial establishment?
4. Ajanta Ltd. issued a prospectus inviting applications for 10,000 equity share of Rs. 100 each at a premium of Rs. 20 per share payable as under:-

On application	-	Rs. 20
On allotment	-	Rs. 50 (including premium)
On first call	-	Rs. 30
On second and final call	-	Rs. 20

Applications were received for 15,000 shares and allotment was made pro-rata to the applicants for 12,000 shares. Money overpaid on application was utilized towards sums due on allotment.

Shyam, to whom 200 shares were allotted, failed to pay the allotment money and on his subsequent failure to pay the first call, his shares were forfeited.

All the forfeited shares were sold to Govind, credited as fully paid for Rs. 90 per share. Show journal and cash book entries and the balance sheet. Give also workings.

5. From the following trial balance of Raj Kumar, prepare trading and profit and loss account for the year ended on 31<sup>st</sup> December, 2010 and a balance sheet as on that date:-

**TRIAL BALANCE**

Particulars	Dr. (Rs.)	Cr. (Rs.)
Capital (including Rs. 5,000 introduced on 1 <sup>st</sup> April, 2010)		22,500

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Opening stock	13,500	
Cash in hand	600	
Balance with bank	3,750	
Power and fuel	300	
Furniture	2,250	
Purchases	70,500	
Machinery	22,500	
Sales		1,26,225
Drawings	1,800	
Sundry creditors		5,100
Reserve for doubtful debts		60
Salaries	5,400	
Wages	6,000	
Carriage inwards	750	
Rent	450	
Printing and stationery	1,350	
Miscellaneous expenses	840	
Advertisements	180	
Discount allowed	4,500	
Insurance	105	
Sundry debtors	210	
	18,900	
Total	1,53,885	1,53,885

Adjustments:-

- (a) Closing stock Rs. 11,500.
  - (b) Provision for bad and doubtful debts is to be maintained at 5 %
  - (c) Provide depreciation on machinery and furniture at 10% p.a.
6. The following particulars relate to the cosmopolitan Club for the year ended on 31.12.2010 and you are requested to prepare therefrom an income and expenditure account for the year and a balance sheet as on 31.12.2010

P.T.O.

### Summary of cash book

Receipts	Amount	Payments	Amount
To balance b/d	2,350	By salaries	1,200
To subscriptions:		By electricity	120
2009	50	By newspaper and journals	525
2010	3,500	By fixed deposits	2,500
2011	75	By utensil	200
To profit from refreshment	100	By payment to creditors	1,000
To locker rent	200	By balance c/d	1,150
To sundry income	120		
<b>Total</b>	<b>6,695</b>	<b>Total</b>	<b>6,695</b>

The assets and liabilities on 1<sup>st</sup> January, 2010 were: Utensils Rs. 800, Furniture Rs. 2,500, Consumable stores Rs. 350, Creditors Rs. 1,200.

On 31.12.2010: Value of consumable stores was Rs. 700, creditors amounted to Rs. 550, the subscription outstanding was Rs. 75, and the interest accrued on fixed deposits was Rs. 25.

7. A factory produces a standard product. The following information is given to you from which you are required to prepare “Cost Sheet” for the period ended on 31<sup>st</sup> July, 2010:

	Rs.
Opening Stock	10,000
Purchases	85,000
Closing stock	4,000
Direct Wages	20,000
Other direct expenses	10,000
Factory overheads	100% of direct labour
Office overheads	10% of works cost
Selling and distribution expenses	Rs. 2 per unit sold
Units of finished product:-	
In hand at the beginning of the period	1,000 (Value Rs. 16,000)
Produced during the period	10,000
In hand at the end of the period	2,000

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Also find out the selling price per unit on the basis that profit margin is uniformly made to yield a profit of 20% of the selling price. There was no work-in-progress either at the beginning or at the end of the period.

8. Write short notes on any TWO of the following.

- (a) Hire purchase
- (b) International Financial Reporting Standards.
- (c) Accounting Standards.

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN INTERNATIONAL TRADE LAW

PAPER II – FINANCING OF INTERNATIONAL SALE

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. a. What is the role of authorized person as stipulated in FEMA 1999?  
b. What are the penalties for violations under FEMA 1999?
2. a. Explain the process of issuance of letter of Credit?  
b. State the role of Negotiating bank in L/C Transaction?
3. As a Negotiating bank, what action you will take in the following cases.
  - a. Classic Bank Ltd. L/C [subject o UCPDC600] stipulates shipment of Citrus Fruit each weighing between 200-300 gms. The documents submitted by beneficiary show weight of each Citrus Fruit between 185 gms to 330 gms with the explanation that UCPDC 600 allows 10% tolerance. The Negotiating bank accepts the explanations and negotiates the documents. However, after 4 days, a fax is received from the Issuing Bank rejecting the documents giving discrepancy in regard to the weight of Citrus Fruit?
  - b. The beneficiary had submitted the documents for negotiation under British bank sight L/C. The L/C had mentioned the date of shipment about 7<sup>th</sup> April. Bill of lading showing shipped on board stamp dated 2<sup>nd</sup> April is presented for negotiation?
4. a. Describe the procedure of availing export finance from the commercial banks?  
b. What is subvention and the rate of interest structure on export Finance?
5. a. Explain the important articles of Uniform Customs and Practices for Documentary Credits [ICC Publication 600]?  
b. Describe the purpose of various types of documents covered by UCPDC 600.
6. What are the various Credit insurance products offered by ECGC to provide credit insurance to Exporters?

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7. What is the difference between
  - a. Claused Bill of Lading and clean Bill of Lading
  - b. Standby L/C and Bank Guarantee
  - c. Cheque and Bill of Exchange as per NI Act.
8. Explain the provisions of SARFESI Act in respect to
  - a. Creation and Enforcement of Security
  - b. Procedure for recovery of debt due to banks

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P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW

PAPER II – LAW OF COPYRIGHT AND RELATED RIGHTS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Explain the concept of '*idea-expression-concept*' trichotomy with the help of relevant case laws
2. What are moral rights? Explain the difference between economic and moral rights.
3. What constitutes infringement of copyright? What are the remedies available to the copyright owner?
4. Explain the concept of 'fair dealing' under the Copyright law.
5. Explain 'originality' under the Copyright Act, 1957 with the help of relevant case-laws.
6. What are the works in which copyright subsists. Substantiate your answer with relevant case-laws.
7. What are neighbouring rights? Why are they so called? Explain the provisions relating to neighbouring rights under the Copyright Act, 1957.
8. Write short notes on any TWO of the following:
  - i) Copyright under the Design Act
  - ii) Authorship
  - iii) Ownership

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P.G. DIPLOMA IN HUMAN RIGHTS LAW

PAPER II – INTERNATIONAL PROTECTION AND ENFORCEMENT OF HUMAN  
RIGHTS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Critically analyse the significance of the Universal Declaration of Human Rights? Can the principles of the Universal Declaration of Human Rights be enforced?
2. Evaluate the procedure for the implementation of the rights under the International Covenant on Civil and Political Rights, 1966.
3. Explain the legal differences between a declaration, a covenant, and a convention adopted by the United National organs.
4. Elucidate the nature and substance of rights guaranteed under the International Covenant on Economic and Social and Cultural Rights, 1966.
5. Evaluate the importance of European Convention of Human Rights with special reference to European Court of Human Rights.
6. What is the role of the African Commission on Human and Peoples' Rights in protecting and promoting human rights?
7. Analyse the concept of 'Emergency' under International Human Rights Law? How does such an Emergency effect the enforcement of rights?
8. Write short note on any TWO of the following:
  - (a) Economic and Social Council
  - (b) Human Rights Council
  - (c) American Court of Human Rights

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P.G. DIPLOMA IN CYBER LAW

PAPER II – REGULATORY FRAMEWORK OF THE CYBERWORLD

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Explain the concept of 'Cyberspace Jurisdiction' with the help of case law. Do you believe that 'conflict of laws' exist in cyberspace? Substantiate.
2. What do you mean by convergence? Do you think that the existence of multiple authorities with overlapping roles create uncertainty in the attempts to regulate convergence technology? Suggest your options for developing a good Convergence Regulatory system.
3. Define and explain shrinkwrap contracts. Discuss the enforceability issues in the shrinkwrap contracts with the help of decided cases.
4. (a) Comment on the legal issues surrounding electronic commerce. How will you determine in an online contract: (a) the privity of contract (b) validity of terms and conditions and (c) security and authenticity?  
  
(b). Mr. Kiran uses Ms. Rekha's identity to chat over the Internet. While chatting, Mr. Kiran gives Ms. Rekha's name, address and phone numbers and also uses obscene language. Ms. Rekha received several unwanted telephone calls from many parts of the globe. Did Mr. Kiran commit any offence? Decide whether Ms. Rekha has any remedy.
5. "Technology has become a kind of double edged sword, on one hand, it equips the person to safeguard his privacy and on the other it helps in blowing privacy cover one may have." Do you agree with this statement? What are the main privacy threats in the cyber world? Also comment on various surveillance technologies in the digital world? How does Indian IT Act respond to the breach of confidentiality and privacy in the digital world?
6. (a) Delineate the object, scope and main contents of the Convention on Cyber Crime, 2001. What are the extraditable offences under the Convention?  
  
(b). Mr. Prem a data thief hacked the computer system of People's Bank at Noida and illegally accessed credit and debit card numbers of 100 customers. Mr. Prem then illegally increased the credit limit of all credit cards and changed the communication addresses so that the credit card statements never reach the original card holders. The credit card company suffers huge loss. What are the cyber crimes committed by Mr. Prem? What is the remedy?

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7. What is the basic philosophy of cyberspace law? How will you explain the notion of ‘freedom of speech and expression’ in the context of Internet? Support your answer with judicial decisions.
8. (a) Define online defamation? How does India tackle online defamation? Do you think that India should enact an exclusive legislation to restrain online defamation?
- (b) Mr. Deva an employee of ‘Soft Solutions Inc.’, a famous software development company sends derogatory, defamatory and obscene emails frequently about the company’s Managing Director to many company’s business associates with an aim to tarnish the image and goodwill of the company. Is there any remedy available to Soft Solutions Inc. and its Managing Director?

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P.G. DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION

PAPER II – INDIAN LAW ON ALTERNATIVE DISPUTE RESOLUTION

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. List the advantages and disadvantages of an institutional arbitration and an *ad hoc* arbitration.
2. Write short notes on
  - (a). Essential attributes of an arbitration clause
  - (b). Competency and jurisdiction of an arbitrator
3. Outline the scope of judicial intervention in setting aside of an arbitral award.
4.
  - (a). Discuss the determination of the applicable law in arbitration.
  - (b). List the stages of an arbitration.
5. What are the provisions of the Arbitration and Conciliation Act 1996 relating to the appointment of the arbitral tribunal.
6. Write short notes on
  - (a). Power of an arbitral tribunal to grant interim measures and reliefs.
  - (b). ADR techniques in labour and industrial disputes.
7.
  - (a). Describe the role of a conciliator as defined in Arbitration and Conciliation Act 1996.
  - (b). What is the status of a conciliation settlement?
8. Write short note on any TWO of the following:
  - (a). family disputes
  - (b). consumer disputes
  - (c). intellectual property disputes

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN LABOUR LAW  
PAPER II – SOCIAL SECURITY LEGISLATION

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Answer the following:
  - a) Distinguish between the concept of living wage and minimum wage.
  - b) The capacity of the employer to pay minimum wages is not a relevant consideration. Discuss.
2. Enumerate the duties of the state under the Bonded Labour System (Abolition) Act, 1976. What are the obstacles faced in implementation of the Act?
3. Explain the definition of “employer” and “employee” under the Workmen’s Compensation Act, 1923. Under what circumstances will compensation be granted under the said Act?
4. Explain the relevance of Public Interest Litigation with regard to labour conditions in India. Cite relevant case law in this regard.
5. Write short note on the following:
  - a) Duties of the employer under the Contract Labour (Regulation and Abolition) Act, 1970.
  - b) The Mines Act, 1952
6. Discuss the social and legal obstacles faced in prohibiting and regulating child labour in India with relevant case law and legislative provisions.
7. Highlight the objectives and the welfare provisions of the Maternity Benefit Act, 1961.
8. Write short note on any TWO of the following:
  - a) Wages under the Payment of Wages Act, 1936
  - b) Bonus under the Bonus Act 1965
  - c) Equal pay for equal work

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN SECURITIES & BANKING LAWS

PAPER II – SEBI ACT, RULES, REGULATIONS AND GUIDE LINES

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Discuss the duties of asset management company elaborating on the valuation of real estate assets.
2. Discuss the code of conduct of a Portfolio manager under the SEBI (Portfolio Manager) Regulations 1993.
3. In the light of SEBI Regulations when is a debenture trustee appointed? Elaborate the meaning of a debenture trustee along with the need of a debenture trust deed initiated by the Corporate.
4. Critically examine the Investigating powers of the Securities and Exchange Board of India conferred on the Venture Capital Investor by the board.
5. Write an essay on the growth and evolution of the laws relating to securities in India.
6. SEBI (Ombudsman) Regulations, 2003 was enacted to redress the grievance of the Investors in Securities. With the help of examples enumerate the functions and powers of the Ombudsman commenting on its redressal machinery.
7. Discuss the validity and procedure of obtaining a certificate of Registration by the stock brokers as highlighted in the SEBI (Stock Brokers and Sub Brokers) Regulations, 1992.
8. Short Notes on any TWO
  - (a) Foreign Institutional Investors
  - (b) SRO
  - (c) Mutual Funds

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN CORPORATE LAWS & MANAGEMENT

PAPER II – GENERAL PRINCIPLES OF COMPANY LAW-II

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. What is an Annual General Meeting (AGM)? What are the statutory provisions with respect to notice of AGM as to length, time, place, form and persons entitled thereto? What are the consequences of default in holding an AGM in accordance with the provisions of the companies Act?
2. Discuss the principle laid down in the case of *Foss v. Harbottle* on the majority rule and minority's rights? State the exceptions to this rule?
3. Differentiate between mismanagement and oppression? What are the conditions precedent for obtaining relief in case of oppression and mismanagement? Discuss the powers of Company Law Board/NCLT to prevent oppressions and mismanagement.
4. Explain various grounds on which the Court/NCLT can wind-up the company. What are the consequences of winding-up order passed by a court?
5. What is reconstruction and amalgamation? What are the ways in which reconstruction/amalgamation may be effectuated? What are the powers of the Central Government to order amalgamation of two or more companies?
6. "Concept of Corporate Governance hinges on total transparency, integrity and accountability of management." Discuss in the light of the revised clause 49 of the Listing Agreement.
7. Write short note on the following:
  - (a). Requisites of a statutory meeting
  - (b). Investigation
8. Write short note on any TWO of the following:
  - (a). Removal of Auditor
  - (b). Extraordinary General Meeting
  - (c). Voluntary winding-up under the supervision of the court



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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN ENVIRONMENTAL LAW & MANAGEMENT

PAPER II – REGULATION OF HAZARDOUS SUBSTANCES AND PROCESSES

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Briefly comment on the regulation of hazardous substances and processes in India with reference to the provisions of the Environment (Protection) Act, 1986.
2. What is Environment Impact Assessment? With reference to the directions of the Supreme Court in *Narmada Bachao Andolan v. Union of India & Ors*, discuss how judiciary can enforce EIA.
3. Briefly explain the salient features of the Plastic Waste (Management and Handling) Rules 2011 under Environment (Protection) Act, 1986.
4. Explain the legislative and judicial endeavours taking place in India to deal with Solid Waste Management.
5. Discuss the 'Polluter Pays Principles' and 'Precautionary Principles' as enunciated by the Supreme Court of India in various landmark judgments.
6. Explain the main objectives of the Public Liability Insurance Act, 1991. Give your arguments about the effectiveness of the Act in fulfilling its objectives?
7. Oleum Gas leak was a turning point in liability and compensation issues specially shift from strict liability to absolute liability. Explain and illustrate with the help of case law.
8. Write short notes on any TWO of the following:
  - (a) Coastal Regulation Zone
  - (b) Rylands v. Fletcher
  - (c) Bio-medical Wastes

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN DRAFTING OF LEGISLATION, TREATIES AND  
AGREEMENTS

PAPER II – CONSTITUTIONAL FRAMEWORK FOR LEGISLATIVE DRAFTING: AN  
INDIAN PERSPECTIVE

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Explain the scheme of distribution of legislature powers under the Constitution of India.
2. Should a legislative drafter be alive to the concept of separation of powers? Discuss in the context of the Indian Constitution.
3. “The Constitution of India did not include any clear direction about treaties such as is to be found in the United States of America and the French Constitution”. Comment.
4. What are the different modes of control over Delegated Legislation?
5. What are the main principles of interpretation of the entries in the Union List, State List and the Concurrent List?
6. Explain the relevance of Fundamental Rights in the context of Legislative Drafting in India.
7. Comment on the proposal for a memorandum on judicial impact assessment to accompany every legislation.
8. Write short notes on any TWO of the following:
  - a) Doctrine of pith and substance
  - b) Select Committee
  - c) Composite legislation.



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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN CYBER LAW  
PAPER III – INTELLECTUAL PROPERTY RIGHTS IN THE CYBER WORLD

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Mr. Nura Yeltej is well known senior advocate. It comes to his attention that Alpha.com has registered the domain name [www.nurayeltej.com](http://www.nurayeltej.com) for legal process outsourcing. What are the legal remedies available to Mr. Nura Yeltej under trade mark law, copyright law and domain name law. Discuss.
2. Your client, BCTV is the operator of an Internet news domain [www.bctv.com](http://www.bctv.com). DITTO is the owner of the copyright in broadcasting and reproduction rights pertaining to cricket tournaments organized. BCTV without any permission from DITTO or WCC has been providing updates on cricket scores through its domain name [www.bctv.com](http://www.bctv.com). DITTO has filed a suit against BCTV for infringement of its copyright in the broadcasting and reproduction rights regarding the WCC T-20 tournament. Advise BCTV about the defences available under Copyright Act, 1957 including the concept of fair dealing in current affairs and the “hot news” concept.
3. Examine the scope of protection of computer programmes in the light of the provisions of the Indian Copyright Act, 1957 and Indian Patents Act, 1970. Cite relevant case law also.
4. Discuss the provisions under the Semiconductor Integrated Circuits Layout Design Act, 2000 relating to the procedure for registration of a layout design.
5. Discuss in detail the ICANN policies and reforms.
6. Can domain names be protected as trade mark? Discuss.
7. Discuss the concept of cyber squatting and how cyber squatting disputes can be resolved. Support your answer with case laws.
8. Write short note on any TWO of the followings:
  - a) Software patents
  - b) WIPO Performances and Phonogram Treaty
  - c) Washington Treaty on Integrated Circuits And Layout Designs, 1989



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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW  
PAPER III – LAW OF PATENTS, TRADE SECRETS AND RELATED RIGHTS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Explain the salient features of the Patent Cooperation Treaty and the relevant provisions in the Patents Act, 1970.
2. Discuss the provisions in the Patents Act which address the public health concerns vis-à-vis Intellectual Property Rights of Pharma Companies.
3. An interested party had moved pre-grant representation under section 25(1) of the Patents Act against the grant of a patent. The Controller of Patents rejected the representation and granted the patent. What other steps can be taken by the party to get the patent revoked? Can anyone else move for revocation of that patent?
4. Can a legal person be treated as an inventor? Discuss the provisions of the Patents Act to protect the interests of the true and first inventor.
5. Explain the legal remedies available for a company whose trade secrets were revealed by an ex-employee to his present employer.
6. Examine the case of the Compulsory License issued by the Patent Office for the drug *Sorafenib*.
7. Discuss the following with reference to the Patents Act:
  - a. Provisional specification
  - b. Complete specification
  - c. Construction of specification
8. Write short notes on any TWO of the following:
  - a. Software patents
  - b. Patents for Inventions based on Traditional Knowledge
  - c. TRIPS-CBD Issues in WTO

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P.G. DIPLOMA IN TAX LAW

PAPER III – LAW RELATING TO DIRECT TAXES

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Explain any FOUR from the following:
  - (a). Person
  - (b). Assessee in default
  - (c). Rounding off of Income
  - (d). Rounding off of Tax
  - (e). Method of accounting v. Income Tax
2. Mr. X is the owner of five residential house properties. Out of which Three residential house properties are self-occupied by him and his family members, whereas one is used as warehouse for the storage of business goods and remaining house is let out by him at Rs. 10,000/- per month. You are hired as tax consultant by Mr. X. Explain tax consequences in respect of above as per Income Tax Act, 1961.
3. Aman Verma acquired one house property on 1-4-1978 for Rs. 3,00,000. On 1-4-1981 he tried to sell this house for Rs. 5,00,000 by accepting token money of Rs. 50,000, but buyer didn't turn back and the token money was forfeited by Aman.  
On 10-4-1991 he renovated entire house by spending Rs. 20,00,000. On 30<sup>th</sup> birthday i.e. 31<sup>st</sup> march 2007, of his son he transfers above mentioned property without any consideration to him.  
Finally on 1-4-2010 he sold entire property for Rs. 10 crore.  
On 1-5-2011 Aman's son acquired new house property for Rs. 2 Crore.  
Find out capital gain chargeable to tax under Income Tax Act, 1961  

1991 – 1992	182
2006 – 2007	519
2011 – 2012	785
4. Comment on any THREE of the following:
  - (a). Agriculture Income Earned in India
  - (b). Agriculture Income Earned outside India
  - (c). Tax treatment of pension
  - (d). Explain section 37 of income tax Act
5. X (Age: 26 Years) is an employee of a co-operative society at Varanasi. During the previous year 2011-2012, Rs. 65,000 per month as basic salary, Rs. 8,000 per month as bonus & Rs. 4,500 per month as dearness allowance (32% of it forms part of salary for computation of retirement benefits) & 2,000 per month medical allowance (Medical expenses, however, more than Rs. 2,000 per month) He is a member of a recognized provident fund to which the employer contributed 1, 19, 874 (X also makes a matching contribution). X gets an interest free loan (Repayable within 8 years) of Rs. 82,330 from the employer for purchasing a house (SBI lending rate 8%) besides he gets 10,30,760 as interest on company deposits from private sector undertaking. Determine the taxable income & tax liability of X for the assessment year 2011-12.
6. What are the deductions available to an individual under section 80C to 80U?
7. Explain provisions in respect of clubbing of Income under Income Tax Act, 1961.
8. Answer any TWO of the following:
  - (a). Explain income under the head 'other sources'
  - (b). Income exempt from tax
  - (c). Casual income



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P.G. DIPLOMA IN HUMAN RIGHTS LAW

PAPER III – INDIAN LAW ON HUMAN RIGHTS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Human rights have been recognised and given protection by the Constitution of India but they existed even prior to the Constitution. Discuss.
2. The National Human Rights Commission needs more powers to deal with human rights violations across the country. Do you agree with the statement? Give reasons for your answer.
3. How has the media contributed to the cause of human rights in India?
4. Critically examine the role of Indian Judiciary in the protection of human rights.
5. “Human right promotion and protection depends on scientific information in number of fields”. In the light of the above statement critically comment on the vital role played by science and technology in furtherance of human rights.
6. Has the National Commission for Women, which was established with the mandate of protecting and promoting the interest of women, been successful in empowering women by bringing attitudinal changes in the society? Discuss critically.
7. The Schedule Tribes and Scheduled Castes have different set of issues that need to be taken care of. The Scheduled tribes apart from other things need to preserve their culture, language and customs whereas the scheduled castes need to be assimilated and integrated into the mainstream. Given these critical differences is it fair to have a common commission for scheduled castes and tribes? Comment.
8. Write short note on any TWO of the following:
  - (a). Safeguards available for protection of rights during national emergency.
  - (b). Role of civil society in the promotion of human rights.
  - (c). National Commission for minorities.

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P.G. DIPLOMA IN INTERNATIONAL TRADE LAW

PAPER III – LAW RELATING TO INTERNATIONAL BUSINESS IN INDIA

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. What is “lex mercatoria”? How has globalization affected international trade and what changes have occurred in the law of merchants?
2. Describe the law, policy, procedure and impact of EXIM Policy and reasons for its adoption.
3. “A company never dies”. Explain the statement with reference to winding-up of a company.
4. What legal entities are available in India to organize and conduct business? State the comparative merits and demerits of them.
5. Briefly explain the taxation regime in India and the changes that it is proposed to undergo.
6. What are the major legal issues involved with E-Commerce?
7. “The old notion of Comity of Nations for enforcement of foreign judgments is severely mitigated in the realm of conflict of laws.” Explain
8. Write short note on any TWO of the following:
  - (a). Joint Ventures & Collaborations
  - (b). Public Private Partnership
  - (c). Mergers, Acquisitions and Take-overs

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION

PAPER III – INTERNATIONAL COMMERCIAL ARBITRATION

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. 'Party Autonomy is the underlying principle of arbitration' – Explain. What are the limitations of 'Party Autonomy'? Your client 'C' wishes to have a term incorporated in the agreement that "The award passed pursuant to the arbitration shall be recognized & enforceable in all the jurisdictions of the world". Advice 'C'.
2. Explain the significance of the UNCITRAL Model Law, 1985 in the growth & development of the international commercial arbitration? How has India utilized and applied the UNCITRAL Model Law, 1985?
3. Describe the grounds for refusing the enforcement of the foreign arbitral awards under the New York Convention, 1958. How is the 'award enforcement' mechanism different in the domestic and the international arbitration in India?
4. Between the 'ad hoc arbitration' and the 'institutional arbitration' which one would you suggest and why? Write in brief about the features of the arbitration rules of the International Chamber of Commerce (ICC).
5. The 'X & Co.' are the developers and have been engaged in developing a real estate in country 'C'. There exists an arbitration agreement covering all issues. However, a dispute relating to the unpaid payments has arisen. In an international arbitration- "*X & Co. v. the Govt. of C*" – the Govt. of 'C' has denied any liability by raising the **only** issue of sovereignty before an arbitration tribunal 'T'. You have been engaged by 'X & Co.' to resist such an argument. Prepare a written submission citing relevant case law in support.
6. Explain the dispute settlement mechanism of the World Trade Organization (WTO).
7. Explain the doctrines of 'Separability' and 'Competence'. How does it strengthen the function & position of an arbitrator?
8. Write short note on any TWO of the following:
  - (a). LCIA
  - (b). *Soleimany v. Solemany* case
  - (c). ICSID Arbitration



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P.G. DIPLOMA IN LABOUR LAW

PAPER III – TRADE UNIONS AND LABOUR WELFARE

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. What are the advantages of registration of a trade union under the Trade Unions Act 1926?
2. What are the duties of the employer under the Industrial Employment Standing Orders Act, 1946.
3. Write short note on the following:
  - a) Public Liability (Insurance) Act, 1991
  - b) Unfair Labour Practices
4. How has the International Labour Organization (ILO) contributed towards the improvement of labour conditions in India. Cite relevant Conventions and Recommendations.
5. What is the relevance of collective bargaining in India? Highlight the obstacles faced by Trade Unions in exercising the right to collective bargaining.
6. The Trade Unions (Amendment) Act 2001 was enacted in order to bring transparency and to provide greater support to trade unions in India. What are the salient features of the Trade Union (Amendment) Act, 2001?
7. Trace the history and development of Trade Union movement in India.
8. Write short note on any TWO of the following:
  - a) Hazardous Processes
  - b) Environment Protection Act, 1986
  - c) National Environmental Tribunal

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P.G. DIPLOMA IN CORPORATE LAWS & MANAGEMENT

PAPER III – BUSINESS LAW AND REGULATION OF BUSINESS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. “All contracts are agreements but all agreements are not contracts.” Discuss this statement with suitable examples and also give the essential elements of a valid contract.
2. What are the implied warranties of a contract of sale? State the circumstances when a Breach of condition is treated as a Breach of warranty.
3. “A partnership is born from a contract and not from status.” Discuss the essential elements of partnership in the light of this statement. What are the consequences of non-registration of partnership?
4. Compare a Holder of a negotiable instrument with a Holder in Due course. State the special privileges of a Holder in Due Course.
5. Who is a consumer under the Consumer Protection Act, 1986? Explain the powers and jurisdictions of various Consumer Dispute Redressal Agencies under this Act.
6. Discuss the salient features of the Competition Act, 2002. How the anti competitive agreements and abuse of dominant position are sought to be regulated under this Act.
7. Explain any TWO of the followings:
  - (a). Free Consent
  - (b). Void Agreements
  - (c). Quasi Contracts
  - (d). Discharge or Termination of a contract.
8. Write short note on any TWO of the following:
  - (a). Sale and Agreements to sell.
  - (b). A cheque and a Bill of Exchange
  - (c). Simple crossing and special crossing of a cheque

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P.G. DIPLOMA IN SECURITIES & BANKING LAW

PAPER III – PRACTICE OF SECURITIES LAWS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Elaborate the procedure for voluntary delisting of equity shares of a Company.
2. What is meant by the term 'Bailout Takeover' under SEBI (SAST) Regulations 1997? Discuss the mechanism of Bailout Takeover under SEBI regulations.
3. Write a detailed note on the provisions relating to Fast Track Issue of shares in domestic securities market.
4. What is the significance of Listing Agreement in the securities market? When a Corporate is mandated to comply with the Listing Agreement? Referring to Clause 49 of the Listing Agreement briefly discuss (i) Audit Committee and (ii) Remuneration Committee
5. What do you understand by Foreign Currency Convertible Bonds? Discuss the maximum limit and also the procedure for issue of Foreign Currency Convertible Bonds.
6. What is Friendly Takeover? Explain the regulatory provisions under SEBI Takeover Code 1997 for consolidation of shareholding by a Person along with its associates from 22% (existing) to 71% (proposed) in a listed company.
7. Discuss appropriate examples of Unfair Trade Practices in securities market. Justify the need for prohibition of such trade practices.
8. Write short note on any TWO of the following:
  - (a). Investors Protection and Education Fund
  - (b). Derivative trading in India
  - (c). Informal Guidance

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P.G. DIPLOMA IN DRAFTING OF LEGISLATION, TREATIES AND  
AGREEMENTS

PAPER III – LEGISLATIVE DRAFTING: PROCESS AND BASIC TECHNIQUES.

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. In Parliamentary Democracy the subordinate legislation has assumed great importance. In modern time no statute book of any country will be complete unless the entire body of the subordinate legislation is also clubbed together with the principal Acts under which it is framed. Discuss. What are the various forms of subordinate legislation?.
2. A legislation must be drafted in a simple, precise and direct language to be understood by all concerned. Explain the importance of language in the process of legislative drafting with the help of principal qualities, which contribute to the simplicity of the language.
3. A drafter on getting instructions from the concerned administrative department/Ministry must proceed to prepare a scheme of the legislation in stages. Discuss about stages of preparing legislation.
4. What are the different parts of the statute? Explain their importance.
5. Discuss about the common errors in drafting and explain how to overcome the same and the preventive measures to avoid common errors.
6. Discuss the following:
  - i. Skeleton Legislation
  - ii. Parts of Legislation
7. Discuss the importance of preliminary research for legislative drafting.
8. Write short notes on any TWO of the following:
  - i. Interpretation Clause
  - ii. Marginal Notes
  - iii. Long Title

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P.G. DIPLOMA IN ENVIRONMENTAL LAW & MANAGEMENT

PAPER III – INTERNATIONAL ENVIRONMENTAL LAW

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Briefly comment on the '*right to development v. environmental protection*' debate. How far do you think that this debate has influenced the growth in international environmental law?
2. Critically analyse the principle of 'Common But Differentiated Responsibilities' under the United Nations Framework Convention on Climate Change and the Kyoto Protocol.
3. What do you mean by 'sustainable development'? Critically examine this principle as exists in various international norms on environmental protection.
4. Explain the following:
  - (a) Principle of Permanent Sovereignty over Natural Resources
  - (b) Principle of Good-Neighbourliness
5. Analyse the contributions of the Indian Parliament and the Indian Judiciary in incorporating various principles of international environmental law to the Indian Law?
6. Briefly analyse the important principles relating to the protection of marine environment under the contemporary international environmental law.
7. Critically analyse the salient features of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 1989.
8. Write short notes on any two
  - (a) CITES
  - (b) ICJ Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons.
  - (c) *Ganga Brahmaputra Basin Case*



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P.G. DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION

PAPER IV – APPLICATION OF ADR IN OTHER FIELDS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Explain the procedure of 'Plea Bargaining' in India?
2. Write an essay on the evolution of the Online Dispute Resolution (ODR).
3. Is 'justice' easily compromised in a 'private justice system'? How can the 'social expectations' be satisfied in a 'private justice system'?
4. What are pathological clauses? Point out the common discrepancies in an arbitration clause.
5. Write an essay on the mass tort claims.
6. Answer both the parts:
  1. What are the distinctive features of a construction contract?
  2. The Government contracts are often standard form contracts naming one of its own officers as the arbitrator. How impartiality is maintained during the process of arbitration? Explain with reference to India.
7. Write an essay on the evolution, functions and activities of the ICANN and IANA.
8. Write short notes on any two of the followings:
  1. Ethics in ADR system
  2. WIPO
  3. UDRP

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P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW

PAPER IV – LAW OF TRADEMARKS, DESIGNS AND UNFAIR COMPETITION

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Briefly analyse the evolution and development of the law of trademark with special emphasis on the Paris Convention, 1883.
2. Explain the provisions relating to well-known trademarks under the Trademarks Act, 1999 with the help of relevant case law.
3. Distinguish an action for passing off from the law of trademark infringement. Do you think that the Indian law is an effective piece of legislation in dealing with this issue?
4. Critically evaluate the role played by the WTO in the unification and harmonization of protection to trademarks under the TRIPS.
5. Explain the law relating to settlement of conflicts over trademarks on the internet with special reference to UDRP.
6. Examine the concept of registered trademark and designs in India and bring out the areas of conflicts with the European system.
7. Examine the concept of law against unfair competition and its significance in the area of Trade Mark Law.
8. Write short note on any TWO of the following:
  - i) Cyber squatting
  - ii) Comparative Advertising
  - iii) Character Merchandising

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN CYBER LAW

PAPER IV – ELECTRONIC COMMERCE

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. E-commerce models exist in the form of B2B, B2C, C2B and C2C. Explain these basic models of e-commerce with the help of examples.
2. Compare the following by giving examples:
  - (a) Source code and Object code
  - (b) Internet Banking and Online Trading
  - (c) Cookies and Spyware
3. Do you think e-taxation regime in India is a reality? Are there any bottlenecks in its implementation? Discuss
4. Enumerate the important aspects of a well-drafted privacy policy, with the help of examples.
5. What is a Software Escrow Agreement? Explain the role and obligation played by each of the party to such an agreement.
6. India has been witnessing Mobile revolution for the last many year. Do you think whether this can be translated into M-commerce and M-banking?
7. Sending “Spam messages” have also been seen as a kind of online advertising. Discuss the merits and demerits of such form of online advertising, if any by looking into the “commercial” and “ethical” issues involved.
8. Write short notes of any two (giving examples):
  - (a) Bespoke software
  - (b) Online advertising
  - (c) Bit Tax

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN INTERNATIONAL TRADE LAW

PAPER IV – LAW RELATING TO WTO

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Describe the institutionalization of international trade and explain the basic elements of WTO agreement?
2. Give an overview of regional agreements NAFTA and ASEAN and their impact on international trade?
3. What are the salient features of GATT, 1994?
4. What are the key features, purpose and mandatory standards/measures of Agreement on Sanitary and Phytosanitary Measures?
5. General Agreement on Trade in Services (GATS) is the first multilateral agreement to provide legally enforceable rights to trade in all services. Explain its scope.
6. a. What are Quotas and other restrictions to international trade?  
b. Explain the importance of Tariffs in Market Access?
7. Write short notes on
  - a. Anti-Dumping Duty
  - b. Trade and Human Rights
8. Write relevance of any TWO of the following:
  - a. Countervailing duty
  - b. TRIPs
  - c. Subsidies

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN TAX LAW

PAPER IV – INCOME TAX: PRACTICE & PROCEDURE

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Briefly explain the provision relating to Advance rulings and the power of Authority of Advance Ruling. What is the applicability of advance ruling and under what circumstances advance ruling becomes void?
2. Discuss in brief the powers of income tax authorities relating to search and seizure and explain the provisions relating to application of assets seized or requisitioned.
3. (a). Can a return be filed after the due date? If so, what is the time limit allowed under the Income Tax Act.  
(b). Can a return submitted by an assessee be revised? If so, what are the circumstances under which it can be revised? What is the time limit for submission of such revised return?
4. Explain the following:  
(a). Payment of advance tax on income estimated by the assessee himself.  
(b). Payment of advance tax as per the order of the Assessing Officer.
5. Discuss the following:  
(a). Deemed assets chargeable to wealth tax.  
(b). Assets exempted from wealth tax.
6. Briefly explain the method of valuation of assets for imposition of wealth tax.
7. Briefly explain the terminology of Best Judgment Assessment under the Income Tax Act.
8. Write short note on any TWO of the following:  
(a). Deduction of tax at source on rental income.  
(b). Deduction of tax at source from income of professionals.  
(c). Deduction of tax at source from winnings of lotteries or crossword puzzles.



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ANNUAL EXAMINATION-APRIL 2013  
P.G. DIPLOMA IN HUMAN RIGHTS LAW

PAPER IV – RIGHTS OF SPECIAL GROUPS AND COLLECTIVE RIGHTS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Examine the legislative framework relating to human rights of persons with disabilities.
2. Briefly discuss about the composition and functions of the National Commission for Protection of Child Rights established under the Commission for Protection of Child Rights Act, 2005.
3. How 'minorities' are defined in the Indian Constitution? The recent enactment of the National Commission for Minority Educational Institutions Act, 2004 facilitates the working of minority educational institutions and prima facie upholds their rights – Comment.
4. Examine the evolution and development of international instruments relating to the rights of indigenous people.
5. With reference to the Convention relating to the Status of Refugees 1951, OAU Convention 1969 and Cartagena Declaration 1984, discuss how the definition and concept of 'refugee' has evolved over time. Recommend some durable steps to solve refugee problems.
6. Explain briefly how CEDAW fulfils the objectives of protecting women's rights. There are both merits and demerits of PWDVA, 2005 – Illustrate your arguments.
7. Briefly discuss the role adopted by Indian judiciary to reconcile the conflict between right to development and right to clean environment.
8. Write short note on any TWO of the following:
  - (a). Internally Displaced Persons
  - (b). *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011
  - (c). Right to Development

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**ANNUAL EXAMINATION-APRIL 2013**

**P.G. DIPLOMA IN CORPORATE LAWS & MANAGEMENT**

**PAPER IV – THEORY AND PRACTICE OF MANAGEMENT**

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Management is the process of setting goals, acquiring resources and utilizing them to accomplish predetermined goals. Elaborate.
2. A business plan is an outline of the proposed activities and the road map for achieving the desired results. Discuss the elements of business planning.
3. “There are nine ways of killing a cat” is a well known proverb. Discuss the features of making an effective choice in the context of a business organization.
4. Management control is a dynamic process. Describe the characteristics of an effective control system.
5. Leadership is the activity of influencing people to strive for group activities. Discuss the functions of a business leader.
6. A “need” is something like a tension that initiates and guides human behaviour. Explain the need theory as postulated by Abraham Maslow.
7. What are the psychological barriers to effective communications? How would you overcome them?
8. Write short notes on any TWO of the following:
  - i. Anatomy of a conflict
  - ii. Indicators of a dysfunctional team.
  - iii. Managerial authority versus power.

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ANNUAL EXAMINATION-APRIL 2013  
P.G. DIPLOMA IN SECURITIES & BANKING LAW

PAPER IV – BANKING LAW

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Define banking. Explain the relationship between banker and customer.
2. What do you know about the deficiency in banking services? Do you think the Consumer Protection Act, 1986 is sufficient to protect the interest of the customer? Explain with illustration.
3. What do you mean by fixed deposits? Explain the provisions for interest on overdue fixed deposits, payment before the due date and overdraft on FDR.
4. What are the powers of Reserve Bank of India to control the banking activities in India?
5. Is Reserve Bank of India a central Bank? Explain the Constitution of the Reserve Bank of India.
6. Write a detail note on the historical developments of Banking in India?
7. What are the forms of bank borrowing and bank deposits? Explain with examples.
8. Write short notes on any TWO of the following:
  - a) Opening of Trust Accounts
  - b) Credit Cards
  - c) Opening of Minor Account

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ANNUAL EXAMINATION-APRIL 2013

**P.G. DIPLOMA IN DRAFTING OF LEGISLATION, TREATIES AND  
AGREEMENTS**

**PAPER IV – DRAFTING OF LEGAL INSTRUMENTS.**

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions and not more than three questions from any part. All questions carry equal marks.**

**Part - A**

1. Only Sovereign States or International Organizations can be parties to an international Treaty. Elucidate various stages involved in the process of formation of an International Treaty.
2. “Treaties” play an important role in international trade relations. Explain the relevancy of International Treaties and discuss about their interpretation in the context of globalization.
3. Write notes on the following:
  - i. Vienna Convention
  - ii. Ratification of Treaty
4. Mr. R. K. Balu a renowned artist and painter promised to paint a picture for Mr. ‘Ramji’ on 20/6/2012 at Taj Hote, New Delhi for a consideration of Rs. 1,25,000/-. But on 21/6/2012 Mr. R. K. Balu was hospitalized due to massive heart attack and died on 27/6/2012. Discuss the enforceability of the contract by Mr. Ramji against Mr. R. K. Balu’s heirs with the support of relevant legal provisions.

**Part - B**

5. Write short notes on any TWO of the following:
  - i. Standard Form Contracts
  - ii. Privity of Contract
  - iii. Consideration
6. ‘Sangli and Company’ entered into an agreement with ‘Tint and Sons’ to sell specific cargo goods supposed to be on its way from England to Mumbai to ‘Tint and Sons’. It turns out that, before the day of the bargain the ship containing the cargo had been attacked by the sea pirates and the goods lost. Neither party was aware of these facts. Discuss the validity of the contract with relevant provisions of the law.

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7. Write notes on:

- i. Void Contracts
- ii. Performance of Contract

8. Write short-notes on any TWO of the following:

- i. Pacta-Sunt-Servanda
- ii. Rebus sic Stantibus
- iii. Multilateral Treaties

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN ENVIRONMENTAL LAW & MANAGEMENT  
PAPER IV – DISPUTE RESOLUTION MECHANISM

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Describe the composition and powers of the Central Pollution Control Board (CPCB). Can Central Government pass an order superseding the Central Pollution Control Board on the ground that it had persistently made default in the performance of its functions? If so discuss with the help of case laws.
2. Discuss the roles of different actors in EIA process. Write a note on Public hearing as a solution for environmental protection?
3. Discuss the use Right to Information Act, 2005 in Environmental decision making?
4. Discuss with reference to Narmada and Tehri Dam movements the impact of people's power to influence environmental policy and make protection of environment a people's agenda.
5. Write note on the following:
  - (i) WWF
  - (ii) SEZ
6. Is the right to healthy Environment guaranteed in India or is it illusory? Discuss the constitutional provisions relating to Environment along with relevant case laws.
7. What do you understand by Public Interest Litigation? Analyse some of the important judgments of the Supreme Court of India in the area of environmental protection.
8. Write short notes on any TWO:  
National Green Tribunal  
Citizens Suit  
NEAMA

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN LABOUR LAW

PAPER IV – PERSONNEL MANAGEMENT

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. “Personnel Management permeates the entire organization and regardless of level, every manager is truly a practicing personnel manager” discuss.
2. What are the objectives of training programmes? Describe Sensitivity Training Programme for improving job attitudes.
3. What is mean by job evaluation? Discuss in detail the point system of job evaluation.
4. What do you understand by performance appraisal? Discuss in detail the methods of appraising performance by results.
5. What do you understand by ‘motivation’? Explain by illustration and discuss Hygiene-Motivation theory.
6. Leadership effectiveness depends on a number of variables. Discuss in detail any two such variables.
7. Discuss the meaning and importance of communication. How can it be made more effective?
8. Write short notes on any TWO of the following:
  - (a). Job analysis
  - (b). Conflict management
  - (c). Training development

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ANNUAL EXAMINATION-APRIL 2013  
P.G. DIPLOMA IN HUMAN RIGHTS LAW  
PAPER V – LAW RELATING TO TORTURE

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Critically examine the various provisions of the United Nations Convention Against Torture.
2. How is torture defined in the UN Convention Against Torture [CAT]? Explain in detail the enforcement mechanism provided under that Convention.
3. Briefly examine the United Nations Minimum Standard Rules for the Treatment of Prisoners.
4. Discuss how the victims of torture are compensated and how are they rehabilitated?
5. Highlight the role of NGO's in the prevention of torture and its role in the rehabilitation of victim with the help of suitable example.
6. Discuss briefly the role of the National Human Rights Commission for preventing custodial torture. Also discuss the guidelines issued by the Commission in this regard.
7. What framework the Supreme Court of India had laid down for prevention of custodial torture?
8. Write short note on any two of the following:
  - a. Optional Protocol to the Convention Against Torture, Inhuman and Degrading Treatment or Punishment.
  - b. Remedies Against custodial torture in India
  - c. Prisoners Rights.

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW

PAPER V – INDUSTRIAL DESIGNS, GEOGRAPHICAL INDICATIONS & LAYOUT  
DESIGNS OF INTEGRATED CIRCUITS

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Define Design. What are the conditions to be fulfilled for the registration of designs under the Designs Act, 2000?
2. Explain 'piracy of registered design'. Discuss the remedy provided under the Designs Act.
3. Define Geographical Indication. Discuss the nature of geographical indication as an Intellectual Property Rights. What are the essential criteria for registration of Geographical Indication?
4. What are the rights of the owners of Geographical Indications? Explain the penalty provisions under the Geographical Indications of Goods (Registration & Protection) Act, 1999.
5. Explain the procedure of the registration of Geographical Indication under the Geographical Indications of Goods (Registrations & Protection) Act, 1999.
6. Explain the registration process of Semiconductor Integrated Circuits Layout Design Act, 2000. What are the designs prohibited from registration under the said Act?
7. Define 'new or original' under the Designs Act, 2000 with the help of relevant case law.
8. Write short note on any TWO of the following:
  - a. Copyright in design
  - b. 'Appellation of origin' and 'Indication of Source'
  - c. Conflict of Geographical Indication with Trademark.



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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN TAX LAW

PAPER V – LAW RELATING TO INDIRECT TAX

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. Two questions each from part A & B are compulsory and one question from Part C. All questions carry equal marks.**

## **PART-A CENTRAL EXCISE ACT, 1944**

1. Excisable goods are those goods which are movable, marketable, manufactured and mentioned in tariff. Discuss with help of decided cases.
2. “Manufacturing or production of ‘excisable goods’ in India is a taxable event under Central Excise Act.” Explain and elaborate the statement.
3. What is CENVAT Credit? List any six of the duty paying documents eligible for availing CENVAT Credit.

## **PART-B CUSTOMS ACT, 1962**

4. Discuss briefly the import and export procedure under the Customs Act 1962.
5. Write brief notes on following-
  - (a) Power of Search and Arrest under Customs Act 1962
  - (b) Indian Customs Waters under the Customs Act, 1962
6. What is Anti-dumping duty? Explain the meaning of ‘Margin of Dumping’, Normal Value and Injury Margin.

## **PART-C CENTRAL SALES TAX**

7. (A) Describe the provisions and rules regarding registration of dealers under the Central Sales-Tax Act.
  - a. Branch transfers are exempt under Central Sales Tax. Explain.
8. Write short note on ANY TWO
  - i. Inter-State sale
  - ii. Sale in the Course of Export and Import
  - iii. Declared goods



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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN CYBER LAW  
PAPER V – INFORMATION TECHNOLOGY ACT 2000

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. It is said that the Information Technology (Amendment) Act, 2008 has introduced several provisions on data protection and privacy. Do you agree with the statement? Discuss with the help of relevant provisions of the said Act.
2. What role Adjudicating Officer plays under the Information Technology Act, 2000? Elaborate the process of adjudication by referring to the relevant provisions under the Information Technology Act, 2000 and Rules made thereunder.
3. Digital (or electronic) signatures involve process of creation and verification of digital signatures. Illustrate and explain both the processes with the help of suitable diagram.
4. Write note on the following keeping in view the provisions of the Information Technology Act, 2000 and amendments thereof:
  - (a) E-Governance
  - (b) Sending offensive messages through communication service (Section 66A)
5. The Information Technology Act, 2000 provides a number of provisions regulating “obscenity in electronic form”. Elucidate with the help of relevant provisions from the Information Technology Act, 2000.
6. Cyber security has now been granted a legal status under the Information Technology Act, 2000. Discuss with the help of provisions pertaining to cyber security under the Act?
7. The Information Technology Act, 2000 grants exemption to the intermediaries in certain cases under section 79. Discuss such instances of exemptions, giving examples.
8. Write short notes on any two of the following:
  - (a) Cyber Appellate Tribunal (CAT)
  - (b) Phishing attacks
  - (c) Critical Information Infrastructure



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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN INTERNATIONAL TRADE LAW

PAPER V – SETTLEMENT OF INTERNATIONAL TRADE DISPUTES

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. According to Paulsson, “Investment Arbitration is arbitration without privity.” Explain the statement and jurisdictional issues involved in investment arbitration.
2. Explain- “DSB is a two tier system for resolution of international trade disputes.”
3. What is online dispute resolution? Explain the characteristics of dispute resolution under WIPO.
4. What is ADR and discuss the kinds of ADR? Explain the merits and demerits of ADR *vis-à-vis* Litigation.
5. Explain the controversy of application of Part I of Arbitration and Conciliation Act, 1996 to international commercial arbitrations with reference to *Bhatia International v. Bulk Trading SA* and *Venture Global Engineering v. Satyam Computer Services Ltd.*
6. What are the qualifications required for appointment of arbitrator? What is the procedure for appointment?
7. What are the grounds for challenging an arbitration award?
8. Write short note on any TWO of the following:
  - (a). Arbitration Agreement
  - (b). Ad hoc and Institutional Arbitration.
  - (c). Substantive Law vs. Procedural Law

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN CORPORATE LAWS & MANAGEMENT

PAPER V – BOOK KEEPING AND ACCOUNTANCY

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Following is the Income and Expenditure Account of Victoria Club for the year ending 31<sup>st</sup> March 2012:

Expenditure	Amount Rs.	Income	Amount Rs.
To Salaries & Wages	19,000	By Subscription	30,000
To Misc. Expenses (Including Insurance)	2,000	By Entrance Fees received	1,000
To Audit Fees	1,000	By Annual Sports Income	
		Receipts	6,000
		Less: Expense	3,000
			3,000
To Chief Executive's Honorarium	4,000		
To Printing and Stationery	1,800		
To Annual Day Celebration Exp.	6,000		
Less: Donation	4,000		
	2,000		
To Interest on Bank Loan	600		
To Depreciation on Sports Equipment	1,200		
To Excess of Income Over Expenditure	2,400		
	<b>34,000</b>		<b>34,000</b>

P.T.O.

Additional Information:

	31.03.11	31.03.12
	(Rs.)	(Rs.)
(i) Subscription outstanding	2,400	3,000
(ii) Subscription received in advance	1,800	1,080
(iii) Salaries outstanding	1,600	1,800
(iv) Sports equipment (after deducting depreciation)	10,400	10,800
(v) Prepaid Insurance	-	240
(vi) Cash in hand	?	6,400
(vii) The Club owned a Sport's ground of Rs. 40,000		
(viii) The Club took a loan of Rs. 8,000 from a bank during the year 2010-11 was paid in 2011-12		
(ix) Audit fee of 2011-12 was outstanding, but Audit fees of Rs. 800 for 2010-11 was paid in 2011-12		

Prepare Receipt and Payments Accounts for the year ending 31<sup>st</sup> March, 2012 and a Balance Sheet on that date.

2.

- i. On 1<sup>st</sup> January 2010 Gujarat Transport Co. purchased from Hindustan Motors, a lorry on hire-purchase basis, paying Rs. 15,000 in cash on spot and undertaking to pay yearly installments of Rs. 10,000 upto the year ending on 31<sup>st</sup> Dec. 2012. The cash price of the lorry taken was Rs. 42,000. The suppliers charged interest at 5% per annum and 10% depreciation is charged on cash price on reducing installments method each year.

The purchasing company could not pay the installments due on 31<sup>st</sup> Dec. 2011, and as a result of this, the vendor M/s Hindustan Motors took the possession of the lorry. Prepare ledgers for Lorry Account and Hindustan Motors Account in the books of Gujarat Transport Co.

- ii. Distinguish between Direct Cost and Indirect Cost.

3. Explain the following:

- i) Single entry system of Accounts
- ii) Cash Versus Accrual basis
- iii) Separate Legal entity
- iv) Matching concept
- v) Convention of Conservatism

P.T.O.

4. From the following information Prepare Cost sheet.

	Amount (Rs.)
Raw Material Purchased	5,00,000
Closing Stock of Raw Material	4,00,000
Opening Stock of Raw Material	8,00,000
Direct Expense	1,00,000
Direct Wages	50% of Material Consumed
Factory Overhead	100% of Prime Cost
Office Overhead	100 per unit
Units Produced	10000
Units Sold	7500
Selling & Distribution Overhead	200 per unit
Profit	25% of Sales.

5.

- i. What are the different types of Books required to maintain Proper Accounting.
- ii. Prepare a Bank Reconciliation Statement from the details given below and ascertain the balance as per Mr. Gokul Cash Book as on 31<sup>st</sup> December, 2012:
  - (i) Bank overdraft balance as per Books Rs. 12,000
  - (ii) Cheques issued to creditors amounting to Rs. 20,000 in the month of December, 2012 of which cheques worth Rs. 3,000 were presented to the bank up to 31<sup>st</sup> December, 2012.
  - (iii) A cheque of Rs. 6,000 received from Mr. Raj was deposited in the bank account on 26th December, 2012 but no entry was passed in the Cash Book. The same was collected and credited to Mr. Gokul Account on 29th December. 2012.
  - (iv) A cheque of Rs. 2,000 received from Mr. Baria on 20th December, 2012 was recorded in the discount column of the Cash Book but was not banked.
  - (v) The pass Book showed that the bank had collected Rs. 4,000 as interest on Government Securities. The Bank had charged interest Rs. 500 and bank charges Rs. 200. There was no entry in the Cash Book for the same.

P.T.O.

6. (a) What is the need of Depreciation and what is the Accounting treatment of Depreciation?
- (b) What do you mean by Internal Control?
- (c) Explain Internal Check.
7. From the following transactions of Ram & Co. write the Journal in proper form, post them into the ledger and take out a Trial Balance:

2012	Transactions	Rs.
Jan.1	Ram commenced business with cash	30,000
Jan. 2	Paid into bank	21,000
Jan. 3	Purchased goods	1,500
Jan. 7	Drew cash from bank for office use	3,000
Jan. 10	Sold goods to Hari on credit	1,000
Jan. 15	Purchased goods from Shyam	1,500
Jan. 20	Cash Sales	3,000
Jan. 25	Paid to Shyam	1,475
	Discount allowed	25
Jan. 30	Paid Rent	500
Jan. 31	Paid Salaries	1,000
Jan. 31	Telephone bill outstanding	600

8. A Ltd. invited application for 10000 Equity shares of Rs. 100 each at a discount of 6% payable as follows:

On application	Rs.25
On allotment	Rs. 34
On first and final call	Rs. 35

The applications received were for 9000 shares and all of these were accepted. All amount due were received except the first and final call on 100 shares, which were forfeited. 50 shares were re-issued @ Rs. 90 as fully paid up.

Assuming that all the requirements of the law were complied with, pass journal entries in the cash book and the journal of the company.



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P.G. DIPLOMA IN SECURITIES & BANKING LAW

PAPER V – LEGAL ISSUE & REGULATORY FRAMEWORK

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. What do you know about the Non-Banking Finance Company (NBFC)? Explain the procedure of registration and cancellation of registration of NBFC?
2. Explain the scope, powers and functions of Debt Recovery Tribunal?
3. Write a note on Banking Ombudsman under the Banking Ombudsman Scheme, 2006?
4. Write in brief the salient features of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002?
5. What are the provisions of penalties and prosecution under the Banking Regulation Act, 1949? Can a court imposing the fine may order to apply the amount towards costs and reward out of fine?
6. Explain the nature and functioning of SFCs in India.
7. What are the restrictions as to payment of dividend, commission, brokerage, loan and advances under the Banking Regulation Act, 1949?
8. Write short notes on any TWO of the following:
  - a) Banker's Lien
  - b) EXIM Bank
  - c) Bank Guarantee?

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ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN DRAFTING OF LEGISLATION, TREATIES AND  
AGREEMENTS

PAPER V – INTERPRETATION OF STATUTES.

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Explain the need for interpretation of statutes. Elucidate the relationship between legislative drafting and statutory interpretation.
2. Explain various corollaries to the literal rule of interpretation of statute with the help of case law.
3. What are the external aids that can be relied upon while interpreting statutes?
4. Explain the 'mischief rule' of interpretation of statutes. Do you think only 'mischief rule' can lead to the sure and true interpretation of all statutes be they penal, beneficial or otherwise? Comment.
5. What do you mean by 'strict construction'? What is the rationale for emphasizing on strict construction of penal statutes?
6. Explain the salient features of the General Clauses Act, 1897.
7. What do you mean by 'beneficial interpretation'? Explain the rationale behind the beneficial interpretation of welfare legislations.
8. Write short notes on any TWO of the following:
  - i) Golden rule of interpretation
  - ii) Rule of *ejusdem generis*
  - iii) Harmonious construction

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P.G. DIPLOMA IN ENVIRONMENTAL LAW & MANAGEMENT

PAPER V – ENVIRONMENTAL PLANNING AND MANAGEMENT

**Time: 3 hours**

**Max. Marks: 100**

**Answer any Five questions. All questions carry equal marks.**

1. Discuss the relationship between economics and environment. Do you agree that the National Environment Policy, 2006 is much tilted towards economic development than environment? Explain and illustrate.
2. Explain the concept of “Sustainable development” and the important principles envisaged therein.
3. Critically evaluate the utility of Environment Management System ISO 14000 Series and Standards.
4. What is joint Forest Management? Discuss briefly the Arabari experiment.
5. “Purpose of EIA is to inform public of the proposed project and its impact on environment.” Justify the statement with reference to peoples participation in India.
6. In *M.C. Mehta v. Kamal Nath* the apex court recognized the public trust doctrine as part of Indian jurisprudence. Discuss.
7. Define Hazardous Substance and discuss its effective management in India.
8. Write short note on any TWO of the following:
  - (a). Water Shed Management
  - (b). Environmental Audit
  - (c). Land resources management

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THE INDIAN LAW INSTITUTE  
(Deemed University)  
NEW DELHI

ANNUAL EXAMINATION-APRIL 2013

P.G. DIPLOMA IN LABOUR LAW

PAPER-V: DISSERTATION/ESSAY

**Time: 3 hours**

**Max. Marks: 100**

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

1. Child Labour in India
2. Migration of labour force in India
3. Judicial Response to Labour Issues in India

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