



THE INDIAN LAW INSTITUTE
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NEW DELHI

ANNUAL EXAMINATION-APRIL 2015
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. Discuss the need and importance of ADR within the Indian legal system.
2. Define mediation. Indicate the facilitative skills of a mediator.
3. Distinguish between
 - (a) Arbitration and Lok Adalat.
 - (b) Negotiation and Conciliation.
4. Discuss the importance of confidentiality and ethical standards in conciliation proceedings.
5. Describe how would you conduct a negotiation, while giving reference to negotiation and bargaining strategies.
6. Critically examine the provisions of Legal Services Authority Act, 1987.
7. What is meant by impasse in mediation and conciliation? Discuss strategies that could be adopted to overcome impasse.
8. Write short note on any TWO of the following:
 - (a) active and passive listening skills
 - (b) questioning as a technique to gather information
 - (c) Status of a settlement agreement in negotiation and conciliation

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ANNUAL EXAMINATION-APRIL 2015

P.G. DIPLOMA IN ALTERNATIVE DISPUTE RESOLUTION

PAPER II –INDIAN LAW ON ALTERNATIVE DISPUTE SETTLEMENT

Time: 3 hours

Max. Marks: 100

Answer any Five questions. All questions carry equal marks.

1. Explain the provision of 'interim measures' under S.9 of the Indian Arbitration and Conciliation Act, 1996. Make reference to relevant case law in this regard.
2. Describe the various ADR techniques in Labour and Industrial Disputes.
3. Explain 'fully' the role of Conciliator under the Indian Arbitration and Conciliation Act, 1996.
4. What is the role of courts in arbitration and what is the 'scope and extent' of 'judicial intervention' under the Indian Arbitration and Conciliation Act, 1996? Explain.
5. What are the grounds for setting aside of a 'domestic' award under the Arbitration and Conciliation Act, 1996? Discuss.
6. What are the general duties of the arbitrator before he is asked to preside over as an arbitrator? What is the process of challenging the arbitration awards under the Indian Arbitration and Conciliation Act, 1996?
7. Explain the ADR techniques in Family Disputes with reference to the Hindu Marriage Act, 1955 and the Family Courts Act, 1994. Express your views on how has the establishment of 'Family Courts' helped in reforming the legal regime vis-à-vis women in India.
8. Write short notes on any two of the following:
 - (a) ADR in Schedule Areas (5th & 6th Sch. of the Constitution of India);
 - (b) Consumer Dispute Resolution;
 - (c) Arbitration Agreement under S.7 of Indian Arbitration & Conciliation Act, 1996;

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ANNUAL EXAMINATION – APRIL 2015

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' – Describe with special reference to 'Public Policy'.
2. Explain the significance of the UNCITRAL Model Law, 1985 in the growth & development of the international commercial arbitration?
3. What is 'arbitrability'? What are the two 'criterion' of arbitrability? Explain 'arbitrability' with reference to bribery & corruption.
4. What are the grounds for refusing the enforcement of the foreign arbitral awards under the New York Convention, 1958?
5. What are the difference between the 'ad hoc' and the institutional arbitration'? Explain. Which one would you suggest and why?
6. Explain the dispute settlement mechanism of the World Trade Organization (WTO).
7. Explain the scope for intervention of domestic courts in International Commercial Arbitration with special reference to position in India.
8. Write short notes on any TWO of the followings:
 - (a) Code of conduct of Arbitrators
 - (b) *Geneva Convention, 1927*
 - (c) Sovereign Immunity

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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. “Plea Bargaining came to be statutorily entrenched in India despite the objections by the higher judiciary.” Comment on this statement explaining the procedure of plea bargaining in India.
2. Give an example of mass torts in India and explain how ADR could have been effectively applied in this area.
3. What are the merits and demerits of Online Disputes Resolution (ODR)?
4. Critically examine the experiments of Fast Track Criminal Courts in India with examples from cases of violence against women.
5. Explain the various reasons for the ineffectiveness of the working of ADR system in India.
6. Do the dimensions of professional ethics in ADR differ in different techniques of ADR? Explain with examples.
7. Explain the unique features of ADR in construction contracts with special reference to contracts with Government of India.
8. Write short notes on any TWO of the following:
 - a. Pathological clauses
 - b. INDRP
 - c. Legality of unilateral agreements.



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ANNUAL EXAMINATION-APRIL 2015

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. What do you mean by the word 'Company'? What are the defining characteristics of a company?
2. "Outsiders are bound to know the external position of a company, but not bound to know its indoor management." Discuss the Doctrine of Indoor Management with suitable case laws.
3. What are the salient features of the Companies Act, 2013? What all changes have been introduced by the new Act?
4. What is the doctrine of ultra vires? What are the consequences of an ultravires transaction?
5. What is a public issue? What are the requirements of Prospectus in bringing public issue? What is the difference between right issue and bonus issue?
6. The independent directors have to play crucial and instrumental role in improving the quality of corporate governance under the Companies Act, 2013. Elucidate.
7. What are the limitations on the borrowing power of the company under the provisions of the Companies Act?
8. Distinguish between the following: Attempt any two:
 - (i) 'Memorandum of association' and 'articles of association'
 - (ii) 'Shareholder' and 'member'
 - (iii) 'Preference shares' and 'equity shares'

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ANNUAL EXAMINATION – APRIL 2015

P.G. DIPLOMA IN CORPORATE LAW AND 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. Explain the concept of disclosure of interest in relation to board meeting. What are resolutions?
2. What is a Board report? What are the matter to be covered under such report? Explain.
3. Differentiate between Amalgamation, Mergers and Takeovers.
4. Explain the salient feature of SEBI takeover regulations 2011.
5. Discuss the concept of oppression and mismanagement. Explain the measures that can be taken to prevent such oppression and mismanagement.
6. What should be the composition of Board of Directors under clause 49 of the listing agreement? Explain the role and powers of Audit Committee.
7. Explain the concept of list of contributories and extent of their liability.
8. Write short notes on any TWO of the following:
 - a) Qualified audit report
 - b) Majority Rule
 - c) Government Companies

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ANNUAL EXAMINATION-APRIL 2015

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. What do you understand by dissolution of firm? What are the modes of dissolution of a firm? Discuss in detail.
2. No one can give a better title than he himself has. (*Nemo dat quod non habet*). Explain with examples.
3. "All contracts are agreements but all agreements are not contract". Give illustrations and explain the essentials of a valid contract.
4. What is a bill of exchange? Explain with illustrations. What is the difference between promissory note and bill of exchange?
5. Briefly explain the salient features of the Consumer Protection Act, 1986.
6. "The relation of partners arise from contract and not from status". Explain with reference to relevant case laws.
7. What are the main objectives of the Arbitration and Conciliation Act, 1996? Explain the powers of the judicial authority to refer parties to arbitration under Section 8 of the Act.
8. Write short notes on any TWO of the following:
 - a. Rule of *Caveat Emptor*.
 - b. Limited Liability Partnership (LLP).
 - c. Contract with Minor.

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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 a distinct process consisting of activities to determine and accomplish goals by the use of people and other resources. Elaborate.
2. Explain the meaning and importance of business planning? How would you go about preparing business plans of a growing industrial organization?
3. Define Management Control and discuss the techniques of an effective control system.
4. It is said that management is “Decision-Making”. Describe a typical “decision analysis” in the context of a business organization.
5. Communication is the transmission of a concept and its effectiveness depends on both the “communicator” and the “communicatee”. Explain the barriers that distort communication between them.
6. Leadership effectiveness depends on a number of variables. What are they? Compare and contrast different leadership styles in this context.
7. “Change” is inevitable. How would you seek, introduce and manage “change”?
8. Write short notes on any TWO of the following:
 - a. Principles of Organization Structure
 - b. Motivation-Hygiene Theory by Herzberg
 - c. Selection and development of an effective team



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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. What is Financial Accounting? Discuss its important concepts and conventions. How it is different from Cost Accounting?
2. Discuss the importance of Cost Accounting in today's business world. What are the different classifications of costs used in Cost Accounting?
3. (a) "An Auditor is a watch dog and not a blood hound". Discuss this statement by giving meaning, definition and objectives of Auditing.

(b) Distinguish between any TWO:
 - (1) Straight line method and written down method of Depreciation
 - (2) Break Even Point and Angle of incidence
 - (3) Fixed costs and Variable costs
4. (a) From following information prepare a Bank Reconciliation statement of Mr. Radhey Shyam and find out the balance as per pass book:
 - (1) Balance shown by the Cash Book Rs. 1,00,000/-.
 - (2) Cheques issued but not presented for payment to bank by one customer in time Rs. 20,000/-.
 - (3) Bank made direct payment from his account for Telephone Bills Rs. 5,000/-, House Tax Rs. 10,000/- and Electricity Bill for Rs. 8,000/-.
 - (4) One customer directly deposited money in his Bank account Rs. 12,000/-.
 - (5) Bank Charged Commission Rs. 4,000/-.
 - (6) Bank Credited interest to his account Rs. 3,000/-.
 - (7) Cheques deposited into Bank account but dishonored Rs. 9,000/-.
 - (8) The Bank wrongly debited his account by Rs. 6,000/-.

(b) A small businessman do not maintain his accounts on the basis of double entry book keeping system. But from his books the accountant found following information. On the basis of these informations find out the amount of profit or loss he has earned during the financial year 2012-13.

- (1) Capital in the beginning of the year Rs. 10 lac.
- (2) Capital at the end of the year Rs. 20 lac.
- (3) Additional capital introduced on 1.7.2012 Rs. 3 lac
- (4) Drawings made during the year Rs. 2 lac.

5. (a) Mr. Romesh use to charge depreciation on his plant and machinery on the basis of straight line method. Later on the Income Tax Department told him to charge the depreciation on the basis of Written Down value method. Make a comparative statement of charging depreciation and find out its impact on the profits of the firm for the last five years. He provided the following informations:-

- (1) Cost of machine purchased on 1st April 2007 was Rs. 11 lac.
- (2) Rate of charging depreciation with both the methods was 20% per annum.
- (3) Life of the machine is five years.
- (4) Scrap value of the machine after five years estimated to be Rs. 1 lac.

(b) From the following informations prepare a cost sheet of M/s AB Ltd. and find out the cost per unit also. What will be the selling price per unit if the company wants to have a profit margin of 20% on total cost of the product.

- (1) Raw material consumed in manufacturing process Rs. 5 lac.
- (2) Direct labour utilized in manufacturing process Rs. 2 lac.
- (3) Custom duty on raw material imported from abroad paid Rs. 50,000/-.
- (4) Power used in manufacturing process Rs. 2 lac.
- (5) Lubricants etc used for Rs. 10,000/-.
- (6) Salary to factory manager Rs. 80,000/-.
- (7) Salary to watchman of factory Rs. 10,000/-.
- (8) Depreciation on furniture and machines used in factory Rs. 10,000/-.
- (9) Salary to office & administrative staff of the company Rs. 40,000/-.
- (10) Meeting expenses of the Board of Directors Rs. 10,000/-.
- (11) Meeting allowances paid to members of Board of Directors Rs. 1,00,000/-.
- (12) Rent of godown and shops Rs. 30,000/-.
- (13) Salary & expenses of Sales force Rs. 10,000/-.

6. From the following Trial Balance and informations of ABC Ltd. for the financial year 2012-13. Prepare Trading Account, P&L Account and Balance Sheet.

Particulars	Debit Balance	Credit Balance
Sales and Purchases	5,00,000	10,00,000
Sales and Purchases Returns	1,00,000	50,000
Wages	1,00,000	---
Salaries	50,000	---
Printing Expenses	10,000	---
Stationary Expenses	5,000	---
Rent	4,000	---
Interest	8,000	---
Custom Duty	2,000	---
Octroi Charges	1,000	---
Fuel and Power	60,000	---
Capital	---	8,00,000
Land & Building	2,00,000	---
Plant & Machinery	1,50,000	---
Furniture & Fixture	40,000	---
Preliminary Expenses	30,000	---
Debtors and Creditors	2,00,000	3,00,000
Bills Receivables & Bill Payable	3,00,000	4,00,000
Bank Loan	---	1,00,000
Investments	5,00,000	---
Cash at Bank	2,90,000	---
Goodwill	1,00,000	---
Total	26,50,000	26,50,000

Additional Information:-

- (1) Closing stock Rs. 4,00,000
- (2) Outstanding wages Rs. 20,000
- (3) Outstanding rent Rs. 2,000
- (4) Depreciation on Plant & Machinery and Furniture & Fixtures is to be provided @20% per annum.

7. ABC Ltd. offered to Public for subscription 1 crore equity shares of Rs. 10 each at a premium of Rs. 200 per shares and preference shares of Rs. 100 per share for 10 lac preference shares. The company received applications for 1 crore & 50 lacs Equity Shares and for 15 lac of Preference Shares. The Board of Directors decided to receive the 50% of the total amount on application and 50% on allotment & calls. It also decided to issue the Equity Shares on Pro-rata basis and to adjust the money received in advance towards Allotment & Final Calls. It was decided to reject the extra application received for preference shares and refunded the money at the time of applications only.

Journalize these transactions in the Books of the ABC Ltd.

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

- (1) Sale under the Hire Purchase System and Sale under the Installment System.
- (2) Define a Private Ltd. Company. How does it differ from Public Limited Company?
- (3) Appointment of auditor in a company

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ANNUAL EXAMINATION-APRIL 2015

P.G. DIPLOMA IN CYBER LAW

PAPER I – BASICS OF THE COMPUTER AND CYBERWORLD

Time: 3 hours

Max. Marks: 100

Answer any Five questions. All questions carry equal marks.

1. Match the following:

- | | |
|---|-----------------------|
| i. Real security and privacy | a. PSS |
| ii. A process of studying trends used by retailers | b. Processing |
| iii. Terminals connected to complex inventory and sales computer systems | c. Binary |
| iv. Scanning of items and pulls up the current price | d. Information |
| v. The ability to recover and read deleted or damaged files from a computer | e. Nanoscience |
| vi. Major data processing functions of a computer | f. Computer forensics |
| vii. The study of molecules and structures whose size ranges from 1 to 100 nanometers | g. PSS |
| viii. Data organized or presented in a meaningful fashion | h. Point-of-sale |
| ix. The way that computers manipulate data into information | i. Data mining |
| x. Language to process data | j. hackers |
2. Provide an overview of a Computer system with special reference to brief history of computer and introduction to computer science.
3. Explain the hardware composition of Computer organization and architecture.

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4. Discuss in brief the routers and routed software. Support your answer with relevant illustrations.
5. What is virtual LAN? Briefly discuss the virtual LAN with more complexity.
6. What is cloud computing? Overview in brief the cloud computing system in India with suitable illustrations.
7. Write a note on Computer languages and software development.
8. Answer any Five in short
 - i) Information Security
 - ii) Optical fiber cables
 - iii) Software
 - iv) Modem
 - v) Wifi
 - vi) IM

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ANNUAL EXAMINATION-APRIL 2015

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. “Every man’s house is his castle.” Critically evaluate the changing meaning of privacy. How the privacy of individuals is threatened in cyberspace and what are the legal remedies available against violation of such privacy in context of the Constitution of India and IT Act, 2000?
2. Discuss the various tests adopted at International level to determine the personal jurisdiction including the long arm statute principle to determine when a website is subject to local jurisdiction. What is the position of law in India? Discuss with supporting case law.
3. The regulation of cyber space has become a critical issue particularly in view of recent cases of hacking at international level like Sony Hack Case. The movement has been seen as ‘regulating the net by computer code’ to ‘return of state in the cyber space’. Critically analyze various theories in this regard.
4. Discuss the Digital Divide in the light of recent e-governance policies of the Government of India.
5. “There are dangers in censoring the internet”. Discuss the statement with reference to current events and case law.
6. Define E-Contract and discuss the various ways in which an online contract can be concluded? Examine with help of relevant provisions of Indian Contract Act & Information Technology Act, 2000?
7. “ODR is broadly speaking, a process whereby disputes are substantially handled (through conciliation, mediation, arbitration or a combination of such) via electronic networks such as the Internet.” In the light of this statement, evaluate various methods of ODR and challenges for ODR in India?
8. Write short notes on any TWO of the following:
 - (a) UDRP
 - (b) Ethics and Etiquette in Cyberspace
 - (c) Convergence

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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. Discuss the concept of peer-to-peer file sharing focusing on the copyright implications. How has the scenario evolved from Napster to Torrents?
2. Discuss Digital Rights Management and Technology Protection Measures. How does Indian Copyright Law deal with it? Distinguish from the current U.S. Law.
3. Why are the WCT and WPPT called the interest treaties? Discuss their attributes.
4. Define Business Method Patents. Do a comparative analysis of the law governing business method patents across the world.
5. Write a note on Cyber Squatting.
6. Write a note on UDRP (Uniform Domain Name Dispute Resolution Policy) and IDRPP (Indian Dispute Resolution Policy).
7. Discuss Linking, Inlining and Framing in context of copyright law.
8. Write short notes on any TWO of the following:
 - a) Moral Rights
 - b) Fair Use
 - c) Exhaustion



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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. Board of Directors Vinay, Gauri & Rakhee of company VGR Ltd. decides to invest in E-commerce. They hired a consultation firm called Sisters Collaboration Pvt. Ltd. to advise whether they should go for E-Commerce business or not. Consultant Sandhya, Simran and Tavleen from Sisters Collaboration Pvt. Ltd. did the analysis and gave their recommendation.
 - (i) What analysis Sisters Collaboration Pvt. Ltd. has done?
 - (ii) If their analysis gives positive result to VGR Ltd. for E-Commerce business, then what is the analysis involved in it?
2. Board of Director Rahul, Shambhavi & Harjeet of RSH Ltd. operating a website called www.rsh.com and hired a consultation firm called Webworm Pvt. Ltd. to advise them to frame terms of service for this website. Consultant Arjun, Alisha, Rashmi & Mohinder from Webworm Pvt. Ltd. framed the term of service for RSH Ltd.
 - (i) What are the ground rules that Consultant Arjun, Alisha, Rashmi & Mohinder from Webworm Pvt. Ltd. followed?
 - (ii) What are the various important clauses they would like to include in the term of service?
3. Describe the Evolution of E-Commerce in the light of Electronic Data Interchange (EDI)?
4. Explain various types of online advertisement.
5. What are the mechanism of consumer protection in the cyber world?
6. Explain the following:
 - (i) What are the main clauses for disclaimer you advise for a website?
 - (ii) What are the main clauses of Escrow Agreement?
7. Describe any TWO with various clauses:
 - i. Software license agreement
 - ii. Software supply agreement
 - iii. Software maintenance agreement
8. Describe any TWO with various clauses:
 - i. Domain Name Registration agreement
 - ii. Content Development agreement
 - iii. Web Hosting agreement

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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. The Information Technology Act, 2000 provides for a Public Key Infrastructure (PKI). Identify the various constituents of PKI and highlight their respective roles in the light of provisions of the aforesaid Act.
2. It is said that the Information Technology Act, 2000 is a proactive legislation and yet silent on various contemporary issues, like data protection and privacy. Do you agree with the statement? Elaborate by giving a critique of the Information Technology Act, 2000.
3. The Adjudicating Officer plays an important role in regulating the contravention, under the IT Act, 2000? Discuss the relevant provision of appointment, powers, process of adjudication under the IT Act, and the IT (Qualification & Experience of AO & Manner of Holding Enquiry) Rules 2003.
4. The provision of cyber contravention provides dual remedy to the victim in case the contravention is committed with dishonest/fraudulent intention. Discuss the relevant provisions and the various contraventions provided in the IT Act.
5. What do you mean by 'Intermediaries'? The law provides the exemptions from liabilities to the intermediaries in certain cases on compliance of conditions. Discuss the same in reference to relevant provisions under the IT Act and rules made thereunder.
6. What is SPDI? The IT Act provides that in case of data breach, a corporate body negligent in implementing and maintaining reasonable security practices is liable to compensation and would also criminally liable in certain cases. Discuss with relevant provision with IT Act and the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2009.
7. The Sec 66A of the IT Act 2000 make sending of offensive messages through communication punishable. Recently a number of issues emerges resulting into challenging the validity of Sec 66A, discuss these issues with reference to the relevant cases. Give suitable recommendation in this regard.
8. Write short note on any TWO of the following:
 - a. Power of police under IT Act, 2000
 - b. Place of dispatch of electronic records
 - c. Electronic governance



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ANNUAL EXAMINATION – APRIL 2015

P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW
PAPER I – GENERAL REGIME OF INTELLECTUAL PROPERTY LAW

Time: 3 hours

Max. Marks: 100

Answer any Five questions. All questions carry equal marks.

1. Discuss the basic principles of intellectual property.
2. What are the salient features of the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS Agreement)?
3. Discuss India's patent policy with reference to pharmaceutical sector.
4. Discuss the development of IPR regimes in the EU and India.
5. Examine trade secret protection in the USA and India.
6. What is the current status of WIPO negotiations on protection of traditional knowledge, traditional cultural expressions and genetic resources?
7. What is the interface between competition law and intellectual property rights in India and the USA?
8. Write short notes on any TWO of the following:
 - a. Plant Variety Protection in India
 - b. Protection of Layout Designs of Integrated Circuits
 - c. Industrial Designs

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ANNUAL EXAMINATION – APRIL 2015

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. Critically analyse the changes that have been introduced to the Copyright Act, 1957 by the Copyright (Amendment) Act, 2012.
2. Discuss the provisions relating to the broadcaster's reproduction rights under the Indian Copyright Act.
3. Explain the concept of "Idea-Expression-Dichotomy" with the help of decided cases.
4. Discuss the evolution and the growth of Copyright Law.
5. Discuss the economic rights & moral rights of the authors.
6. Examine the provision relating to the compulsory licensing under the Indian Copyright Act.
7. Discuss the concept of "fair use/fair dealing" under the Indian Copyright Act.
8. Write short note on any TWO of the following:
 - a. Infringement of Copyright
 - b. WIPO and Copyright
 - c. Communication to the Public

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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. Discuss patentability of an invention in the light of the definitions of new invention, inventive step and capable of industrial application as per the Patents Act, 1970 and with the help of decided cases.
2. What are the grounds for pre-grant opposition and critically examine the differences between pre-grant and post grant opposition?
3. Discuss the grounds for grant of compulsory license. How does the case differ is it different from use of Inventions for purposes of government and the acquisition of inventions by the Central Government?
4. Explain the following concepts:
 - (a) Provisional Application
 - (b) Divisional Application, and
 - (c) Patent of Addition.
5. Mr. ABC invented a novel molecule for treatment of diabetes in 2005 and took a patent for the same. Now he discovered that it has therapeutic values for treatment of cancer. Examine the patentability of the new use in the light of the Supreme Court decision in *Novartis v. Union of India* (2013).
6. Mrs. Radha has invented a new formula for a cola drink. She wants to go for commercial production of the same but she seeks your opinion on the appropriate intellectual property protection for the same. What would you advise her—to apply for a patent or to protect the invention through trade secret? Explain the rationale behind your advice?
7. Explain the procedures for a resident of India to apply for a patent abroad. What are the differences between a Convention country application and a PCT application?
8. Write short note on any TWO of the following:
 - a. Rights of a patentee
 - b. Biodiversity Convention
 - c. Paris Convention and India



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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. What is a 'trademark'? Briefly explain the absolute and relative grounds for refusal of registration under the Trade Marks Act, 1999.
2. What is the role of WTO in harmonization of trade mark related issues?
3. What are the rights conferred by registration? What are the limits on effect of registration? Explain the concept of parallel imports.
4. Explain and differentiate between 'Passing off' and 'Infringement'. Also explain the effect of the provisions of The Trade Marks Act, 1999 on the jurisdiction of civil courts in cases of infringement and passing off.
5. Briefly explain the rules concerning assignment and transmission of trade marks. Explain the rule concerning restriction for creation of exclusive rights in different parts of India.
6. Explain the concept of "Comparative Advertising".
7. Explain the law of Unfair Competition in the context of the Trade Marks Act, 1999.
8. Write short note on any TWO of the following:
 - (a) UDRP.
 - (b) Trade Mark rights and Freedom of Speech.
 - (c) Revocation of registration on the grounds of non-use.
 - (d) Classification of goods and services under the Trade Marks Act, 1999.



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ANNUAL EXAMINATION-APRIL 2015

P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW
PAPER V – INDUSTRIAL DESIGNS, GEOGRAPHICAL INDICATIONS AND
LAYOUT-DESIGNS OF INTEGRATED CIRCUITS

Time: 3 hours

Max. Marks: 100

Answer any Five questions. All questions carry equal marks.

1. Describe the case study of Basmati Rice and Darjeeling tea with reference to Protection of Geographical Indications in India and abroad?
2. Trace the historical development of Geographical Indications Act, 1999? Why the Indian experience has not been as successful as the European one?
3. Explain the procedure of registration of Geographical Indications in India? Is the procedure in compliance with TRIP's? Also explain the infringement proceedings?
4. Explain the civil and criminal remedies available under the Geographical Indications Act, 1999?
5. What is the subject matter of Design Protection in India? Explain the necessary ingredients of Design Registration?
6. Distinguish Designs from Patents, Copyright and Trademarks. In reference to design, explain the rationale for giving 10 years protection and explain the procedure for further extension?
7. Explain reverse engineering with respect to the Semiconductor Integrated Circuits Layout-Design Act, 2000? Why reverse engineering is allowed under this act while prohibited under the Patents Act?
8. Write short note on any TWO of the following:
 - a. Infringement and remedies under the Designs Act, 2000
 - b. Assignment and Transmission
 - c. Transfer of rights



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ANNUAL EXAMINATION-APRIL 2015

P.G. DIPLOMA LABOUR LAW

PAPER I – LAW OF INDUSTRIAL DISPUTES

Time: 3 hours

Max. Marks: 100

Answer any Five questions. All questions carry equal marks.

1. Define “industry” and critically examine the test laid down by the Supreme Court in *Bangalore Water Supply & Sewerage Board v. A. Rajappa*, AIR 1978 SC 548.
2. “Section 2-A is of limited application. It does not declare all individual disputes to be an industrial dispute.” Comment and distinguish between an ‘individual dispute’ and ‘industrial dispute’. Cite case law.
3. What is Lock-out? What is the difference between Lock-out and retrenchment? Is Lock out permanent or temporary? Support your answer with various case laws.
4. Distinguish between “retrenchment” and “lay-off”. What is the procedure for retrenchment of a workman under Industrial Dispute Act, 1947?
5. What has been the impact of globalization on the labour policy and industrial relations in India?
6. The Appropriate Government may refer a dispute to Board, Courts or Tribunals. Explain with relevant sections and case laws?
7. Discuss the provisions of the Industrial Disputes Act, 1947 relating to ‘operation’ and ‘enforcement’ of industrial awards.
8. Write short notes on any TWO of the following;
 - (a) Strike
 - (b) Domestic Enquiries
 - (c) Functions of the Labour Court

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ANNUAL EXAMINATION-APRIL 2015

P.G. DIPLOMA LABOUR LAW

PAPER II – SOCIAL SECURITY LEGISLATIONS

Time: 3 hours

Max. Marks: 100

Answer any Five questions. All questions carry equal marks.

1. A) Distinguish between minimum wage, fair wage and living wage.
B) Capacity of the employer to pay minimum wages is not relevant consideration. Discuss the statement in the light of relevant cases.
2. A) What are the provisions relating to leave for miscarriage and tubectomy operation under Maternity Benefits Act, 1961?
B) Whether the employee can be dismissed from service for absence during pregnancy for gross misconduct? If so on what grounds.
3. (a) A person is drawing wages @ Rs. 50,000/- per month. Calculate what amount of gratuity is payable to him if he leaves the Organization (covered under provisions of Gratuity act 1972) on the completion of his:-
 - (i) 3 year of service
 - (ii) 4 Years 8 months of service
 - (iii) 5 Years and 2 months of service
 - (iv) 6 Years and 7 months of servicePlease give reasons for you answers.
If a person working for with an organization expired after completion of 2 Years of service and was drawing Wages @Rs. 20,000/- per month. Whether his nominee/legal heir is entitled for Gratuity or not, if yes then what will be the amount he/she is entitled to. Give reasons for your answer.
- (b) Explain the legal obligations of the employer with regard to payment of gratuity under the Payment of Gratuity Act, 1972.
4. Discuss and explain the concept of equal pay for equal work as interpreted by the judiciary and its scope as per the Equal Remuneration Act, 1976. Refer to relevant case law.
5. Employer's liability for compensation arises only if personal injury is caused to employee by accident out of and in the course of employment. Explain.
When can an Employer refuse to pay compensation under Employee's Compensation Act, 1923 (Earlier Workmen Compensation act 1923) to the employee for injury?
6. What are the conditions for applicability of Contract Labour Act 1970 and registration of establishment? Who is authorized to prohibit the employment of contract labour and what are the factors for consideration before doing so?

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7. A) Discuss salient features of Employee's Provident Funds (and Miscellaneous Provisions) Act 1952.
B) What are the conditions for imposing fine under Payment of Wages Act, 1939?
8. Write short note on any two of the following:
 - a. Delhi Shops and Establishment Act, 1954
 - b. Partial and total disablement
 - c. Bonded Labour



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ANNUAL EXAMINATION – APRIL 2015

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. Highlight the provisions related to registration and cancellation of registration of Trade Unions. What are the advantages of registration of a trade union under the Trade Unions Act, 1926?
2. What is collective bargaining? What is the role of trade unions in this regard?
3. What are the objectives of the Public Liability (Insurance) Act, 1991?
4. Discuss the standards laid down by the International Labour Organization in the field of labour welfare.
5. Discuss the objective and the salient features of the Industrial Employment Standing Orders Act, 1946.
6. Trace the history of the trade union movement in India.
7. What were the key recommendations made by the Second National Commission on Labour?
8. Write short note on any TWO of the following:
 - a. Environment Protection Act, 1986
 - b. Hazardous Processes
 - c. Trade Union (Amendment) Act, 2001



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ANNUAL EXAMINATION-APRIL 2015

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. Business organizations compete in terms of their 'people'. Describe the activities involved in managing this key but complex resource.
2. What is the importance of training and development? Describe various methods and techniques of enhancing the capabilities of supervisory staff.
3. What is manpower planning? Why is it important? What are the key steps involved in developing a manpower plan for a growing organization?
4. Explain the concept of Performance Appraisal. How can it be made transparent and objective?
5. Communication is vital for effective management of resources. Elaborate.
6. Define leadership. Are leaders born or made? Do personal traits of a leader alone determine the success of a business leader?
7. What do you understand by Motivation? Discuss Hygiene-Motivation theory by Dr. Herzberg and how does it relate to Maslow's concept.
8. Write short notes on any TWO of the following:
 - a. Managerial Grid
 - b. Job analysis
 - c. Genesis of conflict at work place.

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ANNUAL EXAMINATION-APRIL 2015

P.G. DIPLOMA LABOUR LAW
PAPER-V: ESSAY

Time: 3 hours

Max. Marks: 100

Explain any one of the following topics:

1. Write an Essay on the relevance of strike and lockout in the Industry. Is strike a fundamental right? Elaborate.
2. Effect of Globalization on the Indian Industry and Labour Laws.
3. Recent trends in Labour Law.

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