



THE INDIAN LAW INSTITUTE  
(Deemed University)  
NEW DELHI

ANNUAL EXAMINATION -APRIL 2016

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. List the advantages of various forms of ADR mechanism over litigation.
2. Differentiate between adjudicatory ADR and non-adjudicatory ADR mechanism.
3. Define negotiation. Outline common negotiation techniques and bargaining strategies.
4. Explain in detail the different models and stages of mediation.
5. What are the factors which amount to delay in litigation (disposal of cases) in India?
6. Discuss skills of a conciliator which are required to:
  - (a) Handle impasse
  - (b) Draft a settlement agreement
7. Discuss
  - (a) Fast Track Arbitration
  - (b) Dispute resolution through Lok Adalat
8. Write short notes on any TWO of the following:
  - (a) Ethical standards of a mediator
  - (b) ADR modes recognized by Section 89 of CPC
  - (c) Duties of Counsellor

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ANNUAL EXAMINATION -APRIL 2016

P.G. DIPLOMA IN CORPORATE LAWS AND 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. Define corporate veil. Discuss the circumstances where Corporate Veil can be lifted.
2. There are no shareholders in a limited liability partnership, instead there are partners. Explain in detail the differences between a LLP and a company.
3. Explain the difference between articles of association and memorandum of association. Explain the contents of the memorandum and procedure for alteration of memorandum of association and articles of association.
4. Discuss the powers of board provided by the Companies Act 2013. Can the Board of directors of a company delegate any of its powers to others? Write the duties of a Director given under Companies Act, 2013.
5. What do you understand by Prospectus? What are its contents? Explain the remedies for misrepresentation in prospectus under companies Act.
6. Explain the Doctrine of Indoor Management and the Rule laid down in *Royal British Bank v. Turquand*. Are there any exceptions to this?
7. Examine the doctrine of Constructive notice. Also lay down the exceptions to it.
8. Write notes on any TWO of the following:
  - (i) Corporate Social Responsibility
  - (ii) Independent director
  - (iii) Buy back of shares

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THE INDIAN LAW INSTITUTE  
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ANNUAL EXAMINATION -APRIL 2016

P.G. DIPLOMA IN CYBER LAW  
PAPER I – BASICS OF THE COMPUTER AND CYBER WORLD

**Time: 3 hours**

**Max. Marks: 100**

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

1. Match the following:

- |                 |                               |
|-----------------|-------------------------------|
| a) BIOS         | i) Storage Device             |
| b) Version      | ii) Display purpose           |
| c) Touch Screen | iii) Software                 |
| d) Pen Drive    | iv) Extension/Type of file    |
| e) MAC          | v) System Software            |
| f) Enigma       | vi) Supply for Power          |
| g) “.xlsx”      | vii) Used for Networking      |
| h) SMPS         | viii) Encrypt/decrypt machine |
| i) CRT          | ix) Input device              |
| j) NIC          | x) Type of ROM                |

2. Answer any FIVE in short:

- I. What is PATH?
- II. What is ESD?
- III. What is MODEM?
- IV. What is an IC?
- V. What is a file in computes?
- VI. What is IPv6?

3. What is an Operating System? Describe its main functions.

4. What are type of threats to a computer, discuss. What is ESD and precautions that one should take while handling ESD?

5. What is POST? Describe booting process?

6. What is internet? Describe various ways to connect to internet.

7. What is software? Discuss types of software.

8. What are basic threats to a computer? What is difference between antivirus and firewall?

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# THE INDIAN LAW INSTITUTE

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ANNUAL EXAMINATION -APRIL 2016

## 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. Describe how the intellectual property rights can be abused to gain market monopoly.
2. Discuss the main efforts made through treaties to achieve international trademark harmonization.
3. Make a comparative analysis of the application of the concepts of intellectual property in U.S., E.U. and India in context to copyright law and moral rights.
4. Economic policy and Globalization determine the intellectual property laws of a country. Discuss.
5. Discuss the Microsoft (Competition-IP law) Litigation in U.S. and E.U. What do you predict would be the result of such a litigation in India?
6. Describe the general layout of the Paris Convention and Berne Convention and the significance of these conventions.
7. Discuss any two theories of Property Rights and their application to Intellectual Property law.
8. Write short notes on any TWO of the following
  - a. Fair use and Copyright law
  - b. Trade Secrets
  - c. Traditional Knowledge

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ANNUAL EXAMINATION -APRIL 2016

P.G. DIPLOMA IN LABOUR LAW  
PAPER I – LAW OF INDUSTRIAL DISPUTE

**Time: 3 hours**

**Max. Marks: 100**

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

1. Define “Industry” with the help of decided cases. Cite cases law and various tests in support of your answer with minimum 3 examples of Industry.
2. “Section 2-A , Industrial Disputes Act, 1947 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 main elements should exist to constitute Industrial Dispute? Whether a single workman, who is deprived by an action of the employer can raise industrial dispute?
4. Distinguish between “retrenchment” and “lay-off”. Give relevant case law. What is the procedure for retrenchment of a workman under Industrial Dispute Act, 1947?
5. What are the duties of Works Committee and Conciliation officer? What is the main purpose of creating the Works Committee?
6. Discuss the provisions of the Industrial Disputes Act, 1947 relating to ‘operation’ and ‘enforcement’ of industrial awards.
7. What are the recommendations of Second National Commission on Labour on Industrial Relations and Globalization?
8. Write short notes on any TWO of the followings:
  - a) Strike
  - b) Collective Bargaining
  - c) Domestic Enquiry

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**ANNUAL EXAMINATION -APRIL 2016**

**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. Define what is meant by a Voluntary Arbitration -Agreement under section 7 of Arbitration & Conciliation Act 1996, and its importance before the Appellate-Court when there is issue regarding its binding-force, and enforceability as effective-redressal for determining-disputes
2. What are the grounds for challenge to the composition of Arbitration-Tribunal, and Arbitration-Process under section-12 of Arbitration & Conciliation Act 1996 that is initiated under section-13 of Arbitration & Conciliation Act 1996?
3. How do the arbitrators of Arbitration-Tribunal fulfil their assigned role & responsibility towards ensuring that the Arbitration-Proceedings are conducted in the manner that affords the parties the fair-hearing on the basis of equality under Arbitration & Conciliation Act 1996?
4. How effective is conciliation as the ADR-Technique for Resolving Labour & Industrial Disputes Act, 1948, Workmen's Compensation Act, 1923, and Factories Act 1948? Explain with reference to the flexibility in Dispute-Resolution Procedure available to the conciliator selected, and appointed under Arbitration & Conciliation Act 1996.
5. How effective is Mediation as the ADR-Technique for resolving family-disputes? Explain with reference to the flexibility in Dispute-Resolution Procedure available to the mediator selected, and appointed under Arbitration & Conciliation Act 1996.
6. What is the binding-force, and enforceability of Settlement-Agreement voluntarily entered into between the parties to dispute in conciliation or mediation proceedings?
7. What are the Grounds that party have to establish before the Arbitral-Tribunal in order to seek, and be granted interim-relief under section-9 of Arbitration & Conciliation Act 1996?
8. Write short notes on any TWO of following:
  - a. Judicial intervention in arbitral proceeding
  - b. Difference between arbitration and mediation
  - c. New amendments in Arbitration and Conciliation Act, 1996



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**P.G. DIPLOMA IN CORPORATE LAWS AND M ANAGEMENT**  
**PAPER II – GENERAL PRINCIPLES OF COMPANY LAW –II**

**Time: 3 hours**

**Max. Marks: 100**

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

1. Discuss the objectives and statutory rules relating to Annual General Meeting. Is there any relaxation provided for One Person Company in the Companies Act, 2013?
2. Evaluate the rights and duties of auditors. What is audit report?
3. Examine the grounds and procedure for the compulsory winding up of companies. State the difference between winding up and dissolution.
4. Discuss the powers of court in the case of merger and amalgamation of companies.
5. Examine the different kinds of investigation under Company Law and also the powers of inspectors to conduct investigation into the affairs related to Companies.
6. “Mere lack of confidence between majority and minority shareholders would not be enough to order relief under section 397 of Company Law”. In the light of this statement discuss the rule of majority powers and minority rights under company law.
7. Evaluate the concept of corporate governance under the Companies Act, 2013. What is the role of auditor in promoting effective Corporate Governance?
8. Write short note on any TWO of the following:
  - a. Corporate restructuring
  - b. SEBI's takeover regulations
  - c. Distinguish between special resolution and ordinary resolution

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P.G. DIPLOMA IN CYBER LAW  
PAPER II – REGULATORY FRAMEWORK OF THE CYBER WORLD

Time: 3 hours

Max. Marks: 100

Answer any Five questions. All questions carry equal marks.

1. “The Internet has fast become a key instrument for the exercise of the right to freedom of expression”. In the light of this statement, discuss the Right to freedom of speech and expression in cyberspace with particular reference to Section 66A of Information Technology Act as laid down by Supreme Court in the matter of *Shreya Singhal v. Union of India (2015)*.
2. The regulation of cyber space has become a critical issue particularly in view of recent cases of terrorism such as Paris Attack Case & 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 analyse various theories in this regard.
3. Arpit is a Sr. Officer working in the BPO company, XYZ Ltd. at Gurgaon and allowed to work from his home at Delhi. Arpit while working from his home entered into a contract with another company ABC Ltd. Delhi on behalf of his XYZ Ltd. wherein the clause ‘all the dispute arises and ABC exclusive jurisdiction of court at Gurgaon’. Later on a dispute arises and ABC Ltd. file the case at Delhi Courts claiming that Arpit has executed the online contract from Delhi only and as such the jurisdiction of the court at Gurgaon is not made out. Examine this case with help of relevant provisions of Indian Contract Act & Information Technology Act, 2000.
4. Critically analyze the various theories pertaining to regulation of cyberspace.
5. What are the technological tools through which privacy of individual on the internet is threatened? What are their technological & legal responses?
6. “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.
7. What is Digital divide? Explain with reference to India. What are the means to bridge the gap of digital divide?
8. Write short notes on any TWO of the following:
  - a. Difference between ‘Click Wrap’ and ‘Shrink Wrap Agreement’
  - b. Ethics and Etiquette in Cyberspace
  - c. Blocking Child Pornography in Cyberspace





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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. Article 9(2) of TRIPs provides that 'Copyright protection shall extend to expressions and not to ideas, procedures, methods of operation or mathematical concepts as such.' Explain the idea-expression dichotomy with the help of relevant case law.
2. Explain the concept of Copyright and various exclusive economic rights of the copyright owner in respect of literary and artistic works given under Section 14, Copyright Act, 1957.
3. Article 6<sup>bis</sup> of Berne Convention requires the member countries to grant to authors the right to claim authorship of work and right to object to any distortion, mutilation or other modification of, or other derogatory action in relation to the work which would be prejudicial to the author's honor or reputation. Explain Author's special rights with reference to Section 57, Copyright Act, 1957.
4. Performers and Broadcasting Organisations act as intermediaries in disseminating and broadcasting of the works. What provisions in the Copyright Act, 1957 deal with the special rights of Performers and Broadcasting Organisations?
5. Discuss the special provisions related to cover versions under Section 31C, the Copyright Act, 1957.
6. Discuss the law of ownership of copyright under the Copyright Act, 1957.
7. Discuss the doctrine of fair dealing by referring to the law down by courts.
8. Write short note on any *TWO* of the following:
  - a. Sweat of the Brow Doctrine
  - b. Doctrine of First Sale
  - c. Concept Notes

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P.G. DIPLOMA LABOUR LAW

PAPER II – SOCIAL SECURITY LEGISLATION

**Time: 3 hours**

**Max. Marks: 100**

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

1. Trace the evolution of social security legislation in India. What are the constitutional provisions that deal with the concept of social security?
2. 'Accident alone does not entitle a workman to claim compensation, it must arise out of and in the course of employment'. Discuss. Is the employer liable to pay compensation in the following cases under the Workmen's Compensation Act, 1923?
  - i. A driver while driving the car of a company developed heart attack and collapsed.
  - ii. A workman while on his way to factory for work in State Roadways Transport bus dies in a road accident.
3. What do you understand by 'Equal Pay for Equal Work'? Discuss the provisions of Equal Remuneration Act, 1976 providing protection to women workers against discrimination in certain matters.
4. What is the procedure for fixation and revision of minimum wages under the Minimum Wages Act, 1948? Distinguish minimum wage, fair wage and living wages.
5. Discuss social and legal obstacles faced in prohibiting child labour referring to relevant case laws, if any
6. What is Public Interest Litigation (PIL)? Explain the relevance of PIL with regard to improvement of labour conditions in India citing relevant case laws in this regard.
7. When is the principal employer liable to provide welfare, health and other facilities to contractor's workers under the Contract Labour (Regulation & Abolition) Act, 1970? Is it obligatory on the principal employer to get the establishment registered under the Contract Labour (Regulation & Abolition) Act, 1970? If so, briefly explain the procedure for the same.
8. Write short note on any TWO of the following:
  - a. Employees' Pension Scheme, 1995
  - b. Concept of 'set off and set on' under the Payment of Bonus Act
  - c. Salient features of the Maternity Benefit Act, 1961



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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. Explain the evolution of the International Commercial Arbitration. What role has the UNCITRAL played in the shaping of the present day international arbitration?
2. Examine in detail the issue of the '**Arbitrability**' (**Objective criterion**) in the International Commercial Arbitration. Include a special reference to the matters of: **Illegality & Fraud**: and **Bribery & Corruption**. Cite the relevant international case laws.
3. Examine the distinctive features of the International Chamber of Commerce (ICC) and the role of the ICC in today's international commercial world?
4. Describe in brief the evolution of the present day **World Trade Organization (WTO)**. Explain its dispute settlement mechanism.
5. Explain in detail the procedure of the enforcement and recognition of the international arbitration awards referring to the New York Convention, 1958. Can the awards be enforced in a secondary jurisdiction when it has been set-aside in its primary jurisdiction?
6. Explain the difference between the 'ad hoc' and the 'institutional' arbitration? Which one would you suggest and why?
7. With specific reference to the UNCITRAL MODEL LAW, 1985 (Arbitration) explain the significance of the doctrines of 'separability' and 'competence-competence'. How does this strengthen the power and position of an arbitrator?
8. Write short notes on any TWO of the followings:
  - (a) ICSID Arbitration
  - (b) The Channel Tunnel case
  - (c) The Subjective (criterion of) Arbitrability

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P.G. DIPLOMA IN CORPORATE LAWS AND 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 are the essentials of partnership? 'A partnership is born from contract and not from status'. Discuss.
2. Define consideration. Are there any exceptions to the rule 'a contract without consideration is void'?
3. What are the salient features of the limited liability partnership firm under the Limited Liability Partnership Act, 2008?
4. Discuss in brief the procedure to file a criminal complaint for a cheque return unpaid and procedure thereafter under the provisions of the Negotiable Instruments Act, 1881?
5. What do you know about the arbitration agreement? Explain the powers of Court to refer parties to an arbitrator where there is an arbitration agreement under section 8 of the Arbitration and Conciliation Act, 1996.
6. Briefly explain the salient features of Competition Act, 2002?
7. No one can give a better title than he himself has. (**Nemo dat quod no habet**). Explain with examples.
8. Write short notes on any TWO of the followings:
  - a) Essentials of '**sale**' under the Sale of Goods Act, 1930
  - b) Essentials of '**consumer**' under the Consumer Protection Act, 1986
  - c) Promissory Note

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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. Define Technological Protection Measures (TPMs). Discuss the various legislations dealing with TPMs in India.
2. Discuss how software is protected under Copyright with special emphasis on India
3. Discuss cyber-squatting and resolution of domain name disputes.
4. Examine the legal issues that can arise out of linking, inlining and framing.
5. Discuss Software patents and the law governing their protection with special reference to India.
6. Discuss Fair Use, Moral Rights and Work for Hire in the context of computer programs.
7. Explain copyright protection in digital environment. How far the principles of WPPT have been incorporated under Indian Copyright Act.
8. Write short notes on any TWO of the following:
  - a. Reverse Domain Name Hijacking
  - b. IPR Infringement and P2P networks
  - c. Search Engine Optimisation

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ANNUAL EXAMINATION -APRIL 2016

P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW

Paper III – LAW OF PATENT, TRADE SECRETS AND RELATED RIGHTS

**Time: 3 hours**

**Max. Marks: 100**

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

1. The goals of Intellectual Property Rights especially Patent Law may have some conflicting / different objectives for social welfare and market welfare. Discuss this statement.
2. Does International patent Law exist? Examine this question in the context of International treaties and conventions related to Patent Law.
3. Discuss historical evolution of Indian Patent Law from British period to latest amendments in the Patent Act, 1970 with special focus on 2005 amendment.
4. Discuss patentability criteria under Indian Patent Law with comparison of EU and USA Patent Law.
5. Compulsory License has become a reality in Indian patent Law. Discuss.
6. Commercial exploitation of Patent has become more important than traditional protection approach for patents. Discuss this statement in the light of IP licensing agreement.
7. Explain Infringement of Patents under Patent Act, 1970. Discuss exhausting of Patent Rights and Parallel Imports.
8. Write short notes on any TWO of the following:
  - (a) Procedure of patent filing in India
  - (b) The law of trade secret under Indian Intellectual Property Law
  - (c) Revocation of Patents

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P.G. DIPLOMA IN LABO UR LAW  
PAPER III –TRADE UNION AND LABOUR WELFARE

**Time: 3 hours**

**Max. Marks: 100**

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

1. Trade Union Act 1926 is silent about the recognition of Trade Unions. Differentiate the concept of recognition with registration of Trade Union, also critically evaluate the various suggestions made by Second National Commission on Labour (2002).
2. Discuss the amendments made to the Trade Unions Act 1926, and critically evaluate how far these amendments have addressed the problems confronting the trade union movement in India today.
3. To which Industrial establishments the Industrial Employment (Standing Orders) Act 1946 is applicable. Briefly describe the procedure for certification of standing orders.
4. Differentiate between ILO Conventions and Recommendations. What are core the conventions of ILO also known as Fundamental Human Rights Convention. Some of them have not been ratified by India. Please state the reasons for the same.
5. Highlight the main features of Government Labour Welfare Policy. Do you agree that the policy has achieved desired results.
6. What are 'hazardous processes'? Discuss the provisions introduced in Factories Act 1948 after the Bhopal Gas disaster in this regard. Explaining clearly the responsibility of occupier in this regard.
7. What are objectives of Environmental Protection Act 1986.
8. Write short note on any TWO of the following:
  - a) Unfair Labour Practices
  - b) Amalgamation of Trade Union
  - c) Role of outsiders in Trade Union

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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. Analyze the issue of 'Justice' in private justice system. How can the society be satisfied by the quality of justice in the private justice system? Comment.
2. What is 'Mass Torts Disaster Claims' and how does it differ from the ordinary single tort claims? Explain with the explicit reference to the famous Indian case law.
3. Explain the procedure of 'Plea Bargaining' in India with a special reference to the provisions of the Criminal Procedure Code 1973.
4. The Government contracts are often standard form of contracts naming one of its own officers as the arbitrator. How is impartiality maintained during the process of arbitration? Explain with the special reference to the Indian statute on arbitration.
5. Explain the distinctive features of Uniform Domain Name Dispute Resolution Policy (UDRP).
6. *"The cardinal rule of drafting an international arbitration agreement is to avoid the type of ambiguity and equivocation that will later delight a party wishing to drag its feet"* (William W Park, 1997). Comment and also analyse other common errors that are commonly found in pathological clauses.
7. Trace the evolution of the Online Dispute Resolution (ODR).
8. Write short notes on any two of the followings:
  - (a) Ethics in ADR
  - (b) Statutory Arbitration
  - (c) Construction Contracts

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P.G. DIPLOMA IN CORPORATE LAWS AND MANAGEMENT  
PAPER IV – THEORY AND PRACTICE OF MANAGEMENT

**Time: 3 hours**

**Max. Marks: 100**

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

1. In optimizing the use of resources, a significant role is played by a group of people called “Managers”. Discuss their functions in the field of Management.
2. Authority is supposed to be commensurate with responsibility. Why do managers find it lagging in the real world and how do they bridge this gap?
3. Why plan if there is a destiny that shapes our ends? Do you agree? Discuss the steps involved in preparing business plans.
4. Conflicts in business organizations are inevitable. Why do they occur? Suggest ways of dealing with them.
5. According to Kurt Lewin, unfreezing, changing and re-freezing are the 3 phases of the change process. Elaborate in the context of Introducing and managing change.
6. What moves people to perform any action or activity? Discuss the need theory as postulated by Abraham Maslow.
7. Define Leadership. Are leaders born, thrown up by situations or developed? How are they different from Managers?
8. Write short notes on any TWO of the following:
  - (a) Road blocks in effective communication
  - (b) Management control is a dynamic process
  - (c) Indicators of a dysfunctional team

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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. Write a critical essay on E-taxation and support your answer with relevant illustrations and case-law.
2. Distinguish between Ecommerce and Mobile-Commerce and write a note on MVAS. Support your answer with relevant illustrations.
3. In Tour Reservation System, where consumers can book tickets for different tours in North India consumers connect to a Tour Operator Server and sign in to the Tour reservation system. This in turn uses services of servers of other tour operators of Hotels for Room Booking Payment Services. Explain the issue involved in implementation and maintenance of this system.
4. Discuss the development and growth of E-commerce. Explain the E-commerce models and classification. Distinguish the approaches of E-Commerce models with E-business, support your answer with necessary diagrams and relevant examples.
5. State and explain the types of online advertising. Discuss the advantages and disadvantages of online advertising.
6. State and explain framing of terms of service conditions of a website, give suitable examples to support your answer.
7. Explain the concept of online contracts. State and explain types of online contracts and support your answer with relevant provisions of IT Act, 2000, IT (A) Act, 2008 and Indian Contract Act, 1872.
8. Write short notes on any TWO of the following:
  - a) Digital Cash and working of online banking system
  - b) Electronic Data Interchange and its components
  - c) Draft a Privacy Policy for Facebook

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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. Explain the role and importance of the following issues in relation to trademarks:  
(a) World Intellectual Property Organization  
(b) World Trade Organization
2. What are the remedies available to a registered proprietor of a trademarks? Explain the different types of injunction that may be sought to curb misuse by an infringer.
3. Explain the principle and grounds of revocation of a trademark, enunciating the sections provided in the Trade Marks Act, 1999.
4. What are the steps of registration of a trademark? Briefly explain the absolute and relative grounds for refusal of registration.
5. What is assignment of trademarks? Briefly explain the rules for assignment and transmission of trademarks enunciated in the Trade Marks Act, 1999.
6. What is Unfair Competition in reference to Trade Marks Act, 1999?
7. Elaborate the meaning and interrelations of Trademarks Rights and Freedom of Speech.
8. Write short notes on any TWO of the following:  
(a) Comparative Advertising  
(b) Classification of goods and services under the Trade Marks Act, 1999  
(c) Passing Off  
(d) Parallel Imports

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**P.G. DIPLOMA IN LABO UR LAW**  
**PAPER IV – PERSONNEL MANAGEMENT**

**Time: 3 hours**

**Max. Marks: 100**

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

1. Personnel function is a Line responsibility and a staff function. Discuss its nature and scope.
2. What do you meant by Job Evaluation? Describe in detail the points system of Job Evaluation.
3. Discuss the role of information technology in the development and application of Human Resource Information System (HRIS).
4. Change is a common thread that runs through all organizations. How will you go about introducing and managing change in your organization?
5. Communication is a dynamic and collaborative process and its effectiveness depends on both the “communicator” and the “communicate”. Explain the barriers that distort communication between them.
6. What is meant by leadership? Identify and compare the major styles of leadership. Will you favour any one style as the best for all occasions?
7. Explain Abraham Masiow’s need theory and show its relevance in understanding motivational factors.
8. Write short notes on any TWO of the following:
  - (a) A well made job description is the crux of selection process.
  - (b) Importance of training and development
  - (c) Performance counseling

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**THE INDIAN LAW INSTITUTE**  
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**NEW DELHI**

ANNUAL EXAMINATION -APRIL 2016

**P.G. DIPLOMA IN CORPORATE LAWS AND MANAGEMENT**  
**PAPER V – BOOK KEEPING AND ACCOUNTANCY**

**Time: 3 hours**

**Max. Marks: 100**

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

1. (a) What is financial Accounting? Discuss the Accounting cycle and the important objectives of financial Accounting.

(b) What is GAAP? Discuss the important concepts on which the Double Entry Book Keeping System is based.

2. (a) What is a Cost Sheet? Why is it prepared? Give a specimen of the Cost Sheet.

(b) Discuss in brief the meaning and objectives of Auditing.

3. Mr. Ram & Co. started a new business with a capital of Rs. 10 lac on 1<sup>st</sup> April, 2015. He opened an A/c in SBI with Rs. 8,00,000. During the financial year 2015-2016, he made the following transactions:-

- i) Purchased raw material in cash for Rs. 1 lac and Rs. 2 lac by cheque.
- ii) Paid wages for Rs. 10,000; Salary Rs. 30,000; Rent of Shop Rs. 5,000 and for cartage Rs. 2,000 by cheque.
- iii) Purchased raw material on credit from Mr. Mohan for Rs. One Lac Only.
- iv) Sold goods in cash for Rs. 2,00,000 and on credit to Sohan for Rs. 5,00,000
- v) Purchased machine by cheque Rs. 2 lacs only.

Make Journal Entries in the Books of Mr. Ram and Co.; open Ledger Accounts and prepare a Trial Balance of the Business for the year ending 31<sup>st</sup> March, 2016.

4. (a) What is a Bank Reconciliation Statement? Why is it prepared? What are the reasons for difference in the balance shown by the Pass Book and Cash Book?

(b) A petty businessman does not maintain his accounts on the basis of double entry book keeping system. But from his books, the accountant found the following information. On the basis of these informations find out the amount of Profit or Loss earned by him during the F.Y. 2015 -16.

- i) Capital introduced on 01.04.2015 Rs. 20 lac.
- ii) Additional Capital introduced on 31.07.2015 Rs. 10 lac.
- iii) Drawings made for personal use during F.Y. 2015 -16 Rs. 2 lac
- iv) Further additional capital introduced on 31.12.2015 Rs. 5 lac.
- v) Further drawings made for personal use on 31.01.2016 Rs. 1 lac.
- vi) Capital at the end of the F.Y. 2015 -16 was Rs. 50 lac.

5. (a) M/s. Dinesh and Co. use to charge depreciation on the Plant & Machinery on the basis of Straight Line Method (SLM). Later on the Income Tax Department asked him to charge depreciation on the basis of Written Down Value Method (WDV). Make a comparative statement of charging depreciation and find out its impact on the profit of the firm for the last five years. He provided the following informations:
- Cost of the Machine purchased on 1st April, 2008 was Rs. 20 lacs.
  - Rate of charging depreciation is 20% per annum.
  - Life of the Machine is five years.
- (b) Explain in brief sources of Capital of a Joint Stock Company.
6. From the following Trial Balance and additional informations of a Business. Prepare final Accounts for the year 2015-16.

PARTICULARS	DEBIT BALANCES (Rs.)	CREDIT BALANCES (Rs.)
Capital	-	18,00,000
Purchases and Sales	5,00,000	10,00,000
Sales Returns & Purchase Returns	1,00,000	50,000
Wages	1,00,000	-
Salaries	50,000	-
Printing Expenses	10,000	-
Rent	4,000	-
Stationery Expenses	5,000	-
Fuel & Power	60,000	-
Octroi Charges	1,000	-
Custom Duty	2,000	-
Interest	8,000	-
Plant & Machinery	1,50,000	-
Land & Building	2,00,000	-
Furniture	40,000	-
Preliminary Expenses	30,000	-
Debtors and Creditors	2,00,000	3,00,000
Bills Receivables & Bills Payables	3,00,000	4,00,000
Bank Loan	-	1,00,000
Investments	15,00,000	-
Cash at Bank	3,90,000	-
<b>TOTAL</b>	<b>36,50,000</b>	<b>36,50,000</b>

**Additional Informations:**

- Closing stock Rs. 4,00,000
  - Outstanding wages Rs. 20,000.
  - Outstanding Rent Rs. 2,000.
  - Depreciation on Plant & Machinery to be charge @ 10% per annum.
  - Depreciation on Furniture is to be charged @ 20% per annum.
7. (a) Mr. D of Delhi sold goods to Mr. B of Bombay on credit for Rs. 5 lac and draw a bill of exchange on him for a period of one year. Mr. B accepted the Bill and returned it

to Mr. D. Mr. D. got it discounted from his bank @ 10% per annum. On due date Mr. B fulfilled his commitment and discharged the bill.

Make Journal Entries in the Book of both the parties.

(b) What is a Break Even Point? How it is calculated? What are the uses of BEP analysis?

(c) From the following information calculate the BEP sale:

- i) Fixed Cost of the Plant Rs. 20 lac
- ii) Variable Cost per unit of production Rs. 60
- iii) Selling Price per unit Rs. 100
- iv) Expected Profit before Tax Rs. 10 lac

8. Distinguish between any TWO of the followings:-

- i) Sale under Hire Purchase System and sale under the Installment System.
- ii) Depreciation, Reserves and Provisions.
- iii) Variable Cost, Semi-Variable Cost and Fixed Cost

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ANNUAL EXAMINATION -APRIL 2016

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 Section 66A of the IT Act, which makes sending of offensive messages through computer/communication device, a cognizable offence has been declared unconstitutional by the Supreme Court in the recent judgment '*Shreya Singhal v. Union of India: The Landmark Sec 66A Case*'. What are the alternative remedies now available to a person who becomes victim of offences u/s 66A under IT Act or other Indian Laws?
2. ABC Ltd. is a BPO Company handling the personal data of the client of a X Ltd. based at US. The employees of ABC Ltd. stole & misused the data of client of X Ltd., who were later on arrested. X Ltd. claim the damages from ABC Ltd. for not maintaining appropriate security standards. Elucidate the relevant provision under the Information Technology Act and Information Technology (Reasonable Security Practices & Procedures and Sensitive Personal Data or Information) Rules 2000 as to whether X Ltd. would succeed and what are the pre-requisites for it?
3. The hackers in a Country A Commit a DDOS Attack on the servers of the essential supplies services in a Country B resulting into complete failure of basic infrastructure for the citizen of Country B. Country B claims it to be an act of Cyber Terrorism committed by the hackers. Discuss the same in the context of Information Technology Act as whether Country B would succeed and what are the pre-requisites of the cyber terrorism?
4. The hackers commit an attack on the server of the company ABC Ltd. and are able to install a spyware/backdoor and thus, successfully steal the data of the server of ABC Ltd. What are the civil & criminal remedies available to the ABC Ltd. and in which forums? Whether it can make any difference if the server is of Government Department which has been declared as protected system?
5. The adult and child pornography has become a nuisance over the internet which is accessible to the people of all the ages including children. Elucidate the provisions of IT Act violated by these pornographic websites and the power of the government to block them.
6. What do you mean by 'Intermediaries'? The law provides certain exemptions from liabilities to the intermediaries, discuss with reference to relevant provisions under the IT Act and rules made thereunder.
7. What kind of role the Adjudicating Officer plays under the IT Act, 2000? Elaborate the process of adjudication by referring to the relevant provisions under the IT Act and Rules made thereunder?



8. Write short notes on any TWO of the following giving relevant provisions of the Information Technology Act, 2000:-

- (a) Cyber Appellate Tribunal
- (b) Critical Information Infrastructure
- (c) Admissibility of Electronic Records under the Indian Evidence Act, 1872

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ANNUAL EXAMINATION -APRIL 2016

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. Examine the rationale behind the protection of Geographical Indications (GIs). What are the major international conventions on GIs?
2. What is the difference between Appellations of Origin and Indication of Source? Can products falling under both these categories be registered as GIs? Explain.
3. Trace the historical development of Design Law in India? Is there any overlapping between Design Law and Copyright? If so, what are the provisions that balance these overlapping?
4. Discuss the provisions regarding infringement of Layout Designs and what are the remedies available under the Semiconductor Integrated Circuits Layout-Design Act, 2000.
5. Explain the procedure for registration of design under the Designs Act, 2000? What are the conditions essential to be registered as a design?
6. What is the Interrelationship between GI and Trademark (TM)? What is the process provided under the GI Act, 1999 and GI Rules, 2002 for the registration of GI?
7. What is a Layout Design? Is there any condition laid down on prohibition of registration of certain lay out designs? What are the powers and functions of the Layout Design Appellate Board, under the Semiconductor Integrated Circuits Layout Design Act, 2000?
8. Write short notes on any TWO of the following:
  - i. Piracy of designs
  - ii. Restoration of lapsed GI
  - iii. Concept of 'new or original' under the Designs act, 2000

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**ANNUAL EXAMINATION -APRIL 2016**

**P.G. DIPLOMA IN LABO UR LAW**  
**PAPER V – ESSAY**

**Time: 3 hours**

**Max. Marks: 100**

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

1. Recent judicial trends on strike and lockout in India.
2. Liberalization of economy and amendments in Indian labour laws.
3. Role of leadership in motivation of employees.

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SUPPLEMENTARY EXAMINATION (SEPTEMBER-2016)

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. Describe the role of International Chamber of Commerce (ICC), Paris in shaping the international trade with special reference to its arbitration rules.
2. What are the various ways in which a foreign award can be enforced in India? Explain the procedure of enforcing the award under the New York Convention.
3. Discuss the evolution of World Trade Organization (WTO). Also examine the dispute settlement mechanism of WTO with at least two case laws.
4. How are the arbitrators appointed in a dispute involving international commercial transaction? Also discuss the code of conduct of arbitrators.
5. How would a national court consider the issue of 'public policy' while enforcing an award passed in another country? What arguments would you possibly give in order to convince the court that the award be enforced?
6. Describe the arbitration under the 'UNCITRAL Arbitration Rules – 2010'. How are the rules different from the provision of Arbitration & Conciliation Act, 1996? Suggest the rules which you think can be taken from the UNCITRAL Rules?
7. Examine in detail the issue of the 'Arbitrability' (Objective criterion) in the International Commercial Arbitration. Include a special reference to the matters of: *Illegality and Fraud' and Bribery and Corruption'*. Cite the relevant international case laws.
8. Write short notes on any two of the following:
  - (a) The Alabama Claims Case
  - (b) The Case of 'Soleimany v. Soleimany'
  - (c) Party Autonomy

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**SUPPLEMENTARY EXAMINATION (SEPTEMBER-2016)**  
**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. What is 'Justice'? How can it be administered in a 'private justice system'? Explain.
2. Describe 'Mass Torts Disaster Claims'. Explain with reference to the Indian case law(s).
3. Explain the procedure of 'Plea Bargaining' in India with a special reference to the provisions under the Criminal Procedure Code.
4. The Government contracts are often standard form of contracts. Describe its salient features vis-à-vis the Constitution of India and the Indian Arbitration & Conciliation Act, 1996.
5. Explain the important features of Uniform Domain Name Dispute Resolution Policy (UDRP).
6. "Any dispute of whatever nature arising out of or in any way relating to the Agreement or to its construction or fulfillments may be referred to arbitration. Such arbitration shall take place in USA and shall proceed in accordance with the Rules of Conciliation and Arbitration of the International Chamber of Commerce. The present contract is governed by the laws of Luxembourg. Disputes which may be resolved by conciliation shall be submitted first to conciliation. The parties shall mediate so long as one party believes settlement through mediation is possible, after which the parties shall submit the dispute to binding arbitration. Prior to any judicial proceeding, [parties] shall submit [their disputes] to an arbitral tribunal of three members, of which each party appoints the arbitrator of its choice within a eight-days period from the request made by the most diligent party. In the event arbitrators do not agree about the choice of a third arbitrator. Parties shall appoint a Chinese speaking Arbitrator with a French law degree and a familiarity with Mid-East construction contracts." Analyze this Arbitration clause. Point out the various shortcomings and its consequences.
7. What are the various methods in Online Dispute Resolution (ODR)? Explain.
8. Write short note on any TWO of the following:
  - (a) Ethics in ADR.
  - (b) ICANN.
  - (c) Statutory Arbitration.



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**SUPPLEMENTARY EXAMINATION (SEPTEMBER -2016)**  
**P.G. DIPLOMA IN CORPORATE LAW AND 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. Whether registration of a Partnership is compulsory under the Partnership Act, 1932. Explain in brief the procedure for registration of a Partnership firm?
2. (a) “No seller can give to the buyer a better title of goods than he himself has? Explain.  
(b) What are the difference between existing and future goods?
3. What are the salient features of a Limited Liability Firm under The Limited Liability Partnership Act, 2008? Differentiate between a partnership firm and LLP.
4. “All contracts are agreements but all agreements are not contract”. Discuss with examples and case laws.
5. Discuss in brief the procedure to file a criminal complaint and procedure thereafter under different provisions of the Negotiable Instruments Act, 1881?
6. What are the salient features of The Consumer Protection Act, 1986? Explain in brief.
7. What are the main objectives of The Arbitration Conciliation Act, 1996. Under what circumstances the judicial authority can refer the parties to arbitration?
8. Write short note on any TWO of the following:
  - (a) Implied authority of Partner
  - (b) Rule of Caveat Emptor
  - (c) Quasi Contracts

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SUPPLEMENTARY EXAMINATION - SEPTEMBER 2016  
P.G. DIPLOMA IN CORPORATE LAW AND MANAGEMENT  
PAPER IV – THEORY AND PRACTICE OF MANAGEMENT

**Time: 3 hours**

**Max. Marks: 100**

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

1. “Acquiring resources and utilizing them to accomplish predetermined goals is both a science and an art. It calls for multidimensional skills”. Discuss.
2. Explain the concept of Responsibility, Authority and Accountability. Also distinguish clearly between managerial authority and power.
3. “No team game can be won by single player. Likewise, successful business organizations are also a result of team effort”. Explain with reference to selection and development of an effective team.
4. A sound organizational structure facilitates allocation of tasks to its members, identifies relationships and integrates its activities towards common objectives. Elaborate.
5. A typical decision analysis will examine what, why, when, where, how and by whom etc. Explain.
6. Define leadership. Are leaders born or made? How do leaders differ from managers?
7. Explain the essential components of communication and discuss the significance of feedback in this process.
8. Write short notes on any TWO of the following:
  - a. Meaning and importance of business planning
  - b. Genesis of conflict in an organization
  - c. Complexities of introducing and managing change

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SUPPLEMENTARY EXAMINATION - SEPTEMBER 2016

**P.G. DIPLOMA IN CORPORATE LAWS AND MANAGEMENT**  
**PAPER V – BOOK KEEPING AND ACCOUNTANCY**

**Time: 3 hours**

**Max. Marks: 100**

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

1. Describe the elements of accounting cycle and users of accounting information.
2. What do you mean by independent financial audit? Also discuss its objectives.
3. (a) What are the different types of special purpose subsidiary books?  
(b) Differentiate between sale under hire purchase system and under installment system.
4. Prepare a Bank Reconciliation Statement of Ruchika Ltd. as on 31 March 2016 from the following information:
  - i) Credit Balance as per Cashbook Rs. 25,000
  - ii) Cheques paid into bank for collection Rs. 60,000 but cheques of Rs. 24, 000 could only be collected in March, 2016.
  - iii) A cheque of Rs. 3,500 issued to a creditor, was entered by mistake in cash column
  - iv) A cheque of Rs. 10,000 issued on 22<sup>nd</sup> March was not presented for payment whereas was recorded twice in the Cashbook.
  - v) A Bill receivable for Rs. 8,000 previously discounted with the bank had been dishonoured bank charges debited in the pass book amount to Rs. 125.
  - vi) In the Cashbook, a bank charge of Rs. 150 was recorded twice while another bank charge of Rs. 40 was not recorded at all.
5. XYZ Ltd. issued a prospectus inviting application for 20,000 equity shares 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. 20
On second and final call	Rs. 30



Applications were received for 25,000 shares and allotment was made pro-rata. Money overpaid on application was utilized towards sums due on allotment.

Rahim, to whom 250 shares were allotted, failed to pay the allotment money and on his subsequent failure to pay the first call, his shares were forfeited. Karim, who applied for 500 shares, did pay only application and allotment money and his shares were forfeited after second call was made.

All the forfeited shares were reissued to Habib, credited fully paid for Rs. 95 per share. Show journal entries and prepare the balance sheet. Show your workings clearly.

6. Extract a cost sheet on the basis of the following information:

Opening stock of raw material	Rs. 40,000
Raw material purchased	Rs. 2,00,000
Closing stock of raw material	Rs. 20,000
Direct wages	Rs. 80,000
Other direct expenses	Rs. 50,000
Factory overheads	20% of prime cost
Office overheads	25% of works cost
Selling and distribution expenses	Rs. 15 per unit
Opening stock of finished goods	2000 units (valued at Rs. 50,000)
Units produced during the period	22,000 units
In hand at the end of the period	4,000 units

Calculate also the selling price per unit if the profit margin be 25% of the cost of sales.

7. Pass journal entries in respect of the following transactions:-

Date (2016)	Transaction	Amount (Rs.)
January 1	Stephan started business with cash	25,00,000
January 2	Bought computers and printers for cash	2,50,000
January 4	Purchased goods for Khushi Traders	4,50,000
January 8	Cash sales	3,50,000
January 11	Sold goods on credit to Wilson	2,50,000
January 14	Paid for office stationery	5,000
January 18	Wilson remitted on account	1,00,000
January 21	Interest on investment received	50,000
January 22	Paid rent	1,50,000
January 24	Paid to Khushi Traders in full settlement of his account	4,05,000
January 27	Amount withdrawn for personal use	10,000
January 28	Paid insurance premium	21,000
January 31	Salary bill Rs. 3,00,000; paid	2,50,000

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

- (a) Methods of valuation of Goodwill in a partnership firm.
- (b) Trial Balance Errors
- (c) Classification of costs

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**SUPPLEMENTARY EXAMINATION (SEPTEMBER -2016)**  
**P.G. DIPLOMA IN CYBER LAW**

**PAPER II – REGULATORY FRAMEWORK OF THE CYBER WORLD**

**Time: 3 hours**

**Max. Marks: 100**

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

1. Cyberspace is the virtual world where no territorial boundaries exist. It is the ‘transnational’ element of the borderless cyberspace that leads to one of the most cryptic issue of jurisdiction. Discuss the various principles and tests to determine internet jurisdiction.
2. “Online contract is a contract that governs the use of a Website by netizens of the site. So, if the netizens want to use the web, they must agree on the contract that sometimes and usually referred to as terms of use agreement”. In light of the statement, discuss what is an online contract, its types and the existing legal jurisprudence in India pertaining to online contracts.
3. Define online defamation. Discuss the various issues involved in online defamation with the help of decided cases.
4. Explain the concept of Online Dispute Resolution (ODR) and discuss its various models. Briefly mention the issues relating to the implementation, quality and effectiveness of ODR.
5. In *Shreya Singhal v. Union of India*, the Supreme Court has quashed the controversial section 66A of the Information Technology Act, 2000. Section 66A has been repeatedly invoked to staunch dissent and even the mildest criticism of political figures in the country. The section penalized anyone who used the internet to send messages that were “grossly offensive” and “menacing” and the scope of the provisions clearly violated constitutional guarantees of freedom of speech. Discuss the right of speech and expression in cyberspace in the light of the above judgment.
6. Discuss the concept, salient features and challenges associated with the concept of ‘property’ in cyberspace.
7. The term convergence eludes precise definition, but it is most commonly expressed as the ability of different network platforms to carry essentially similar kinds of services, or the coming together of consumer devices such as the telephone, television and personal computer. Comment.
8. Write short note on any TWO of the following:
  - (a) Digital Divide
  - (b) Role of law in the cyber world
  - (c) Ethics and etiquette



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SUPPLEMENTARY EXAMINATION –SEPTEMBER 2016  
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. Write a critical essay on application of software patents to computer technology and digital environment with special reference to business method patenting and software patents.
2. Discuss the protection of trademarks in digital environment and support your answer with relevant case-law.
3. Examine the Role of ICANN in administering the Domain Name System with reference to ICANN's Uniform Dispute Resolution Policy?
4. Who are the intermediaries in cyberspace? How can the intermediaries be held responsible for online copyright infringement?.
5. Explain and analyse the application of Semiconductor Integrated Circuits Layout Design Act, 2000 in the cyber space.
6. Can authors claim right for their work in Cyberspace? Write a note specifying moral rights and other rights of authors in cyberspace.
7. Give an account of various treaties and conventions on protection of different intellectual property rights in the digital environment.
8. Write short notes on any TWO of the following:
  - a. Cybersquatting
  - b. Conflict of laws on Intellectual Property Rights in cyberspace
  - c. Plagiarism in online content

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**SUPPLEMENTARY EXAMINATION (SEPTEMBER-2016)**  
**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. Write a critical essay on online surveillance. Support your answer with relevant case-law.
2. Explain the terms cryptography, public key and private key. Discuss the provisions of IT Act specifying the law relating to digital/ electronic signatures.
3. State provisions and amendments relating to digital/ electronic evidence in various Indian legislations. Explain the appreciation of law by supportive relevant case law.
4. Discuss the provisions of IT Act, 2000 with reference to the e-governance model.
5. Explain the regulatory framework under IT Act, 2000 to deal with cyber contravention and offences.
6. A young lady named Mona Minocha found her profile in an online community named “2ndlifeforyou” on its website 2ndlifeforyou.net. Her surprise turned to horror when she realized that the profile painted her as a person of dubious character whose only interest was money. The profile also “boasted” of her achievements which included defrauding a bank of Rs. 40 lakh and getting away with it. Mona immediately informed “2ndlifeforyou” of the posting and requested them to remove it. The posting was removed the next day but reappeared a week later. It was again removed but reappeared two days later. Deeply hurt, Mona wants to file a suit against “2ndlifeforyou”. Guide her to examine the liability of “2ndlifeforyou” with special reference to the jurisprudence of ISP liability and cyber defamation.
7. State and explain various cyber crimes and cyber contraventions as provided in the IT Act, 2000 and IT (A) Act, 2008.
8. Write a short note on any of Two
  - (a) Pornography
  - (b) Cyber Forensic processes
  - (c) Controlling and Adjudicating Officer

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# THE INDIAN LAW INSTITUTE

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SUPPLEMENTARY EXAMINATION - SEPTEMBER 2016

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. Define Intellectual Property Law. What are the various theories which justify the protection of IPR?
2. Make a comparative analysis of intellectual property concepts across jurisdiction in U.S., E.U. and India in the context of patent law and copyright law.
3. What are the important provisions on various IPRs under the TRIPS Agreement, 1994?
4. Why do the issue of intellectual property harmonization arise? Discuss the main efforts made through treaties to achieve such harmonization.
5. What was the major impact of the Interest Treaties (WCT and WPPT) on the Indian Legislation on Copyright?
6. Comment on the rationale of compulsory licensing citing examples of its application in India.
7. How does Competition law in India address the issue relating to abuse of intellectual property rights?
8. Write short notes on any TWO of the following:
  - a. Trade Secrets
  - b. Cross licensing and Patent pools
  - c. Exhaustion of IPR

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SUPPLEMENTARY EXAMINATION (SEPTEMBER-2016)

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 role played by the international institutions in the implementation and harmonization of patent legal system across the world.
2. Critically evaluate the conditions for patentability under The Patents Act, 1970. What inventions are considered non-patentable as per section 3 & 4 of the Act?
3. Discuss the provision regarding licensing of Patents for public health issues and parallel imports under the Patents Act, 1970. Explain the practical limitations in invoking these measures.
4. What is meant by traditional knowledge? What is the need for protection of traditional knowledge? Discuss the extent of protection available to traditional knowledge in India under different laws.
5. Discuss 'trade secrets' as a tool of intellectual property. Give a comparative account of the legal remedies available in India, US and UK to a company whose trade secrets were revealed by an ex-employee to his present employer.
6. Explain the international filing and international search procedures under the Patent Cooperation Treaty of 1970. With India as a Receiving Office, what is the procedure for filing of international applications for Patent under PCT by Indian applicants.
7. Critically analyse the provision relating to accessing the biodiversity under Biological Diversity Act, 2002. What do you mean by fair and equitable benefit sharing? Discuss the concept of benefit sharing under the Biological Diversity Act, 2002.
8. Write short notes on any TWO of the following:
  - a. Ex-situ conservation and In-situ conservation
  - b. Patent Specification
  - c. Revocation of patent

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SUPPLEMENTARY EXAMINATION (SEPTEMBER-2016)

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 trace the historical development of law of trade marks with special emphasis on Paris Convention 1883 and TRIPs.
2. What is comparative advertising? Explain the regulation of comparative advertising after the repeal of MRTP Act 1969.
3. Discuss geographical indication as it presents and operates in the Trade Marks Act 1999.
4. Explain Parallel Imports with respect to trade mark protection in India with suitable case law.
5. Discuss recent challenges to trade marks protection over internet. Can Domain Names be registered as Service Marks? Give reason.
6. Enumerate the changes in the law on unfair competition as under the MRTP Act, 1969 after the advent of Competition Act 2002.
7. Distinguish between Passing Off action and Infringement under the Trade Marks Act 1999.
8. Write short notes on any TWO of the following:
  - a) Refusal of Registration under the Trade Marks Act, 1999
  - b) Protection of Industrial Property
  - c) Amendments in Trade Marks Act in 2010

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**SUPPLEMENTARY EXAMINATION (SEPTEMBER -2016)**

**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. Explain the concept of 'new and original' under the Designs Act, 2000 and how is it different from the concept of originality in the copyright law. Illustrate with important case laws.
2. Designs law as well as Copyright law include artistic works. What are the guiding principles for an applicant to know under which law he or she should file the application? In case, he or she wants to register under both the legislation, can it be done? Argue with relevant legislative provisions.
3. Trace the historical development of Geographical Indications (GI). What were the factors which compelled India to have a dedicated legislation on GI? Is there other means by which GI can be protected beyond the GI Act, 1999 in India?
4. What are the criteria for registering manufactured goods under the GI Act, 1999? Pochampally Ikat is a GI of the state of Andhra Pradesh (AP). In case a weaver whose family has been traditionally making Pochampally Ikat sarees since centuries in AP moves to Tamil Nadu and starts making the sarees there, would he be able to use the GI?
5. Explain layout design as laid down in the Semi conductor Integrated Circuits Layout Design Act, 2000 (SICLDA). What constitutes infringement of such layout designs and what are the rights that the owners receive after registration of their lay out designs under the Act?
6. What is piracy of registered design under the Designs Act, 2000? What are the reliefs provided under the Act to the owners of such designs under the Designs Act?
7. Who is a registered user under the GI Act? Can the registered user and the registered owner of GI be the same person? Mention the rights that both registered user and owner gets after registration of the GI.
8. Write notes on any TWO of the following:
  - i. Interrelationship between traditional knowledge and geographical indications
  - ii. Criteria for registration of lay out designs under the SICLDA
  - iii. Grounds for cancellation of registered designs under the Designs Act, 2000

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SUPPLEMENTARY EXAMINATION (SEPTEMBER -2016)

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. When may the registration of a trade union be cancelled under the Trade Unions Act, 1926? What is the remedy open to a person aggrieved by such cancellation?
2. Critically examine the civil and criminal immunities granted to a registered trade union under the Trade Unions Act, 1926.
3. Explain the concept of “unfair labour practice” and distinguish it from victimization. State five unfair labour practices on the part of employer and workmen respectively.
4. Discuss the impact of I.L.O. Convention on Indian Labour Legislation.
5. Explain the expression “hazardous process” occurring under the Factories Act, 1948. State briefly the provisions contained in the Factories Act regarding hazardous process.
6. Describe the provisions for resolving controversies regarding interpretation of standing orders under the Industrial Employment (Standing Orders) Act, 1946.
7. State briefly the purposes and scope of various labour welfare funds administered by the Ministry of Labour and Employment, Govt. of India.
8. Write short note on any TWO of the following:
  - (a) Recent Amendments in the Trade Unions Act, 1926.
  - (b) National Environment Tribunal
  - (c) Problems relating to recognition of Trade Unions.

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SUPPLEMENTARY EXAMINATION-SEPTEMBER 2015

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. In light of the Companies Act, 2013 critically analyse the changes introduced in respect of composition of Board of the company with special emphasis on provisions relating to Independent Directors.
2. Discuss the role of auditor in promoting effective corporate governance highlighting major changes introduced in the Companies Act, 2013.
3. Corporate restructuring is one of the preferred modes to rehabilitate and revive sick industrial units. Discuss various modes of corporate reconstruction.
4. Under what circumstances the winding up of a company by Tribunal is desirable? How does the situation differ from member's voluntary winding up?
5. What are the exceptions laid down in case of *Foss v. Harbottle*. Critically analyse the reliefs provided to the minority shareholders in case of oppression and mismanagement?
6. Discuss the procedure of carrying on investigation into the affairs of the company by the Serious Fraud Investigation Office (SFIO).
7. "Corporate Governance is concerned with holding the balance between economic and social goals and between individual and communal goals." Elaborate the statement with special reference to Corporate Social Responsibility under the Act of 2013.
8. Write short note on any TWO of the following:
  - a. Class Action Suit
  - b. Insider Trading
  - c. Company meetings

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SUPPLEMENTARY EXAMINATION-SEPTEMBER 2015  
P.G. DIPLOMA IN CORPORATE LAW AND 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 is the procedure of registration of a partnership firm? Explain the consequences for non-registration of partnership firm?
2. Define consideration. State the exceptions of the rule '*a contract without consideration is void*'.
3. Who is a consumer? Explain the manner and procedure to file the complaint before the District Forum under The Consumer Protection Act, 1986?
4. What are the salient features of a Limited Liability Firm under The Limited Liability Partnership Act, 2008?
5. Discuss in brief the procedure to file a criminal complaint and procedure thereafter under the provisions of the Negotiable Instruments Act, 1881?
6. What do you know about the arbitration agreement? Explain the powers of Judicial Authority to refer parties to arbitration where there is an arbitration agreement under section 8 of the Arbitration and Conciliation Act, 1996?
7. Explain the "Sale" and "Agreement to sell" under the Sale of Goods Act, 1930 with examples? What are the differences between existing and future goods?
8. Write short notes on any TWO of the following:
  - a. *Quasi* Contract
  - b. Liberalization and FDI
  - c. Bill of Exchange

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SUPPLEMENTARY EXAMINATION - SEPTEMBER 2015  
P.G. DIPLOMA IN CORPORATE LAW AND MANAGEMENT  
PAPER IV – THEORY AND PRACTICE OF MANAGEMENT

**Time: 3 hours**

**Max. Marks: 100**

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

1. Differentiate between Administration and Management. Briefly explain various functions of management.
2. "Effective leadership is a function of three factors: the leader, the led and the situation." Elaborate. Discuss the statement "leaders are born & not made."
3. Explain rational model of decision making. What are the challenges of rational decision making model?
4. What is the importance of communication? Explain the barriers to effective communications.
5. What is controlling? Explain the types and tools of Control.
6. Describe types of organizational structures. Discuss the impact of downsizing on organizational productivity.
7. (a) The management of a well-established manufacturing organization plans to introduce new machines and methods of production, but the workers of the factory are fearful of the changes and are resisting the change in many ways. Suggest suitable strategies so as to implement the changes successfully.  
  
(b) "Management is the art of muddling through the situation." Comment upon the statement while discussing the features of contingency approach to management.
8. Write notes on any TWO of the following:
  - (a) Management by Objectives
  - (b) Maslow's hierarchy of needs
  - (c) Delegation of Authority

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SUPPLEMENTARY EXAMINATION-SEPTEMBER 2015

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. “Financial Accounting is the recording, classifying, summarizing and interpreting financial information.” Discuss the meaning, objectives and limitation of financial accounting in the light of the given statement.
2. What is Auditing? Specify the main objectives and limitations of Auditing. How Internal Auditing is different from external auditing?
3. Discuss the importance of Cost Accounting in the business. What are the different types of costs used in decision making of a business organization?
4. Distinguish between any FOUR of the followings:
  - (a) Capital Expenditure and Revenue Expenditure
  - (b) Fixed Costs and Variable Costs
  - (c) Straight Line Method and Written Down Method of Depreciation
  - (d) Single Entry System and Double Entry System of Accounting
  - (e) Continuous Audit and Periodic Audit
5. From the following transaction in the business of M/s. R.K. & Sons, make Journal entries, Ledger Postings and Trial Balance:
  - (i) M/s. R.K. started a new business with a capital of Rs. One Lac
  - (ii) Purchased Plant and Machine for Rs. 20,000/- in cash
  - (iii) Purchased Raw Material of Rs. 10,000/- in cash
  - (iv) Purchased Raw Material on credit from M/s. S.K. & Co. for Rs. 5,000/-
  - (v) Paid wages Rs. 2,000/-
  - (vi) Paid conveyance charges Rs. 1,000/-
  - (vii) Sold goods in cash for Rs. 20,000/-
  - (viii) Sold goods on credit to Ramesh for Rs. 10,000/-
  - (ix) Received cash Rs. 9,750/- from Mr. Ramesh in full settlement
6. (a) Mr. Rajesh Kumar purchased goods from Mr. Suresh on credit for Rs. 1,00,000/- on 1<sup>st</sup> April, 2015 and accepted a Bill of Exchange for 3 months. Mr. Suresh Kumar got the Bill discounted from his Bank at a discount of 10% per annum on due date Mr. Rajesh Kumar discharged his Bill. Make Journal Entries in the Books of Both the parties.  
  
(b) Mr. Rohit purchased a Truck from M/s. Shyam & Co. on Hire Purchase for Rs. 5 Lacs. He paid Rs. 1 Lac at the time of signing of the agreement and the balance will be paid in

instalments of Rs. 1 Lac plus interest @ 10% p.a on the outstanding amount annually. Mr. Rohit made all the payments in time. Make Journal Entries in the books of Rohit.

7. From the following Trial Balance of M/s. Radhika & Co. make Trading A/c, Profit & Loss A/c and Balance sheet for the F.Y. 2014 -2015

Trial Balance

Particulars	Debit Balance (Rs.)	Credit Balances (Rs.)
Capital	-	80,000
Land & Buildings	20,000	-
Plant & Machinery	15,000	-
Furniture & Fixtures	4,000	-
Preliminary Expenses	3,000	-
Debtors and Creditors	20,000	30,000
Bills Receivables & Bills Payable	30,000	40,000
Bank Loan	-	10,000
Investments	50,000	-
Goodwill	10,000	-
Purchases and Sales	50,000	1,00,000
Sales Returns & Purchase Returns	10,000	5,000
Wages	10,000	-
Salaries	5,000	-
Printing & Stationery Exp.	1,500	-
Rent	400	-
Interests	800	-
Fuel & Power	6,300	-
Cash in Hand	29,000	-
Total	2,65,000	2,65,000

Additional Information:

- (i) Closing Stock Rs. 40,000/-
- (ii) Outstanding liabilities – Wages: Rs. 2,000/- and Salary: Rs. 200/-
- (iii) Depreciation on Plant and Furniture @ 20% per annum.

8. ABC Ltd. offered to public for subscription One Lac equity shares @ Rs. 10 each at a premium of Rs. 10 per share and for One Lac preference shares @ Rs. 100 per share.

The co. received applications for 1,50,000 Equity Shares and 1,20,000 of preference shares..

The Board of Directors (BOD) decided to issue & allotment Equity Shards on Pro-rata basis and to adjust the money received on application towards calls money. It was also decided to reject the extra applications of preference shares and refund their extra money.

The BOD decided to call the money as under:-

Equity Shares

Preference shares



On Application	Rs. 5	Rs. 100
On Allotment	Rs. 2 + 10 (Premium)	Nil
On Int. & Final Call	Rs. 3	Nil

All Equity Shares applicant paid all money when demanded.

Make Journal Entries, Cash Book and Balance Sheet of the ABC Ltd.

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SUPPLEMENTARY EXAMINATION –SEPTEMBER 2015  
P.G. DIPLOMA IN CYBER LAW  
PAPER II – REGULATORY FRAMEWORK OF THE CYBER WORLD

**Time: 3 hours**

**Max. Marks: 100**

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

1. What are the various ways in which an online contract can be concluded? Explain various provisions of the Information Technology Act relating to the E-Contracts.
2. What is digital divide? What are the means to bridge the gap of digital divide?
3. Critically analyze the various theories pertaining to regulation of cyberspace.
4. What are the various methods and principles of Online Dispute Resolution (ODR)? What are the challenges to online arbitration in the Indian context and how they have been dealt with under the Information Technology Act, 2000 and Arbitration Act, 1996?
5. "The Internet has fast become a key instrument for the exercise of the right to freedom of expression." In the light of this statement, discuss the Right to Freedom of Speech & Expression and the provisions of Information Technology Act, 2000 regulating the cyberspace?
6. Define defamation on the internet? When and where the defamation would said to be occurred and how the liability of the intermediaries would be ascertained? Describe with the help of decided case.
7. Jurisdiction in cyberspace is a complex issue. Do you think that the Public and Private International law would be able to resolve this jurisdictional complexity? Elucidate.
8. Write Short Note on any TWO of the following:
  - (a) Obscene content and censorship
  - (b) Role of WTO in regulating cyber space
  - (c) Spectrum Management

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SUPPLEMENTARY EXAMINATION –SEPTEMBER 2015  
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. Define Technological Protection Measures (TPMs). What are the provisions relating to TPM under Indian laws?
2. Can software be protected under Copyright Law? Discuss it with special emphasis on India.
3. Examine the legal issues that can arise out of linking, inlining and framing.
4. What are the major legal issues relating to domain name? Explain the role of Uniform Domain Name Dispute Resolution Policy (UDRP) and Indian Dispute Resolution Policy (IDRP) in setting domain name disputes.
5. Discuss Business method patents with special reference to India.
6. Discuss Fair Use, Moral Rights and Work for Hire in context of computer programs.
7. Discuss the applicability of trademark law in Internet matters.
8. Write short notes on any TWO of the following:
  - a. WIPO Internet Treaties
  - b. Berne Convention
  - c. Typosquatting

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SUPPLEMENTARY EXAMINATION - SEPTEMBER 2015  
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. Explain the online payment system for E-commerce transactions.
2. What is E-taxation? State and explain the factors to determine the application of E-taxation and the problems and perspectives associated with the same.
3. Explain the concept of E-commerce. Write a note on relevancy and applicability of IT Act, 2000 to E-commerce.
4. Write a detailed note on M-commerce and mobile value added services in differentiation to E-commerce.
5. What are the various E-commerce models. Describe each model with illustrations.
6. State and explain the types, advantages and disadvantages of online advertisement.
7. What are the consumer related issues in E-Commerce? Do the Indian laws provide remedies in such matters?
8. Write short notes on any TWO of the following:
  - (a) Software as product or service.
  - (b) Framing of privacy policy.
  - (c) Electronic Data Interchange

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SUPPLEMENTARY EXAMINATION - SEPTEMBER 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 interface between intellectual property and competition law taking Microsoft Litigation as an example. What is the approach in this regard in other jurisdictions?
2. Critically examine the development of IPR regimes in the US and India.
3. Make a comparative analysis of the law governing software patents and business method patents in various jurisdictions.
4. Examine the efficacy of Sui generis regimes for protection of traditional knowledge.
5. What is meant by fair use? What are the important fair use provisions in context to educational purposes?
6. Discuss the impact of TRIPs Agreement on Indian Patent Law.
7. Why are the WCT and WPPT called the internet treaties? Explain the main provision of both the treaties.
8. Write short notes on any two of the following:
  - (a) Utilitarian Theory and its application to IP Law
  - (b) Moral rights
  - (c) Madrid Agreement and Protocol

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SUPPLEMENTARY EXAMINATION-SEPTEMBER 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. Copyright law protects the expression of ideas and not the mere ideas, facts and themes. Discuss in context to the Idea-Expression dichotomy.
2. Performers and Broadcasting Organizations act as intermediaries in disseminating and broadcasting of the works. What provisions in the Copyright Act, 1957 deal with the special rights of Performers and Broadcasting Organizations? What is the term of protection given to Performers and to Broadcasting Organizations?
3. Explain the concept of copyright and the various exclusive economic rights of the copyright owner given under Section 14 of the Copyright Act, 1957.
4. What are the special provisions related to cover versions under Section 31C of the Copyright Act, 1957?
5. What are the voluntary and compulsory requisitions of copyright under the Copyright Act, 1957?
6. Explain the author's special rights under the Copyright Act, 1957.
7. Discuss the doctrine of *fair dealing* with help of decided cases.
8. Write short notes on any TWO of the following:
  - a. Sweat of the brow doctrine
  - b. Infringement of copyright
  - c. Adaption of literary work

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SUPPLEMENTARY EXAMINATION-SEPTEMBER 2015

P.G. DIPLOMA IN INTELLECTUAL PROPERTY RIGHTS LAW

Paper III – LAW OF PATENT, TRADE SECRETS AND RELATED RIGHTS

**Time: 3 hours**

**Max. Marks: 100**

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

1. Explain the principles of National Treatment and Right of Priority under the Paris Convention for the Protection of Industrial Property, 1883.
2. Explain the criteria for patentability under Patents Act, 1970. Elaborate what are non-patentable inventions under Section 3 & Section 4 of the Act with the help of recent case laws.
3. Who can file a patent application? Discuss the procedure for filing a patent application under the Patents Act, 1970. What are the special provisions relating to the filing of an international application for patent?
4. Discuss the extent and scope of exclusive marketing rights of the patentee in the light of statutory limitations and restrictions provided under Patents Act, 1970.
5. Discuss 'trade secrets' as a tool of intellectual property. What is the subject matter of protection in Trade Secrets? Discuss the statutory protection available to trade secrets in India.
6. Discuss in the light of *Bayer Corporation v. Natco Pharma Limited* (AIR2014Bom178) the grounds for the grant of compulsory license under the Patent Act, 1970.
7. Analyse the impact of TRIPS Agreement on developing countries. What is the relevance of the flexibilities given to the developing countries under the Agreement.
8. Write short notes on any TWO of the following:
  - a. Patent Specification
  - b. Grounds of revocation of patents
  - c. Important features of the Convention on Biological Diversity

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**SUPPLEMENTARY EXAMINATION-SEPTEMBER 2015**

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

**Time: 3 hours**

**Max. Marks: 100**

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

1. What is the procedure for fixation and revision of minimum wages under the Minimum Wages Act, 1948?
2. What deductions are permissible under the Payment of Wages Act, 1936?
3. Highlight the objectives and relevant provisions of the Child Labour (Prohibition and Regulation) Act, 1986.
4. F, a permanent security guard of XYZ & Co., was returning home after his duty was over. Within the factory premises another employee G, abused him and in the fight, F was killed. Explain whether F's widow is entitled to compensation under the Employee's Compensation Act, 1923. Will it make any difference if F was killed outside the factory by the fellow employee before returning his home after the duty hours.
5. Discuss the salient features of the Employee's State Insurance Act, 1948. Also briefly state various benefits available under the said act.
6. Discuss briefly welfare and health provisions provided under the Plantation Labour Act, 1951.
7. What is the procedure provided for registration of establishment under the Contract Labour (Regulation & Abolition) Act, 1970? What are the duties of principal employer towards payment of wages to contract workers?
8. Write short notes on any TWO of the following:
  - a. Concept of set-off and set-on under the Payment of Bonus Act, 1965
  - b. Inter State Migrant Workmen Act, 1979
  - c. Mines Act, 1952

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