



INDIAN LAW INSTITUTE

(Deemed University)

Bhagwan Das Road, New Delhi - 110 001

Ph.D. Entrance Test – 2021 (for Non-Exempted Category Candidates)

Part-I (Maximum Marks – 50)

LEGAL RESEARCH METHODOLOGY

Note : Answer any five of the following questions. All questions carry equal marks

1. What do you understand by 'pure legal research' and how do you distinguish the same from 'socio-legal research' ? Explain the major components that you need to consider for doing 'socio-legal research'.
2. What is public opinion in Legal Research? How can it be collected, compiled and codified?
3. Tools and techniques used in empirical research in sociology and behavioural sciences are the ones that have become the standard tools of research for legal research as well. How far do they serve the cause of legal research and what are the limitations in employing these tools in legal research? Explain.
4. What is Questionnaire? Discuss main point that you will take into account while drafting a questionnaire.
5. 'When a prediction or a hypothesized relationship is tested by adopting scientific methods, it is known as research hypothesis'. Do you agree with this statement? Critically examine.
6. What are the important steps of data preparation and data processing? Explain with reference to standard research protocols.
7. Write a critical note on the use of deductive and inductive methods in legal research.
8. Prepare a draft of questionnaire addressed to Advocates to study causes of delay in justice delivery system in India. Would you like to fix any eligibility criterion for selecting such advocates? Give reasons.

Part-II

(Maximum Marks : 50)

Note : Answer any five questions in all, selecting at least one question from each group.
All questions carry equal marks.

Group-A : Jurisprudence

1. "Law is Law because it is made by the sovereign and sovereign is sovereign because it makes law". How far do you agree with the statement? Explain the implications of command theory of law for Indian system.
2. Law is only a part of human conduct and the dominant character of law is its purpose. Critically examine the ideas of sociological jurisprudence in the light of the above statement.

Group-B : Constitutional Law

3. In the distribution of legislative powers under Indian Constitution there appears to be a clear leaning in favor of the Union, so much so that Parliament is empowered to legislate on any subject in the State List in more than one situation. Explain the distribution of legislative powers between the Union and the states in the light of the above statement.
4. What do you understand by 'Independence of Judiciary'? Does the Constitution of India contains any provisions for ensuring 'Independence of Judiciary'? Explain with the help of constitutional provisions and decided cases on the subject.

Group-C : Indian Penal Code

5. Define 'Murder', How is it different from 'Culpable homicide'? Explain citing relevant case law on the subject.
6. Define criminal conspiracy and distinguish it from attempt, giving relevant examples and case law on the subject.

Group-D : Commercial Law, (Contract, Partnership and Sale of Goods)

7. There can be no contract without consideration. Explain the principle of consideration and point out exceptions, if any, where a contract can be valid even without consideration.
8. Explain the essentials of Partnership and distinguish it from an incorporated company and limited liability partnership.
