

THE INDIAN LAW INSTITUTE



Ph. D. Entrance Test, 2015

Max. Marks:100 Time: 3 hours.

[Part I: 50 Marks; Part II: 50 Marks]

Part: I (Maximum Marks : 50)

LEGAL RESEARCH METHODOLOGY

Note: Answer any five questions. All questions carry equal marks.

1. "Much of legal research material is to be found in rules and regulations framed under the authority of a legislation". Elucidate.
2. What do you understand by Reference and Foot-Note?
3. Where would you find research material concerning legal measures to combat air pollution?
4. Discuss the method or methods you will employ in studying the attitudes of parents whose wards have been punished under the anti-ragging directions of the Supreme Court.
5. How far news paper articles/ opinions/ editorials are useful in legal research pertaining to holding of death penalty in 'rarest of the rare' cases? Explain.
6. What is the role of The Law Commission of India in legal research? Cite one of its recommendations and point out the research content in it.
7. Define and distinguish between Doctoral (Ph.D.) and Post-Doctoral (LL.D.) research thesis's in law.
8. Write brief notes on any TWO of the followings:
 - (i) What is meant by Hypothesis in legal research?
 - (ii) Utility of Census report in legal research.
 - (iii) The drawbacks of so called "cut and paste" methodology.
 - (iv) Growing influence of social-networking sites in shaping public opinion.

Part II

(Max 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. "Possession is nine tenth of ownership". Discuss.
2. "International law is vanishing point of jurisprudence". Explain.

Group 'B': CONSTITUTIONAL LAW

3. "The anti-discriminatory provisions contained under Articles 14 to 16 included the right not to be discriminated against on the grounds of sexual orientation and gender". Explain with reference to National Legal Services Authority v Union of India (2014) 5 SCC 438.
4. Discuss the position of Prime-Minister of India *vis a vis* his Council of Ministers. Is it different from the position prevailing in England?

Group 'C': INDIAN PENAL CODE

5. Is it necessary to prove *mens rea* in order to convict an accused for an offence by a statute? Cite decided cases in support of your answer.
6. "*Ignorantia facti excusat, ignorantia juris non-excusat*". Explain.

Group 'D': COMMERCIAL LAW (Contract, Partnership & Sale of Goods)

7. Discuss the nature and effect of minor's agreement. What is the extent of liability for the necessities supplied to a person incompetent to contract? Refer to case law.
8. Write a critical note on any two of the followings:
 - (i) "An agreement without consideration is void". Explain stating exceptions, if any.
 - (ii) "Sharing of profits is prima facie but not the conclusive evidence of partnership". Comment.
 - (iii) "There are certain implied conditions in sale of goods". Explain.