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1903N304

Candidate's Seat No : _____

LL.M. (Sem.-3) Examination
Law 501E (Law of Contract)
Intellectual Property Rights

Time : [2-30 Hours]

March 2019

[Max. Marks : 100

1. Discuss briefly the general principles of Law of Contract. 25

OR

1. (a) Discuss in detail the Capacity of Parties as an essential of valid contract. 15
(b) Critically discuss the 'legality of the object' as a pre-condition for a valid Contract. 10
2. Discuss in detail the contracts which are *void ab initio* under the Indian Contract Act. 25

OR

2. (a) Write a note on 'consequences of illegal contract'. 13
(b) Discuss briefly the Section 56 of the Indian Contract Act. 12
3. What is licensing agreement? Explain. Draft a licensing agreement on any of the Intellectual property rights of your choice. 25

OR

- 3 (a) Write a brief note on 'consequences of void contract'. 13
(b) Discuss briefly the consequences of 'breach of contract'. 12
4. Write Short Note on (any two): 25
(a) 'No consideration no contract'
(b) Voidable Contracts
(c) Transfer of Technology
(d) Negotiation of Licensing Agreement

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LL.M. (Sem.-3) Examination
502E

IPR International Treaties on IPR
March 2019

[Max. Marks : 100]

Time : 2-30 Hours]

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| 1. Discuss in detail the various international treaties regulating 'patents' in the TRIPS regime. | 25 |
| OR | |
| 1. (a) Briefly discuss the 'Patent Cooperation Treaty'. | 15 |
| (b) Discuss briefly the 'Budapest Treaty' | 10 |
| 2. Discuss in detail the various international documents regulating 'Trademarks'. | 25 |
| OR | |
| 2. (a) Write an explanatory note on 'Madrid System'. | 13 |
| (b) Write a note on Trademarks specific provision under Paris Convention. | 12 |
| 3. Critically evaluate the first Convention of Copyright Protection and its special provisions for developing countries. | 25 |
| OR | |
| 3. (a) Briefly discuss Conventions regulating 'neighbouring rights'. | 13 |
| (b) Write an explanatory note on 'Washington Treaty' on Integration Circuit Layout Design. | 12 |
| 4. Write short note on (any two): | 25 |
| (a) Universal Copyright Convention | |
| (b) International Instruments on protection of Design | |
| (c) World Intellectual Property Organization | |
| (d) WPPT | |

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LL.M. (Sem.-3) Examination

503E

IPR Intellectual Property Rights & WTO

March 2019

[Max. Marks : 100]

Time : 2-30 Hours]

1. Discuss in detail the history and development of WTO as an global trading Institution. 25

OR

 1. (a) Briefly discuss the various agreements of WTO. 15
 - (b) Write a note on structure of WTO. 10

2. Discuss in detail the Article 2 of the TRIPS agreement on the relationship of TRIPS With existing International Treaties on IPR. 25

OR

 - 2 (a) Write note on" WTO as forum for Economic Development". 13
 - (b) Discuss briefly the Protection of Copyright under the WTO regime. 12

- 3 Critically evaluate the TRIPS Agreement and the present international IP regime. 25

OR

 - 3 (a) Write a brief note on 'Minimum Standards for Protection' under TRIPS. 13
 - (b) Discuss briefly the provisions relating 'compulsory licensing', under TRIPS. 12

4. Write Short Note on (any two): 25
 - (a) Article 27.3 (b) of TRIPS
 - (b) TRIPS and Patentable Subject-matter
 - (c) Dispute Settlement Mechanism under TRIPS
 - (d) Provisions relating to Enforcement of Intellectual Property Rights



LL.M. (Sem.-3) Examination

503 E CRI

Forensic Science & Crime Justice System

Time : 2-30 Hours]

March 2019

[Max. Marks : 100

Instruction : (1) Figures to right indicates full marks.
(2) All questions is compulsory.

1 Explain in detail the meaning, scope and importance of the forensic science in criminal justice system with core laws. 25

OR

1 Explain in detail the principles of heredity and taxonomy and its role and importance in criminal justice system with case laws.

2 Explain the nature, scope and importance of the foot-prints, hair, skin, blood grouping and other physical peculiarities for the establishment of identify of individuals in the criminal cases with case laws. 25

OR

2 Explain in detail the role, scope and importance of the forensic science for the detection of the various type of forgery with decided cases.

3 Explain in detail the role, scope and importance of the forensic science in the accidental deaths with case laws. 25

OR

3 "Forensic science in India is fully equipped to meet with any type of cyber terrorism incidents".-- Critically and analitically. Discuss this statement.

4 Explain in Nutshell (any two) : 25

- (a) Narco analysis test and its constitutinality in India.
- (b) DNA proffiling test and its importance in criminal & civil cases.
- (c) Scope of the forensic science techniques in cases relating to narcotic and psychotropic substances.
- (d) Scope and importances of the ballestic report in criminal cases.

LL.M. (Sem.-3) Examination

503E BL

Legal Regu. of Economic Ent. P-2

Time : 2-30 Hours]

March 2019

[Max. Marks : 100

1. Explain briefly the object, reasons, salient features and importance of the Hazardous Waste (Management, Handling and Transboundary Movement Rules, 2016. (25)

or

“Bhopal Gas Disaster happened due to carelessness and negligence of the Union Carbide Company.” Critically examine the above statement, the facts of the case and the role of Government of India in initiating action against the company.

2. Discuss about the salient features of Charter on Industrial Hazards and Human Rights given by the Permanent Peoples Tribunal. (25)

or

“It is high time to amend the provisions of the Public Liability Insurance Act, 1991 so as to enable it to take care of victims of Mass Disaster in India.” Critically discuss this statement with the main provisions of the above act.

3. Explain in detail the provisions laid down in the Special Economic Zone Act, 2004 about the Development Commissioner, SEZ Development Authority and SEZ Development Committee. (25)

or

Discuss the provisions relating to dematerialization of Securities and its advantages to the industrial undertakings.

- 4(a) Write Explanatory note on any one from the following : (15)
1. Provisions offering incentives to promote development of Industries in SEZ under the Gujrat SEZ Rules, 2006
 2. Explain the provisions relating to Foreign Direct Investments and effects thereof on Industrial Undertakings in India.

- (b) State with reasons whether the following statements are true or false. (10)

1. Principle of absolute Liability is propounded by the Supreme Court in Shri Ram Food Gas Leakage case.
2. The provisions of Labour Laws are not relaxed for any Industrial Undertaking established in the Special Economic Zones as per the SEZ Act, 2004.
3. Chernobyl Disaster is categorized under the Man Made Disaster.
4. Single Window Clearance in SEZ has forced the Industries to undergo lengthy and tedious formalities to establish their industries.

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LL.M. (Sem.-3) Examination

504 E IPR

Biotech & IPR

Time : 2-30 Hours]

March 2019

[Max. Marks : 100

Answer all questions.

1. Discuss in detail the evolution and development of 'Biotechnology as an patentable invention'. 25
- OR
1. (a) Write a brief note on 'techniques involved in biotechnology'. 15
(b) Discuss briefly the applications of biotechnology. 10
2. Discuss in detail the patentability criteria for 'biotechnological inventions'. 25
- OR
2. (a) Write an explanatory note on 'micro-organisms as biotechnological inventions'. 13
(b) Briefly outline the 'salient features of the Protection of Plant Varieties and Farmers Right Act, 2001. 12
3. Discuss in detail the 'Biotechnology as an important tool for Food Security'. 25
- OR
3. (a) Briefly discuss the justification of protection of 'plant varieties'. 13
(b) Write a note on 'genetic engineering crops'. 12
4. Write short note on (any two): 25
(a) UPOV
(b) ITPGRFA
(c) Convention on Biological Diversity
(d) IPR aspect of Biotechnology.

LL.M. (Sem.-3) Examination

504 ECL

Cyber Crimes

March 2019

[Max. Marks : 100]

Time : 2-30 Hours]

Instruction : (1) Figures to right indicates full marks.
(2) All questions is compulsory.

- 1 Explain in detail the historical development of cyber crime and its types. 25
- OR**
- 1 Explain in detail about computer hardware and network.
- 2 Explain the features of cyber bullying. How does it work? How can we stop cyber bullies? 25
- OR**
- 2 (a) Explain : E-mail hijacking. 15
(b) Explain : Cyber stalking. 10
- 3 Discuss in detail about aims, objects, offences and penalties under the information technology Act, 2000. 25
- OR**
- 3 "Future challenges and preventive measures" towards cyber crime". Explain in detail.
- 4 (a) Explain (any three) : 15
(i) Cyber crime investigation cell and its effectiveness.
(ii) Concept of digital evidence.
(iii) Cyber pornography.
(iv) Cyber crime and provisions of the Indian Penal Code.
(v) Cyber crime and Traditional crime.
- (b) Fill in the blanks with appropriate word : 10
(i) Which section of IT Act was invalidated by Hon'ble Supreme Court of India?
(1) Section 66 D (2) Section 66 F (3) Section 66 B (4) Section 66 A.
(ii) Any criminal activity that used a computer either as an instrumentally, target or a means for perpetuating further crimes comes within the ambit of :
(1) Software piracy (2) Cyber crime
(3) Conventional crime (4) None of these.
(iii) Information Technology Act, 2000 made Amendment to which of the following existing laws?
(1) The Indian Penal Code (2) The Indian Evidence Act
(3) The Bankers Book Evidence (4) All of these.
(iv) India's first cyber police station was started at :
(1) New Delhi (2) Bangalore (3) Chennai (4) Mumbai.
(v) Cyber laws are included in :
(1) Union list (2) State list (3) Concurrent list (4) Residuary powers.

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Candidate's Seat No : _____

LL.M. (Sem.-3) Examination

P2 BL

Corporate Finance Paper-2

March 2019

[Max. Marks : 100

Time : 2-30 Hours]

1. Explain the significance and the role of International Monetary Fund and the World Bank in regulating and controlling the finance. (25)

or

Explain the contribution of IDBI, ICICI, IFC and other financial institutions in the Corporate Fund Raising

2. Discuss in detail the provisions relating Corporate Membership Rights and Qualified Membership Rights under the Companies Act, 2013. (25)

or

Explain in detail the process of amalgamation and reconstruction of companies under the Companies Act, 2013.

3. What is Corporate Winding up? Discuss the provisions relating to voluntary winding up under the Companies Act, 2013. (25)

or

Discuss the provisions relating to Transfer and Transmission of Securities under the Companies Act, 2013.

4 (a) Write Explanatory note on any one from the following : (15)

1. National Company Law Tribunal : Constitution, Powers and Functions
2. Provisions relating to control by Registrar of Companies and Central Government on Corporate Finance.

(b) State with reasons whether the following statements are true or false. (10)

1. Under the Companies Act, 2013 powers to entertain winding up proceedings are taken away from National Company Law Tribunal.
2. The SEBI does not have any control over Corporate Finance.
3. Only Managing Director of a company has power to have inspection of Books of Accounts.
4. All securities held by a depository shall be dematerialized and shall be in a fungible form.

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LL.M. (Sem.-3) Examination

505 E IPR

Emerging Area or IPR

March 2019

Time : 2-30 Hours]

[Max. Marks : 100

Answer all questions.

1. Critically discuss the inter-section between Intellectual Property Rights and Human Rights. 25
- OR
- 1 (a) Write an explanatory note on the 'recognition of Intellectual Property Rights in Human Rights Instruments. 15
- (b) Write a short note on 'Right to Health in WTO regime'. 10
2. What if traditional knowledge? Explain. Discuss the human rights aspect of traditional knowledge. 25
- OR
- 2 (a) Discuss briefly on need for a *sui generis* system for protecting Traditional Knowledge. 13
- (b) Briefly discuss 'bio-prospecting' and bio-piracy'. 12
3. Critically discuss the Convention on Biological Diversity from the lense of Intellectual Property Rights. 25
- OR
3. (a) Discuss briefly on 'Access and Benefit Sharing'. 13
- (b) Write a brief note on ' Genetic Resources and Biotechnology'. 12
- 4 Write short note on (any two): 25
- (a) Traditional Knowledge Digital Library
- (b) Transfer of Tchnology and IPR issues
- (c) Right to Food as Human Rights and its IPR issues
- (d) Human Genome and IPR issues.

LL.M. (Sem.-3) Examination

505 E CRI

Human Rights Criminal Justice System

Time : 2-30 Hours]

March 2019

[Max. Marks : 100

Instruction : (1) Figures to right indicates full marks.
(2) All questions is compulsory.

- 1 Explain in detail the history and development of the Human rights in Indian constitution with case laws. 25
- OR
- (a) Write a note on "National Human Rights Commission". 15
(b) "Legal Aid" with reference to the protection of human rights in criminal justice administration. 10
- 2 (a) Explain in concept of history & development of human rights. 15
(b) Concept of the Human rights with reference to the right to equality. 10
- OR
- Explain in detail the role and jurisdiction of the international criminal courts for the protection of the Human Rights. 25
- 3 Explain in the concept of Human Rights in criminal justice with reference compensation and rehabilitation to the victims. 25
- OR
- (a) Write a note on "Speedy trial". 10
(b) Concept of the fundamental Duties for the protection of Human Rights. 15
- 4 (a) Explain (any two) : 15
(i) Concept of criminal liabilities for the protection of the Human Rights.
(ii) State Human Rights Commission.
(iii) Communal & caste violence.
- (b) Explain (any two) : 15
(i) Terrorism & Insurrection
(ii) Appeal-review-revision.
(iii) Role of supreme court for the protection of the Human Rights.

LL.M. (Sem.-3) Examination

505 E BL

Labour Laws

March 2019

Time : 2-30 Hours]

[Max. Marks : 70

1. "Critically examine the impacts of Globalization and Privatization on Indigenous Labour in India. (25)
- or
- Discuss in detail various stages of Departmental Inquiries under the Industrial Employment (Standing Orders) Act, 1946 with the help of the decided cases.
2. Explain in detail the concept, techniques and significance of Collective Bargaining under various labour legislations. Discuss about its benefits. (25)
- or
- Discuss about various techniques of pressurization (Strikes, Lock-outs, go-slow etc.) adopted by the labourers and the related provisions thereof under the Industrial Disputes Act, 1947.
3. Factories Act, 1948 has all necessary protective measures and provisions for young workers and women workers." Discuss this statement with the help of relevant cases. (25)
- or
- Explain briefly the objects, reasons and salient features of the Employees' Compensation Act, 1923.
- 4 (a) Write Explanatory note on any one from the following : (15)
- (1) Formula for calculation of Gratuity under Payment of Gratuity Act, 1972
 (2) Meaning of "Industry" and "Industrial Dispute" with relevant case Laws
 (3) Wages as well as Legal and Illegal Deduction under the Payment of Wages Act, 1936
- (b) State with reasons whether the following statements are true or false. (10)
- (1) India is one of the founding members of the International Labour Organization.
 (2) Chapter III of the Factories Act, 1948 deals with the provisions relating to Hazardous processes.
 (3) Laundry attached to a Medical College is held to be Industry under the Industrial Disputes Act, 1947.
 (4) Process of converting Sea Water into Salt is "Manufacturing Process" under the Factories Act, 1948

LL.M. (Sem.-3) Examination

506 E IPR

Enforcement of Intelle. Prop. Rights

March 2019

Time : 2-30 Hours]

Answer all questions.

Total Marks:100

1. Discuss in detail the enforcement of IP rights under different IP Laws in India. 25
OR
- 1 (a) Write an explanatory note on 'enforcement of Patent Rights' in India. 15
(b) Write a note on 'Cost of Patent Litigation'. 10
2. Discuss in detail the enforcement of Copyright and Related Rights in variou
International Conventions. 25
OR
- 2 (a) Write a brief critical note on 'Border Measures'. 13
(b) Discuss briefly 'anti-piracy measures' in Copyright and Related Rights. 12
3. Discuss in detail the role of WIPO in enforcement of various IP rights. 25
OR
- 3 (a) Write a note on 'TRIPS and Enforcement of Intellectual Property Rights. 13
(b) Discuss briefly on 'Intellectual Property Appellate Board'. 12
4. Write short note on (any two): 25
(a) Assessing the scope of Patent Rights.
(b) Pre and Post-grant opposition in Patents Act.
(c) Review of IP Office decisions.
(d) Intellectual Property Litigation

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LL.M. (Sem.-3) Examination

506 ECL

Police & Criminal Justice Systems

Time : 2-30 Hours]

March 2019

[Max. Marks : 100

Instruction : (1) Figures to right indicates full marks.
(2) All questions is compulsory.

- 1 "Police as an independent unit in the administrative organization of the state". Discuss the structural organization of the police at the state level with special reference to Gujarat State. 25

OR

Discuss in detail the history of modern police in India from ancient time.

- 2 Critically examine the role of Indian police in democratic society with special reference to law and order management. 25

OR

Discuss in detail : "The reality and myth" about criminalisation and politicisation of police.

- 3 Discuss : "Police reform : The imperative for efficiency in criminal justice". with special reference to various report. 25

OR

Explain in detail, "The powers and duties of Police" under various laws.

- 4 (a) Explain (any three) : 15

- (i) Role of police in crime investigation
(ii) Police reform and selected aspects of national police commission.
(iii) Police as a social doctor.
(iv) Relationship between police and prosecution.
(v) Police-public relationship.

- (b) State whether the following statements are true or false? with reasons. 10

- (i) Director general of police is at the top of paramidal Hierarchy of state police.
(ii) The police may arrest without an order from the magistrate and without warrant also.
(iii) Section 23 of the police act casts a mandatory duty upon the police officer to prevent offence and section 149 cr. p.c. reinforces it.
(iv) There are two types of police custody :
(1) direct police custody and (2) indirect police custody.
(v) "Custody" and "arrest" are synonymous.

LL.M. (Sem.-3) Examination

506 E BL

Principle of Taxation Laws

March 2019

Time : 2-30 Hours]

Total Marks : 100

1. "Imposition of Tax or a cess does not interfere with the freedom to carry on Trade, Business and Profession enshrined under Article 19(1)(g) of the Constitution." (25)
Discuss this statement in the light of decided cases.
or
Discuss in detail the provisions relating to taxation of Income from House Property.
2. Discuss any four income which are totally exempted from Tax under the Income Tax Act, 1961. (25)
or
 1. Discuss the provisions of Block Assessment under the Income Tax Act, 1961 (13)
 2. Minimum Alternative Tax under the Income Tax Act, 1961 (12)
3. Define "Supplier". Discuss the scope of supply for the purpose of levy of tax under the provisions of Gujarat Goods and Services Tax Act, 2017. (25)
or
Define and explain "Input Credit Tax" under the Central Goods and Service Tax Act, 2017. Discuss the provisions relating to eligibility and conditions as well as apportionment of Input Credit Tax under the above Act.
4. Write Explanatory note on any two from the following : (25)
 1. Apportionment of tax and settlement of funds under Integrated Goods and Services Tax Act, 2017
 2. Aggregate Turnover' and 'Turnover in the State' under Gujarat Goods and Services Tax Act, 2017.
 3. Provisions of Appeal and Revision under the Income Tax Act
 4. Consumer Welfare Fund under Central Goods and Services Tax Act, 2017

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