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Constitution and Constitutionalism: The distinctive features of the Constitution.

Seperation of Powers and Constitutional Governance

1. "India that is Bharat shall be a Union of States." Explain. Do you that the Indian Constitution is a Federal Constitution? Discuss with the help of decided cases. [2019; 15 Marks]
2. What do you mean by the term "Rule of Law"? The basic element of Dicey's doctrine of the rule of law is, be you ever so high, the law is above you'. Discuss with the help of decided cases. [2019; 20 Marks]
3. What do you understand by the terms "cooperative federalism" and "competitive federalism"? Do you agree with the view that the Indian Constitution is based on the concept of "competitive federalism" and not on the concept of "cooperative federalism" [2018; 10 Marks]
4. Administrative powers/actions are not always in conflict with the "rule of law" principle. Discuss with illustration. [2018; 10 Marks]
5. Explain the concept of Federalism as incorporated in the Indian Constitution.[2016; 10 Marks]
6. "The Rule of Law is based on the principle of legality and is opposed to exercise of arbitrary powers." Discuss. Explain whether failure to give reasons amounts to exercising power arbitrarily. [2016; 20 Marks].
7. What do you think is the form/nature of our Constitution — Federal, Unitary or Quasi-federal? The Members of the Drafting Committee call it federal, but many others would dispute this title. Critically examine the statement. [2014; 10 Marks]
8. What is 'Constitutionalism'? Explain the said concept both in its negative and positive aspects in the, context of India's tryst with 'Constitutionalism' and 'Constitutional Governance'. [2014; 10 Marks]
9. Examine the doctrine of separation of powers. Also mention the relevance of this doctrine in India. [2014; 10 Marks]
10. "The Constitution of Indian merely subscribes to three-fold division of gubernatorial functions and not to the doctrine of separation of powers in its absolute rigidity." Comment. [2013; 25 Marks]
11. What do you understand by the term 'Constitutional Conventions'? Are they are relevant in a country like India having a lengthy written constitution with preamble? [2012; 20 Marks]
12. In the presence of institution like Competition Commission of India, where polity making and adjudicatory functions are fused, comment on the significance of the doctrine of separation of powers in the contemporary Indian scenario. [2012; 20 Marks]

13. “The Judiciary by usurping the powers of the other two organs of the Government in certain matter has diluted the theory of separation of powers.” Do you agree? Examine critically? [2011; 15 Marks]
14. Critical Notes: Secularism. [2011; 20 Marks]
15. The doctrine of separation of powers in its classical sense, which is fundamental rather than structural, cannot be applied in any modern government. Discuss [2010; 15 Marks]
16. Differentiate between ‘Federal Constitution’ and ‘Federal Government’. Based on judicial pronouncements and your perception of the working of our Constitution, comment on whether India has a Federal Government or a Federal Constitution. [2009; 20 Marks]
19. ‘Rule of Law’ does not mean rule according to statutory law, pure and simple, because such a law may itself be harsh, inequitable, discriminatory or unjust. ‘Rule of Law’ connotes some higher kind of law which is reasonable, just and non-discriminatory. Explain. [2008; 20 Marks]
20. ‘Judicial review is one of the basic features of the Constitution.’ Do you agree with the view? Cite relevant case laws. [2008; 30 Marks]
21. “The Constitution of India is not true to any traditional pattern of federation.” Comment. [2007; 20 Marks]
22. “In fact, equality and arbitrariness are sworn enemies; one belongs to the rule of law in a republic while the other, to the whim and caprice of an absolute monarch.” Elucidate with the help of constitutional provisions & judicial decisions. [2006; 20 Marks]
23. “In fact, equality and arbitrariness are sworn enemies; one belongs to the rule of law in a republic while the other, to the whim and caprice of an absolute monarch.” Elucidate with the help of constitutional provisions & judicial decisions. [2006; 20 Marks]
24. “The Indian federal structure has brought in some novel provisions which are not to be found in other federations.” Critically discuss. [2005; 20 Marks]
25. “Federalism has in recent years, witnessed a change - from the dogmatic to dynamic - approach.” Discuss the changing approach and point out the main deviations in the working of the Constitution of India. [2004; 20 Marks]
26. Explain the form of the Government that the Constitution of India has adopted and which has been subject of criticism. What reforms, if any, will you suggest in this regard? [2004; 30 Marks]
27. What is the nature of the Indian Constitution? Do you think it is a Federal Constitution? Discuss. [2002; 20 Marks]
28. “The Indian Constitution is essentially federal in character, though it tends to be unitary at times.” Comment. [2000; 20 Marks]

Fundamental Rights - Public interest litigation; Legal Aid; Legal services authority.

1. Right to Privacy is protected as an intrinsic part of life and personal liberty enshrined under Article 21 of the Constitution of India." Elucidate this statement in the light of the decision of Justice K.S. Puttaswamy (Retd.) v. Union of India. [2019; 10 marks]
2. Public Interest Litigation is a tool to promote politics of the Judiciary. [2019; 7.5 marks]
3. Critically evaluate the changing dimensions of the concept of "State" under Article 12 of the Constitution of India. [2018; 10 Marks].
4. "The liberty of the press implicit in the freedom of speech stands on no higher footing than the freedom of speech and expression of a citizen, and no privilege is attached to the press as such distinct from the ordinary citizen." Explain this statement and also distinguish the term "speech" and "expression." [2018; 20 Marks]
5. Discuss the importance of Rights to life and personal liberty with reference to recent case laws. [2017;10 Marks].
6. Is 'Secularism' an essential feature of the Constitution of India? Explain in the light of decided case laws. [2017; 10 Marks]
7. In view of the importance of Panchayati Raj institution in local governance, do you think the idea of prescribing educational qualification to contest local body election is undemocratic and incoherent? [2017; 20 Marks]

8. Do you think the current trends in judicial activism in India are inconsistent with the Principles of Separation of Powers, which is considered to be one of the basis features of the Constitution? [2017; 15 Marks]
9. Article 13 makes the judiciary, and especially the Apex Court, as a guardian, protector and the interpreter of the Fundamental Rights. It confers a power as well as imposes an obligation on the Courts to declare law void if it is inconsistent with a Fundamental Right. Discuss. [2014; 10 Marks]
10. Explain and elucidate the meaning of the 'Right to personal liberty' as interpreted by the Supreme Court in Papanasam Labour Union v. Madura Coat Ltd. (AIR 1995 S.C. 2200). Analyse critically the guidelines prescribed by the Hon'ble Supreme Court in this respect. [2014; 15 Marks]
11. A backward class cannot be identified only and exclusively with reference to economic criterion. A backward class may, however, be identified on the basis of occupation-cum-income without any reference to caste. There is no constitutional bar in the State categorising the backward classes as 'backward' and 'more backward'. Do you agree with the statement? Give reasons. [2014; 15 Marks]
12. What is 'Public Interest Litigation'? What are the major facets of this form of litigation? Also discuss the limitations of this type of litigation. [2014; 15 Marks]
13. Do you agree with the statement that "all human rights are fundamental rights protected and recognised by the Constitution of India". Discuss with reference to statutory provisions and case laws. [2014; 15 Marks]
14. "Article 14 of the Constitution of India forbids class legislation not reasonable classification." Examine and also discuss how far equality of status and opportunity are achieved by this Constitutional provision. [2015; 10 Marks]
15. "Right to life means something more than mere animal existence." Discuss with reference to case law. Is there any difference between the expression 'right to life' and 'personal liberty'? Explain critically. [2015; 20 Marks]

16. The horizon of 'Legal aid' has been widened best, still the impact is totally missing. How would you resolve this crisis which is ruining the life of millions of poor people of our country over the years? Suggest some concrete measures to make it more effective and implementative. [2015; 15 Marks]
17. What is 'Protected discrimination' ? Examine how far it is constitutional under Article 15 and 16. Give reference of decided cases. Also mention the limitations of these articles as per its application. [2015; 15 Marks]
18. Under what circumstances, apart from concerned parties, a third party has locus standi to move writ petition before the High Court or, -Supreme Court ? How has this procedure helped in developing and promoting democratic principles in the country? [2015; 20 Marks]
19. Given the contemporary economic, political and social realities, critically evaluate the judicial framework developed to determine whether an agency/body is 'State' for the purposes of Article 12. Is the test currently too narrow? Justify your answer. [2015; 10 Marks]
20. Is 'Commercial advertisement' covered within the ambit of 'freedom of speech and expression'? Discuss with reference to leading cases. [2013; 10 Marks]
21. Critically examine the constitutional validity of an amendment deleting Article 16(4) and authorizing the State to make job reservation in favour of the backward classes of citizens. [2013; 10 Marks]
- 22.. Doctrine of equality under the Constitution cannot be applied to legitimize an illegal act. Can equality be invoked to justify another wrong? Critically examine with reference to cases. [2013; 10 Marks]
23. Do you agree with the view that "equality is antithesis of arbitrariness. In fact equality and arbitrariness are sworn enemies"? [2013; 25 Marks]
24. Whether law relating to preventive detention can be challenged for violation of Article 19? [2013; 15 Marks]
25. Are personal laws 'law' for the purpose for Part III of the Constitution? Discuss with reference to leading case law. [2012;10 Marks]

26. In what circumstances and for violation of which right can monetary compensation be awarded to the victims? What is your view for adopting such an approach by judiciary? Analyse critically. [2012; 20 Marks]
27. With special reference to the landmark judgments of the Supreme Court of India, discuss the effect of relegation of the right to property from being a fundamental right to a constitutional right. Also suggest the change required to be made in the Land Acquisition Act, 1894. [2012; 20 Marks]
28. Is there any difference between 'Right to information' and 'Right to be informed'? Do we have any provision in the Constitution in this regard? Discuss with reference to case law. [2012; 20 Marks]
29. 'Equality is a dynamic concept with many aspects and dimensions, and it cannot be cribbed, cabined or confined within traditional and doctrinaire limits.' Explain, how the judiciary has widened the scope of the right to equality by various decisions. [2011; 30 Marks]
30. Right to life has been extended to a clean human environment by the Courts in India. Discuss the development of law in this regard. [2011; 30 Marks]
31. The decision of the Supreme Court of India in ADM, Jabalpur v. S. Shukla, according to Dr. Upendra Baxi, "made the darkness of emergency completely dark". Do you think that the Constitution (44th Amendment) Act 1978 removed this darkness and provided for better protection of the Fundamental Rights? Explain. [2011; 30 Marks]
- 32.. Whether right to vote is a fundamental or a statutory right? Justify your statement with the help of relevant case-law on this subject. [2010; 15 Marks]
33. New frontiers of criminal justice have been spelled out from Article 21 of the Constitution, which provides that no person shall be deprived of his right to life and personal liberty except according to procedure established by law. Discuss and refer to decided cases. [2010; 30 Marks]
34. Locus standi is necessary for challenging an administrative action, through a writ petition. How has it been liberalized in case of public interest litigation? Comment on the statement that "PIL is not a PIL against all the ills." [2010; 30 Marks]

35. Define and distinguish between 'formal equality' and 'substantive equality' as interpreted by the Apex Court of the country. [2009; 20 Marks]
36. "The term 'freedom of speech and expression' in Article 19(1)(a) has been held to include the" right to acquire information and disseminate the same." Elucidate the import of this statement in the context of media industry. Is the right to paint or sing or dance covered by Article 19 (1) (a) of the Indian Constitution or not? [2009; 30 Marks]
37. Scope of the Right with regard to self- incrimination [2009;20 Marks]
38. "Equality is the basic feature of the Constitution of India and any treatment of equals unequally or unequals as equals will be violation of basic structure of the Constitution of India." Explain. [2008; 30 Marks]
39. Rights of the Press and the problem of Pre- censorship. [2008;20 Marks]
40. What is the meaning of 'Freedom of Press' under the Indian Constitution? Can the freedom of press be restricted by a law requiring the press owners to pay minimum wages to the employees of the press? Decide. [2007; 20 Marks]
41. Examine and elucidate the scope and significance of Article 32 of the Constitution in the context of Public Interest Litigation as expounded by the Supreme Court in M. C. Mehta Vs. Union of India, AIR 1987 SC 1086. [2007; 30 Marks]
42. Meaning of the term 'Other Authorities' under Article 12 of the Constitution [2007; 20 Marks]
43. "Article 16 (4) is by itself a rule of equality rather than an exception to the rule." What is your view? Discuss with the help of case- law. [2005; 20 Marks]
44. "Article 16 (4) is by itself a rule of equality rather than an exception to the rule." What is your view? Discuss with the help of case- law. [2005; 20 Marks]
45. "Secularism is neither anti-God nor pro- God. It eliminates God from the matters of State and ensures that no one shall be discriminated on the grounds of religion." In the light of the above observation discuss the true import of freedom of religion guaranteed under the Indian Constitution. [2005; 30 Marks]

46. "Liberty of Press consists in laying no prior restraints upon publications and not in freedom from censure for matters when published." Explain and indicate how far this liberty of Press is protected under the Indian Constitution. [2004; 20 Marks]
47. "The extensive use of the device of 'reasonable classification' by State and its approval by the Supreme Court has rendered the guarantee of 'fair and equitable treatment' under Article 14 largely illusory." Discuss making clear the constitutional and popular concepts of 'right to equality' in India. [2004; 20 Marks]
48. "Preventive Detention is the only exception carved out to the generally accepted proposition that no person shall be deprived of his personal liberty except in accordance with the procedure established by law". Discuss the safeguards evolved by the Judiciary for the protection of personal liberty of a person detained under the law of Preventive Detention. [2003; 20 Marks]
49. Critically examine the decisions of the Supreme Court from A.K. Gopalan to Maneka Gandhi cases with special reference to "procedure established by law". [2003; 30 Marks]
50. If the words "All minorities" in Article 30 of the Constitution of India are replaced by the words, "All sections of citizens having distinct language or religion", what fundamental rights of the minorities would be affected? [2002; 20 Marks]
51. Discuss any one theory developed by the Supreme Court of India under Article 21 of the Constitution of India for compensation to the victims. [2002; 20 Marks]
52. What fundamental right if any, of a person is violated if the State acts in pursuance of either Article 15(4) or 16(4) of the Constitution of India? [2001; 20 Marks]
53. Discuss the relationship between Article 29 and Article 30 of the Constitution. [2001; 20 Marks]
54. In order to make the best use of the limited resources in the country and to meet certain demands of the journalists and other workers in the newspaper industry; the government plans to enact a law which (i) fixes the minimum wages for all the journalists and workers, (ii) declares Sunday and all other national holidays as compulsory holidays for the newspaper industry; (iii) requires the newspapers to allocate certain percentage of news space to pressing socio-economic issues facing

the country; and (iv) prohibits certain kinds of advertisements , particularly those which make indecent depiction of women. Your advice is sought by the government on the constitutionality of such legislation visa-vis Article 19(1) (a). Give your advice with reference to decided cases. [2001; 30 Marks]

55. Critically examine the statement that though Maneka Gandhi V. Union of India has made a great advancement towards the understanding and application of the Fundamental Rights in our Constitution it has not been able to make much difference either to the preventive detentions or towards ensuring the due process of law. [2001; 30 Marks]

56. In order to cure the heavy under-representation of the Schedules Castes and the Schedules Tribes in the State services even after fifty years of the Constitution, a State wants to make a scheme, which may remove this imbalance within a period of five years. Advise the State about the steps that it may take under the Constitution for this purpose. [2001; 30 Marks]

57. Explain the provisions relating to protection and improvement of environment in our Constitution with special reference to the role of judiciary in this regard. [2000; 20 Marks]

58. “The Supreme Court in Maneka Gandhi’s case has revolutionised the law relating to ‘personal-liberty’ under Article 21 of the Constitution.” Explain with illustration, [2000; 30 Marks]

59. The Civil Surgeon had issued an advertisement for a training course in midwifery at the District Hospital. The advertisement had a clause “Married women candidates must enclose along with their application their husband’s written permission for pursuing the course.” The wife got the letter of consent from her husband and joined the course. The husband, however, had second thoughts and wrote to her and the authority saying she should return immediately as her not being there would disturb the family life and hence she would not be permitted to join. Thereafter the authority asked her to produce another letter of “no objection” from the husband. Examine with reference to the relevant provisions of the Constitution the validity of the order of the authority. [2000; 30 Marks]

3. Relationship between fundamental rights, directive principles and fundamental duties

1. Examine the concept of social justice as envisaged in the Constitution more particularly in Chapter IV of the Constitution. [2018; 20 Marks]
2. Discuss the relationship between 'Fundamental Rights' and 'Directive Principles of State Policy' in the light of the constitutional amendments and decided cases. [2016; 10 Marks]
3. Enumerate the fundamental duties as provided in the Constitution of India. Also discuss the rationale behind the incorporation of fundamental duties in the Constitution of India later on. [2014; 15 Marks]
4. Explain the opinion of the Supreme Court of India regarding the relation between the Fundamental Rights and Directive Principles of State Policy in the light of its decided cases. Do you agree with the view that giving primacy to one over the other is to disturb the harmony of the Constitution? Comment with reference to the present day scenario relating to education, health, religion, etc. [2015; 15 Marks]
5. Has judiciary been a hindrance or a facilitator in the interpretation of Directive Principles? Examine in the light of various judgments of the Supreme Court? [2013; 10 Marks]
6. "Fundamental duties are only ethical or moral duties and should not form a part of the fundamental law." Comment [2013; 10 Marks]
7. Introduction of Uniform Civil Code. [2013; 20 Marks]
8. "The Directive Principles which have been declared to be 'fundamental' in the governance of the country cannot be isolated from Fundamental Rights." Explain critically. Also throw light with reference to recent judgments on the Supreme Court's view as regards the interplay of Directive Principles and Fundamental Rights. [2009; 30 Marks]

9. Spell out the object and reasons of Part IV A of the Constitution of India. Do you support this addition to the Constitution of India? Give reasons and also suggest some effective measures to make these provisions more realistic and operational. [2009; 30 Marks]
10. Explain and elucidate the significance of the various strategies adopted for the implementation of the 'Directive Principles' of State Policy enshrined in Part - IV of the Indian Constitution. [2008; 20 Marks]
11. The scope of the constitutional harmony and balance between 'Fundamental Rights' and 'Directive Principles' of State Policy. [2008; 20 Marks]
12. "Fundamental duties are only ethical and moral duties and should not form a part of the fundamental law." Comment. [2006; 20 Marks]
13. "Directive principles of state policy are not enforceable in the Court of Law but, nevertheless, they are fundamental in the governance of the country." Discuss this statement with the help of decided cases. [2006; 30 Marks]
14. "While the implementation of the Directive Principles of the State Policy is a pre condition for the enjoyment of Fundamental Rights, the destruction of the Fundamental Rights will frustrate the realization of the Directive Principles." Discuss. [2003; 20 Marks]
15. Justify the contemporary economic liberalization reforms on the basis of constitutional provisions. [2002; 30 Marks]
16. Examine critically the relationship between the Fundamental Rights and the Directive Principles of State Policy in the light of decided cases and the constitutional amendments. [2000; 30 Marks]

4. Constitutional position of the President and relation with the Council of Ministers

1. Discuss the Ordinance making power of the President. Can the validity of an Ordinance be challenged in the Court of Law? Cite relevant case-law. [2019;15 Marks].
2. “With the adoption of Parliamentary form of government, the vesting clause under Article 53(1) remains to a great extent meaningless, as real executive power lies in the Ministry.” Critically examine the above statement in the context of the status and position of the President of India under the Indian constitution. Also answer, if the President of India does not accept the advice of the Prime Minister, what consequences would follow. [2018; 10 Marks]
3. Briefly enumerate the executive powers of the President, especially when two or more States are involved in non-observance of an inter-State agreement. [2016; 20 Marks]
4. What would be your opinion regarding the view that the exercise of powers by the President and Governors under Article 72 and 161 to grant mercy should also be open to Constitutional Challenge ? Discuss with reference to recent cases of the Apex Court of the country. [2015; 10 Marks]
5. “The Prime Minister is the keystone of the Cabinet arch because he is responsible for its formation, life and death.” Critically examine the above statement in the light of various provisions of the Constitution and determine the position of the Prime Minister of India in the Cabinet [2015; 15 Marks].
6. What is meant by ‘individual responsibility and ‘collective responsibility’ of the Council of Ministers? What would be the consequence of ‘individual responsibility’ in case a Minister of the Government is found guilty of tort of misfeasance by the Supreme Court of India? Comment. [2012; 10 Marks]

7. What is the justification behind the Pardoning power of the President of India Article 72 of the Constitution? Discuss with reference to Supreme Court case the extent to which the exercise of this power can be subjected to judicial review. [2012; 10 Marks]
8. Critical Notes: Duties of the Prime Minister regarding furnishing of information to the President. [2011; 20 Marks]
9. The distinction between 'Executive Power' of the President and his 'Constitutional Power'. [2008; 30 Marks]
10. Power of President of India to grant pardons, reprieves, etc. under Article 72 of the Constitution. [2007; 20 Marks]
11. "Collective responsibility is the very basis of the Parliamentary system of government." Do you agree with this statement? What has been the impact of coalition politics on the doctrine of collective responsibility? [2006; 30 Marks]
12. Is the President of India a mere constitutional head? Is he bound to accept the advice of the Council of Ministers? Discuss fully stating constitutional provisions. [2005; 30 Marks]
13. What are the grounds, duration and consequences of the Proclamation issued by the President of India pertaining to the failure of constitutional machinery in States? Is such a Proclamation justiciable? [2004; 30 Marks]
14. Elucidate the constitutional procedure for electing President of India. [2002; 20 Marks]
15. Schedule-III provides for an oath of Secrecy by a Minister. Can a Chief Minister administer such an oath to a non-minister in order to facilitate him with access to all government documents? Give reasons. [2002; 30 Marks]

5. Governor and his powers

1. Is the Governor's post dependent on the pleasure of the President? Discuss. What exactly constitutes the "discretion" of the Governor while exercising numerous powers? Explain with reference to statutory provisions and relevant case law. [2018; 15 Marks]
2. What is the position of Governor in State? Examine the Pardoning Powers of the Governor under the Constitution. Is Pardoning power, subject to judicial review? [2017; 20 Marks]
3. Critically evaluate the powers of the Governor of a State as provided under the Constitution of India. How would you interpret the following observation that "the role of a Lieutenant Governor is no more than that of a facilitator of administration under the President's control"? [2015; 15 Marks]
4. Examine and elucidate the constitutional scope of the Ordinance making power of the President and the Governors in India. [2014; 20 Marks]
5. Do local bodies enjoy autonomy in performing their role in the field of economic development and social justice? Explain. [2011; 15 Marks]
6. In recent times the role of governor in the appointment and dismissal of Chief Minister has been impugned and it is said that the Court has assumed the role of the Governor and the Speaker comment. Refer to recent cases where the Supreme Court has directed to take composite floor test and report to the Court. [2010; 30 Marks]
7. How far the Governor of a State is bound to act with the advice of his Ministers? What functions are required by the Constitution to be exercised in his discretion? [2006; 30 Marks]
8. "The pardoning power of the Governor is not immune from Judicial review." Examine this statement in the light of the case of Satpal Vs. State of Haryana, (2000). [2004; 30 Marks]
9. What are the discretionary powers of the Governors of States? Why is there no provision in the Constitution for impeachment of a Governor? Explain. [2000; 20 Marks]

6. Supreme Court and High Courts: (a) Appointments and transfer. (b) Powers, functions and jurisdiction.

1. Examine the nature of the powers of the High Courts under Article 226 of the Constitution of India and distinguish it from the powers of the Supreme Court under Article 32. [2019; 15 Marks]
2. Judicial Activism has both positive and negative impact on the Judiciary. [2019; 7.5 Marks]
3. What would be best way or method for the appointment of judges in High Court and the Supreme Court in India? Give your views and support your views with reasons. [2018; 15 Marks]
4. Under what circumstances, does a third party, apart from concerned parties, have *locus standi* to move writ petitions before the High Court or the Supreme Court in India? Also point out the limitations of such petitions. [2018; 15 Marks]
5. Elucidate the scope of the appellate jurisdiction of the Supreme Court of India under the constitution with regard to Criminal matters. [2017; 10 Marks]
6. While discussing the underlying principle of the 99th Amendment Act, 2014, comment on the present system of appointment of judges to the Higher Judiciary in the country. [2016; 20 Marks]
7. What do you understand by the expression 'independence of judiciary? Why is it being discussed/debated/questioned too much nowadays? What reasons would you give for this developments? [2015; 10 Marks]
8. Explain the scope of the 'Special Leave Jurisdiction' of the Supreme Court as expounded by it. [2014; 10 Marks]
9. "Contempt of Court is a power inherent to a court of record." In this regard discuss the sweep of power of the Supreme Court and the High Courts to punish their contempt. Also examine the defenses of 'fair criticism' and 'truth' in the light of Contempt of Courts Act, 1971.

10. "The fragrance and color which is enshrined in Article 141 of the constitution of India is destined to uphold the Rule of Law in the interest of justice and people of India." Do you agree? Give reasons. [2010; 15 Marks]
11. "While certainty of law is important in India, it cannot be at the cost of justice." Critically examine this statement in the context of 'curative petition' in Indian and also refer relevant case-law. [2010; 15 Marks]
12. Critically examine the role of the Supreme Court of India in the maintenance of minimum standards in public life and polity. Opine on how much of it is enforcement of the rule of law and how much of it is judicial activism. [2010; 30 Marks]
13. "By evolving the concept of jurisdictional facts, the Courts have broadened the power of judicial review of administrative action." Discuss this statement and compare the extent of judicial review of administrative action over jurisdictional facts and ordinary facts.[2009; 30 marks]
14. Examine the scope of the 'Special Leave Jurisdiction' of the Supreme Court as expounded by the Supreme Court of India. [2008; 20 Marks]
15. Discuss in detail the advisory jurisdiction of the Supreme Court of India. Is the Supreme Court opinion binding on all courts? [2007; 30 Marks]
16. Discuss the scope of the Original and Advisory Jurisdictions of the Supreme Court of India. Also give in brief your response to the view that the Advisory Jurisdiction to be abolished. [2005; 30 Marks]
17. What is Judicial activism? In this context evaluate the contribution of the Supreme Court of India, which is empowered to act as the guardian of the constitutional provisions. [2004; 20 Marks]
18. Examine in detail the provisions of the Constitution regarding appointment of Judges of the Supreme Court of India. Is it necessary to constitute a Commission to review and reform the prevailing provisions of the Constitution in this regard? Give reasons. [2004; 30 Marks]
19. Article 136 does not confer a right of appeal on a party as such but it confers a wide discretionary power on the Supreme Court to grant Special Leave to Appeal in suitable cases. Discuss. [2003; 30 Marks]

20. The powers under Article 226 confer a discretion of the most extensive nature on the High Courts. But the very vastness of the powers conferred on the High Court imposes on it the responsibility to use them with circumspection. Discuss briefly the principles which would regulate the exercise of the jurisdiction under Article 226. [2003; 30 Marks]

21. “The recent judicial pronouncement on the question of the appointment of the judges of the Supreme Court and the High Courts is dominated by the emphasis on integrated participatory consultative process for selecting the best and most suitable persons available for the appointment.” Elucidate the above statement highlighting the norms laid down by the Supreme Court for appointment of the judges of the Supreme Court and the High Courts and for transfer of the judges of the High Courts, [2001; 30 Marks]

22. Discuss the nature and the scope of the following writs: (i) Certiorari (ii) Mandamus [2001; 30 Marks]

7. Centre, States and local bodies: (a) Distribution of legislative powers between the Union and the States. (b) Local bodies. (c) Administrative relationship among Union, State and Local Bodies. (d) Eminent domain - State property - common property - community property.

1. Discuss the doctrine of 'Pith and Substance' relating to the distribution of legislative powers between the Centre and the States with the help of the landmark judicial decisions. [2020; 10 marks]
2. "Revival of the Panchayati Raj system in India is an aid to reduce the workload on the Judiciary." Comment [2020; 10 Marks]
3. What are the major challenges in the functioning of local bodies in India? Does it talk about success story or something else? [2018; 20 Marks]
4. Explain the phenomenon of tribunalisation of justice in India. [2017; 10 Marks]
5. Evaluate the constitutional provisions relating to administrative relation between the Union and the state with special emphasis on inter-governmental delegation of administrative power. [2017; 20 Marks]
6. What do you understand by the term "Eminent Domain"? Discuss its relevance in the present-day context. [2016; 10 Marks]
7. Discuss the legislative powers of the Union and States as provided in the Constitution on the basis of subjects and territory. [2016; 20 Marks]
8. Discuss 'Residuary Powers' of the Parliament to legislate. [2016; 15 Marks]
9. "The non-obstante clause in Article 246 ought to be regarded as last resource in case of an inevitable and irreconcilable conflict between the lists." Examine critically. Also discuss the

abuse/abuses related to this clause. Is there any connection between the doctrine of 'pith and substance' and 'non-obstante clause'? [2015; 15 Marks]

10. Residuary Powers.[2013; 15 Marks]

11. "The entries in the legislative lists are not the source of powers for the legislative constituents, but they merely demarcate the fields of legislation. It is now well settled law that these entries are to be construed liberally and widely so as to attain the purpose for which they have been enacted. Narrow interpretation of the entries is likely to defeat their object as it is not always possible to write these entries with such precision that they cover all possible topics and without any overlapping." Critically evaluate the above statement with reference to interpretation of legislative entries contained in Seventh Schedule to the Constitution. [2012; 10 Marks]

12. Institution of Local Self Government [2012; 20 Marks]

13. Do local bodies enjoy autonomy in performing their role in the field of economic development and social justice? Explain. [2011; 15 Marks]

14. "The doctrine of pith and substance introduces a degree of flexibility into the otherwise rigid scheme of distribution of legislative power under the Indian Constitution." Justify this statement with the help of case law. [2007;20 Marks]

15. The doctrine of territorial nexus. [2007; 20 Marks]

16. "The constitutional scheme of the distribution of legislative powers weights heavily in favour of the Union Parliament." Elucidate with the help of constitutional provisions and judicial decisions. [2005; 20 Marks]

17. Briefly explain the principles of interpretation which have been upheld in ascertaining the respective jurisdictions of Parliament and the State Legislatures set out in Article 246 of the Constitution of India. [2003; 30 Marks]

18. Can Parliament of India make laws on the entries in the State List? If so, in what circumstances? [2002; 20 Marks]

19. Outline any three constitutional provisions that ensure non-discrimination against any State by the Centre. [2002; 30 Marks]

20. “The doctrine of pith and substance introduces a great degree of flexibility into the otherwise rigid scheme of distribution of legislative powers in the Indian Constitution.” Elucidate. [2001; 20 Marks]

8. Legislative powers, privileges and immunities

1. The issue of Parliamentary-privileges has been a bone of contention and conflict between the Parliament and the Judiciary.” Analyse this statement in the backdrop of decided cases. [2020; 10 marks]
2. Discuss the law relating to the powers of Parliament and State Legislatures to punish a person for breach of their privileges. [2017; 15 Marks]
3. “With a view to enabling Parliament to act and x discharge its high functions effectively, without any interference or obstruction from any quarter, without fear or favour certain privileges and immunities are attached to each House collectively, and to the Member thereof individually.” Critically examine the statement. [2008; 20 Marks]
4. “The issue of parliamentary privileges has been bone of contention and conflict between the Parliament and Judiciary.” Critically examine in the light of the decided cases. [2006; 20 Marks]
5. “Parliamentary privileges are an essential incident to the high and multifarious functions which the legislature is called upon to perform.” Discuss the position under the Constitution of India. Will you suggest reforms, if any, in the existing position? [2004; 30 Marks]
6. “One has to turn to the privileges of the House of Commons to ascertain the Parliamentary privileges in India”. How far is this statement still correct? Discuss. [2003; 20 Marks]

9. Services under the Union and the States: (a) Recruitment and conditions of services; Constitutional safeguards; Administrative tribunals. (b) Union Public Service Commission and State Public Service Commissions - Power and functions (c) Election Commission - Power and functions.

1. Give an overview of the growth of the Tribunals in India with special reference to Administrative Tribunals established under the Administrative Tribunal Act [2019; 20 Marks].
2. "The Election Commission of India is an autonomous constitutional authority responsible for administering the election process in India." comment by explaining the powers and functions of the Election Commission of India. [2019; 15 Marks].
3. What are the constitutional safeguards available in a civil servant against dismissal, removal or reduction in rank of services? Are these rights also available to an employee of a public corporation Discuss with reference to statutory provisions and case law. [2018; 15 Marks]
4. Examine the powers and role of Election Commission of India in conducting free and fair election. [2017; 20 Marks]
5. Discuss the powers and functions of the Union Public Service Commission. Also explain how it has maintained its impartiality. [2016; 15 Marks]
6. The concept of 'Reasonable Opportunity' being a constitutional limitation on the doctrine of 'Tenure Pleasure', Parliament or State Legislature can make a law defining the content of 'Reasonable Opportunity' and prescribing procedure for affording the said opportunity to the accused government servant. Explain the concept with reference to leading cases. [2014; 20 Marks]
7. Define the term 'public servant'. Also discuss the recruitment procedure of public servants in India. [2014; 15 Marks]

8. Examine whether the Election Commission of India has succeeded in performing the two responsibilities entrusted to it under Art. 324 of the Constitution of India? What steps would you suggest to ensure the preparation of correct electoral rolls? [2011; 30 Marks]
9. "Powers of Election Commission are not sufficient." Comment. [2009; 20 Marks]
10. What Constitutional safeguards are available to civil servants under the Constitution of India? Explain the circumstances under which a civil servant can be dismissed from service without holding a regular inquiry against him. [2006; 30 Marks]
11. Explain the provisions made in the constitution of India for smooth administrative relationship between the Union and the States. [2003; 30Marks]
12. Discuss the constitutional safeguards in respect of dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or the State. Do these safeguards override the "Doctrine of Pleasure" embodied in the Constitution? [2003; 30 Marks]
13. "Article 311(2) lays down that a civil servant cannot be dismissed or removed or reduced in rank unless he has been given a reasonable opportunity to show cause against the action proposed to be taken against him." Critically examine the statement with reference to the Constitution (Forty-Second Amendment) Act, 1976. [2000; 30 Marks]

10. Emergency provisions

1. “Imposition of Emergency in a State under Article 356 has always been a matter of controversy.” In this backdrop, explain the consequences of proclamation of Emergency in a State. [2018; 15 Marks]
2. Discuss the circumstances under which ‘Financial Emergency’ can be proclaimed by the President of India and effects thereof. [2017; 15 Marks]
3. What restrictions have been imposed by the Constitutional Amendment (44th) to check misuse of proclamation of emergency? Discuss [2013; 25 Marks]
4. The framers of the Constitution felt that, in an emergency, the centre should have overriding powers to control and direct all aspects of administration and legislation throughout the country. Elucidate. [2008; 30 Marks]
5. When can the President’s Rule be imposed under Article 356 of the Constitution? Is there any need to amend Article 356? What will be your suggestion in this regard? [2007; 30 Marks]
6. “The Constitution has imposed an obligation on the Union to ensure that the Government of every State is carried on in accordance with the provisions of the Constitution. In order to enable the Union if to carry out this obligation the Constitution has conferred adequate powers on it.” Elucidate. Also discuss the safeguards against misuse of Article 356. [2006; 30 Marks]
7. “All these years Article 368 has seen a tug of war between the constituent power and power of judicial review.” Comment on and narrate this development in detail. [2005; 30 Marks]
8. Examine the scope of Proclamation of Emergency by the President of India and enumerate the safeguards introduced by constitutional amendments to prevent abuse of these powers. [2005; 30 Marks]

11. Amendment of the Constitution

1. "Power of the Parliament to amend the Constitution is wide, but not unlimited." Do you agree with this statement? Discuss whether the doctrine of basic structure has reinforced the power of judicial review under the Constitution. [2019; 15 Marks]
2. "The procedure adopted for amending the Constitution is unique; it is not rigid yet difficult." Elaborate. [2016; 10 Marks]
3. Define and distinguish between 'Constituent power', 'Amending power' and 'Legislative power'. Give illustrations [2014; 20 Marks]
4. The goals specified in the Preamble contain basic structure of our Constitution, which cannot be amended under Article 368. Elaborate in context of leading cases. [2013; 25 Marks]
5. Constituent power to frame the constitution and the constituent power to amend the constitution have different connotation and scope. Explain. [2011; 10 Marks]
6. Doctrine of Prospective Overruling. [20Marks]
7. "The power to destroy the constitution is not included in the power to amend the Constitution. [2010; 15 Marks]
8. How would you judge the constitutional validity of an Amendment giving primacy to the executive in the matter of appointment of the judges of the Supreme Court and High Courts? [2009; 20 Marks]
9. What procedure would you suggest to the Government of India where under an agreement between the Government of India and a neighboring foreign country a small portion of Indian territory comprised in State Y has to be ceded to the above foreign neighboring country? [2007; 20 Marks]

10. What are these features in the Constitution of India that are basic or fundamental to it? Would you subscribe to the proposition that the Parliament's competence to amend the Constitution is subject to the basic or fundamental features of the Constitution? Elucidate. [2007; 30 Marks]
11. "The Supreme Court of India has extended theory of basic structure of the Constitution to the constitutional morality in the case of .B.R. Kapur Vs. State of Tamil Nadu, (2001)." Explain. [2004; 30 Marks]
12. Assuming that the Parliament, under Article 368 of the Constitution, passes the following constitutional amendments: (i) Religion is a matter of personal faith. Its propagation in any form is strictly prohibited. (ii) Article 16(4) of the Constitution empowering the state to make reservation in services under the state in favour of backward class of citizens is completely deleted. Discuss whether these amendments are likely to be held valid. [2000; 30 Marks]

12. Principles of natural justice - Emerging trends and judicial approach

1. 'Audi alteram partem' is a very flexible, malleable and adaptable concept of natural justice to adjust the need for speed and obligation to act fairly." Examine the statement with the help of decided case-law. [2019; 10 marks]
2. "Natural justice is not a formula which has to be fitted to all situations with an iron-bound uniformity." – Comment. Refer to case laws. [2018; 10 Marks]
3. Explain the significance of the rule of 'AUDI ALTEREM PERTEM' in administrative decision making and state the circumstances under which 'post decisional hearing' can effectively satisfy the mandate of natural justice. [2017; 15 Marks]
4. The rule against bias strikes at such factors which may improperly influence in arriving at a decision. Comment. [2016; 10 Marks]
5. Doctrine of Legitimate Expectation [2012; 20 Marks]
6. Modern progressive approach of the principles of natural justice [2012; 20 Marks]
7. "There is still a controversy whether 'Reasoned Decisions' comprise a third pillar of natural justice." Do you agree with this statement? Discuss with reference to recent case laws. [2009; 20 Marks]
8. "The concept of natural justice is elastic and is not susceptible to precise definition." Do you agree with this statement? Explain the concept of natural justice with the help of case-law. [2006; 20 Marks]
9. "Bias vitiates all judicial and quasi-judicial proceedings." Comment on this statement and give two examples to illustrate the principle. [2005; 30 Marks]

10. Illustrate the doctrine of 'Nemo judex in causa sua' (no one should be a judge in his own cause) as an effective rule of natural justice. [2002; 30 Marks]

11. Except in cases where the requirement has been dispensed with expressly or by necessary implication an administrative authority exercising judicial or quasi-judicial functions is required to record the reasons for its decisions. Examine and discuss whether administrative authority must record reasons for its decision when performing administrative function. [2001; 30 Marks]

13. Delegated legislation and its constitutionality

1. While conferring the power of delegated legislation on the administration, the enabling Act may specify the procedural safeguards to be followed in the exercise of the power. What the consequences of non-compliance with the requirements as laid down in the Act? Discuss with the help of decided cases. [2019; 20 marks]
2. Discuss the constitutionality of delegated legislation. What are the limits of delegated legislation? Explain. [2018; 15 Marks]
3. In light of the fact that the Constitution of India has no express prohibition on delegated legislation, critically evaluate the basis for different judicial positions either prohibiting excessive delegation or permitting delegation without Constitutional limitations. [2015; 20 Marks]
4. "The need for administrative rule making entails delegated legislation." Comment. [2016; 15 Marks]
5. "The Policy and Guideline Theory' presupposes delivery of justice by quasi-judicial authority." Elaborate it. [2016; 15 Marks]
6. Do you agree with the statement that 're-looking of the process of delegated legislation is necessary particularly in extent to substantial amount of public participation?' Comment critically. [2012; 10 Marks]
7. "The doctrine of excessive delegation is a judicially tailored principle. [2010; 15 Marks]
8. "The legislature cannot delegate its powers to make a law; but it can make a law to delegate a power to determine some fact or state of things upon which the law intends to make its own action depend." Critically comment on the above statement and discuss with the aid of relevant legal provisions and case laws. [2008; 30 Marks]

9. "Essential legislative functions cannot be delegated." Explain with the help of case-law. Also discuss the technique and utility of legislative control of delegated legislation. [2006; 30 Marks]
10. "One of the methods of control over the exercise of power of delegated legislation is legislative overseeing of delegated legislation". Discuss. Highlight the legislative control over delegated legislation. [2003; 20 Marks]
11. Outline the methods of Parliamentary control over delegated legislation. [2002; 30 Marks]
12. "There is no abdication, surrender of legislative function so long as the legislature has expressed its will on a particular subject matter, indicated its policy and left effectuation of policy to subordinate agency." Discuss. [2001; 20 Marks]
13. "The question today is not whether there should be delegated legislation, but subject to what safeguards it should be resorted to." Critically examine the statement. [2000; 20 Marks]
14. The Transport Commissioner is the Director, ex-officio of the Karnataka State Road Transport Corporation (KSRTC) which is responsible for the operation and management of the transport undertakings of the Corporation. The Transport Commissioner is simultaneously Chairman of the KSRTC Authority which has power to grant/refuse stage carriage permits. In this case, private bus operators had applied for renewal of their stage carriage permits in respect of various routes. At the same time, KSRTC also applied for fresh stage carriage permits in respect of the same routes. Examine with reference to the relevant provisions of the Administrative Law, whether the Commission can be restrained from exercising his power. Give reasons for your answer. [2000; 30 Marks]

15. Judicial review of administrative action

1. Briefly explain the grounds on which administrative actions can be subjected to judicial review.

[2017; 10 Marks]

16. Ombudsman: Lokayukta, Lokpal etc.

1. “The purpose of the office of the 'Lokpal, is not to adjudicate, but to provide regular machinery for investigating grievances against the administration in a discrete and informal manner.” Critically examine this statement by providing proper justification of the office of the 'Lokpal' in India. [2019; 10 marks]
2. Do you think the institution of Lokpal, as envisaged under the Lokpal and Lokayukta Act, 2013, is efficacious enough to curb corruption in India? State the inadequacies in the legislative framework, if any. [2017; 15 Marks]
3. Define and distinguish between the terms ‘Lokayukta’ and ‘Lokpal’ in the Indian context. Also mention about its relevance. [2015; 10 Marks]
4. The role of 'Ombudsman' is to correct the administrative faults which are troubling the rights of a person in view of proliferation of trading entities. Discuss. [2016; 15 Marks]
5. Indian ombudsman - unfulfilled dream [2009; 20 Marks]

1. Nature and definition of international law

1. "International Law is the vanishing point of Jurisprudence." Explain. [2019; 10 Marks]
2. Explain the distinctions between traditional and modern definitions of international law. Critically examine the growing scope and importance of international law in the present context. [2018; 10 Marks]
3. "International law is primarily concerned with Rights, Duties and Interests of States." Critically examine the statement with reference to the place of Individuals and Non-State entities in International law. [2018; 20 Marks]
4. Discuss the nature and basis of International Law. [2016; 10 Marks]
5. "Today there is a huge shift of the basis of International law though the principal component of International law is represented by binding rules, imposing duties and conferring rights upon the state." Comment critically. [2015; 10 Marks]
6. It is impossible to fix a precise date or period in history to mark the beginning of International Law as it predates recorded history. Critically examine the history, nature, scope and relevance of International Law in Contemporary International Society. [2014; 10 Marks]
7. "The substance of customary law must be looked into primarily in actual practice and 'opinio juris' of the States." In the light of above statement and by referring to case law, explain the interplay between objective and subjective elements in acceptance of a particular custom as a source of international law. [2013; 25 Marks]
8. It is often said that customary international law is earlier to apply than to define. What are the inherent problems in defining 'custom' and how can a custom be considered as a source of international law? [2012; 12 Marks]

9. One extreme view is that International Law is a system without sanctions. However, it is not quite true that there are no forcible means of compelling a state to comply with International Law. Comment and state various sanctions for the observance of International Law. [2011; 15 Marks]
9. “The fundamental principles of International law are passing through a serious crisis and this necessitates its reconstruction.” Do you agree with this statement? Give reasons. [2010; 20 Marks]
10. “The traditional definition of International law with its restriction to the conduct of States inter se, in view of developments during the last six decades cannot stand as a comprehensive description of all the rules now acknowledged to form part of part of International law. [2010; 30 Marks]
11. Short Note: Sanctions of International Law [2009; 20 Marks]
12. “It is difficult to maintain the distinction between formal and material sources taking into account that material sources consist simply of quasi constitutional principles of inevitable but unhelpful generality. What matters is the variety of material sources, the all-important evidence of the existence of consensus among States concerning particular rules of practice.” Critically examine the various sources of International Law in the development of Modern International Law, with the help of relevant case law. [2008; 20 Marks]
13. Do you find any distinction between the State Liability and State Responsibility under International Law? Critically examine the general principles of State Responsibility in International Law. [2008; 20 Marks]
14. “International Law is defined as ‘Vanishing point of Jurisprudence’.” (Holland). Examine this viewpoint with reference to the nature of International Law. [2007; 20 Marks]
15. What do you mean by the term ‘Subjects of International Law’? What are its attributes? [2007; 20 Marks]
16. Discuss the importance of International Customs as a source of International Law. When does a usage crystallize into a custom? [2007; 30 Marks]
17. Do you agree with the view that “International Law is merely a positive morality”? Discuss the nature of International Law. [2006; 20 Marks]

18. “The controversy whether International law is law or not is meaningless because, in fact, it is law and is generally obeyed.” Highlight the views of prominent writers about the above statement. [2004; 20 Marks]
19. “The term ‘general principles of law recognised by civilized nation’ is very wide and vague”. Comment in the context of Article 38(i)(c) of the Statute of the ICJ. [2003; 20 Marks]
20. If we examine the ‘opinions’ on the definition of International Law, we are inclined to ask: ‘What is so international in the so-called International Law?’- Analyse. [2002; 20 Marks]
21. Discuss State responsibility in respect of the act of multinational corporations on the basis of the Bhopal Gas Leak case. [2002; 20 Marks]
22. “International law has progressed by leaps and bounds; yet the theoretical controversy about the nature of international law is far, from over.” Comment. [2001; 20 Marks]
23. Highlight the significance of “judicial decisions” as a source of international law. [2001; 20Marks]
24. “International Law is a ‘weak-law.’” Do you agree with this statement? Give reasons.[2000;20 Marks]
25. The theory of consent as the binding force of international law. [2000; 20 Marks]

2. Relationship between international law and municipal law

1. What are the various theories prevalent for deciding the relationship between International Law and Domestic Law? How do the National Courts in India apply the International Law? [2019;20 Marks].
2. What are the theories relating to relationship between International Law and Municipal Law? Elaborate. [2017; 10 Marks]
3. Discuss how International Law becomes part of the law of the land in India. In case of conflict between the International Law and Municipal Law, which one would be applied by the Municipal Courts of this country? Explain. [2016; 20 Marks]
4. "In the ultimate analysis individuals alone are the subjects of International law." Comment. Also discuss the Transformation theory in the context of the relation between International law and Municipal law. [2015; 15 Marks]
5. Define the concept of 'opposability' in the context of relationship between International Law and Municipal Law. Also discuss the relevance of this concept in modern times with special reference to India. [2014; 15 Marks]
6. "Due to increasing penetration of international legal rules within the domestic systems, the distinction maintained between two autonomous zone of international and municipal law has been somewhat blurred." Explain with special reference to Indian practice. How international legal rules emanating from customs and treaties, influence the actions of domestic agencies? [2013; 10 Marks]
7. With reference to the relationship between international law and municipal law, discuss the 'transformation' and 'specific adoption' theories. How can these two theories be harmonized with reference to States' obligations under relevant international law. [2012; 12 Marks]

8. “In practice the relationship between International Law and Municipal Law exists in the mixture of International Law supremacy, Municipal Law supremacy and a coordination of legal system.” Comment on the aforesaid statement of Edward Collins in the context of the relationship between International Law and Municipal Law. [2009; 20 Marks]
9. “The relationship between International Law and Municipal Law is one of co ordination and interdependence”. Discuss. [2003; 20 Marks]
10. “The relationship between international law and municipal law has posed a difficult problem to municipal courts, namely to what extent may such courts give effect within the municipal sphere to rules of international law. Clearly examine the criterion which has been adopted by municipal courts to resolve this issue. [2001; 30 Marks]
11. Assume that as part of continuing bilateral treaty making with its neighbors, India agrees to cede certain parts of its territory to Pakistan and to lease certain parts to Bangladesh. How should these agreements be ratified to be binding under international law? [2001; 30 Marks]

3. State recognition and state succession

1. What do you mean by State-Recognition? What are the legal effects of recognition? Differentiate between de-facto and de-jure recognition. [2019; 10 Marks]
2. International Law evidences the evidentiary theory of recognition. Discuss. [2016; 10 Marks]
3. Define and distinguish between the following:
 - (i) Recognition of State and Recognition of Government
 - (ii) De facto and De jure recognition

Also explain the concept 'Collective recognition'. [2015; 15 Marks]
4. Recognition confers the legal status of a State under International Law upon the entity seeking recognition. Important legal effects are being derived from recognition. Critically examine the statement [2014; 10 Marks]
5. The Arbitration Commission of European Conference on Yugoslavia emphasized in opinion no. 2 that "it is well established that whatever the circumstances, the right to self-determination must not involve change to existing frontiers at the time of independence (Uti possidetis juris) except where the states concerned agree otherwise." [2013; 10 Marks]
6. "States are subject to a duty under International Law to recognize a new State fulfilling the legal requirements of Statehood, but the existence of such a duty is not borne out by the weight of precedents and practices of States. The decision of a State in according or withholding recognition is a matter of vital policy that each State is entitled to take by itself." Reconcile and argue which of these two statements (extreme views) regarding recognition of a State given by Lauterpacht (obligatory)

and by Podesta Costa (Facultative) is more appropriate, with the help of instances in regard to de facto and de jure recognition. [2013; 25 Marks]

7. What is meant by right of national self determination of peoples and what is its role in the creation of a new State? Critically examine how minority right can be protected while balancing the territorial integrity of State at the same time. [2012; 30 Marks]

8. "The distinction between 'de jure/de facto recognition' and 'recognition as the de jure and de facto government' is insubstantial, more especially as the question is one of intention and the legal consequences thereof in the particular case. If there is a distinction it does not seem to matter legally." Comment and discuss the distinction between the two. [2011; 30 Marks]

9. Discuss with illustrations the law and the practice of various States in relation to non-recognition of governments. [2010; 30 Marks]

10. Examine critically the different views regarding the recognition of States, highlighting the legal consequences of acts of recognition and policies of non-recognition. Also mention the difference between 'express recognition' and 'implied recognition'. [2009; 30 Marks]

11. International practice supports the evidentiary theory as to the nature, effect and function of recognition. Comment. [2007; 30 Marks]

12. "A State is, and becomes, an international person through recognition only and exclusively." Discuss. Is there any duty under International Law to recognise a State? [2006; 20 Marks]

13. What do you understand by state succession? To what extent does succession take place to (a) the treaty rights and obligations, and (b) contractual obligations of the extinct state? Explain. [2005; 30 Marks]

14. "The granting of recognition to a new state is not constitutive but a declaratory act." Do you agree with this view? Discuss the theories of recognition and state which theory is correct in your view. [2004; 30 Marks]

15. Explain Recognition of a State and Recognition of a Government. [2003; 20 Marks]

16. Recognition of a State and Recognition of a government [2001; 20 Marks]

17. A revolution takes place in State 'X'. 'Y' seizes power in an unconstitutional manner by installing himself as the Head of State 'X'. What principles will govern the question of recognition of Y' as the Head of States 'X' on the part of other states? What consequences will ensure if recognition is accorded or refused? [2000; 30 Marks]

18. A foreign bank has given a loan to the Government of State 'A' for the improvement of roads in 'X', a province of State 'A'. 'X' is subsequently ceded to State 'B'. The Government of State 'B' refuses to accept any responsibility of the loan. Is State 'B' entitled to do so? Discuss. [2000; 30 Marks]

4. Law of the sea: Inland waters, territorial sea, contiguous zone, continental shelf, exclusive economic zone, high seas

1. Exclusive Economic Zone and the rights of other States thereto [2019; 7.5 Marks]
 - 1A. Doctrine of Innocent Passage [2019; 7.5 Marks]
2. “Continental Shelf was regarded as the natural prolongation of the land mass of the coastal state.” Critically examine the Delimitation of the Continental Shelf with the help of relevant case law of the International Court of Justice (ICJ) [2018; 20 Marks]
3. Define ‘high seas’. Discuss in brief the provisions of the convention on high seas. Is freedom of fishing on high seas recognized? [2017 20 Marks]
4. Discuss the law of delimitation of the continental shelf of a State including the continental shelf common to two or more States. [2016; 20 Marks]
5. Discuss the functions, powers and jurisdiction of the International Tribunal for the Law of the Sea (ITLOS) established under the UN Convention on the Law of the Sea, 1982. [2016; 15 Marks].
6. Under modern International law what meaning has been assigned to the term ‘High Sea’? Explain. Also discuss the scope of the concept of freedom of the High Sea with reference to legality of nuclear test in the areas of High Sea. [2015; 15 Marks]
7. What ‘Fishery zone’? How it is different from ‘Exclusive Economic Zone’? Do you agree with the statement that ‘a coastal state has a special interest in the maintenance of the productivity of the living resources in any area of the high seas adjacent to its territorial sea’. Elucidate. [2014; 15 Marks]
8. What is the importance and meaning of ‘Base Line’ under UN convention on Law of Sea 1982? How is it determined? [2014; 15 Marks]

9. Explain the right and duties of coastal state over continental shelf, exclusive economic zone and high seas as defined under the provisions of UN Convention on Law of Sea (UNCLOS-III), 1982. [2013; 10 Marks]
10. Having regard to the United Nations Convention on Law of Sea (UNCLOS-III), which came into force in 1994, and its two predecessor UN Conventions on the Law of the Sea, analyse how far these conventions have been able to effectively codify customary international law of sea. [2012; 30 Marks]
11. "Vessels on the high seas are subject to no authority except that of the State whose flag they fly. In virtue of the freedom of the sea, that is to say, the absence of any territorial sovereignty upon the high seas, no State may exercise any kind of jurisdiction over foreign vessels upon them." Give a critical appraisal of this principle in the light of the case law and views of the International Law Commission. [2011; 30 Marks]
12. 'Piracy jure gentium' on High Seas [2009; 20 Marks]
13. Laws relating to Territorial Waters, Continental Shelf and High Seas. [2008; 20 Marks]
14. Define 'Continental Shelf' and distinguish it from 'Exclusive Economic Zone'. Critically evaluate the rights and obligations of coastal states in the Exclusive Economic Zone. [2007; 30 Marks]
15. Territorial Sea [2007; 20 Marks]
16. Discuss the provisions relating to the exercise of control by a coastal state over the artificial islands, installations and structures constructed by it in the Exclusive Economic Zone and the conservation and utilisation of living resources therein. [2005; 30 Marks]
17. Explain the scope of the concept of freedom of the High Seas and discuss also the legality of nuclear tests in the areas of High Sea. [2004; 20 Marks]
18. "The Law of Sea Convention 1982, does not bestow on landlocked states any definite right of transit." Do you agree with this statement? Give reasons. [2004; 30 Marks]
19. Explain the juridical basis of claim of a coastal state over the continental shelf in the light of North Sea Continental shelf cases decision. [2003; 30 Marks]

20. 'The legal regime of the Continental Shelf has undergone profound changes.' What is the present concept of Continental Shelf? [2002; 20 Marks]
21. A private Korean ship delivered some narcotics and philanthropic drugs to an Indian national near Madras, well within the territorial waters of India. The Indian coastguards came to know about it and chased the Korean ship which started moving in full speed towards Colombo. Before it could be captured by the Indian coastguards, the ship entered the Sri Lankan territorial waters. Indian guards entered the Sri Lankan waters, captured the Korean ship and brought it to Indian. The Sri Lankan Government protested. Discuss the legal position of India under international law in relation to the right of hot pursuit. [2001; 30 Marks]
22. Anglo-Norwegian Fisheries case and the Straight base-line method. [2001; 20 Marks]
23. Exclusive Economic Zone (EEZ) and Contiguous Zone. [2001; 20 Marks]

5. Individuals: Nationality, statelessness; Human rights and procedures available for their enforcement

1. It is generally viewed that “Rights and Duties are correlative”. However, the International Human Rights Movement has developed, more as rights-oriented than duties oriented. Why has this happened? Explain with the help of various International Human Rights instruments. Can you think of a “Human Duty Movement” instead of a “Human Rights Movement”? [2018; 10 Marks]
2. Define ‘Nationality’. What are the modes of acquisition and loss nationality? What is the position of nationality of married woman? [2017; 15 Marks]
3. Discuss the status of individual in International Law especially with respect to Human Rights Treaties. [2016; 10 Marks]
4. “A man’s nationality is a continuing legal relationship between the sovereign state on the one hand and the citizen on the other.” Explain the above statement. Also mention the difference between ‘nationality’, ‘double nationality’ and ‘statelessness’. [2015; 15 Mark]
5. “State are not under a duty to recognize a nationality acquired by a person who has no genuine link or connection with the naturalizing state.” In the light of above statement, explain the concept of ‘nationality’ and its acquisition with the help of suitable instances. [2013; 10 Marks]
6. Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, 1966 providing an enforcement mechanism for individual in the international sphere is a watershed moment for the enthusiasts of second generation rights. Discuss the proposed mechanism, its significance and viability. [2012; 30 Marks]
7. ‘The Universal Declaration of Human Rights is comprehensive and has to some extent affected the content of national laws, being expressly invoked by tribunals, yet it is not a legal instrument and some of its provisions could hardly be said to represent legal rules. Some of its provision either constitute general principles of law or represent element considerations of humanity. Perhaps its greatest significance is that it provides an

authoritative guide, produced by the General Assembly, to the interpretation of the provisions in the Charter.’

Comment and discuss the importance of the Universal Declaration of Human Rights. [2011; 15 Marks]

8. “A human rights violation is now conceived as a violation not only of those personally and directly aggrieved but of everybody.” Examine critically the above statement with reference to present scenario of our country and rest of the world. [2009; 20 Marks]

9. Globalisation and Human Rights. [2008; 20 Marks]

10. Discuss the position of “individual” in international law. [2003; 20 Marks]

11. Discuss the position of an individual under the European Convention on Human Rights. in what way has the position of an individual been further improved by the convention? Examine in the light of lawless case [2001; 30 Marks]

6. Territorial jurisdiction of States, extradition and asylum

1. What do you understand by territorial jurisdiction of States? Do you agree with the view that Right to Seek Asylum is firmly established under International Human Rights Law? If so, substantiate your answer with reasons. [2019; 20 Marks]
2. “Where Extradition begins Asylum ends.” Critically examine the above statement with special reference to extraditable persons and extradition crimes. [2018; 10 Marks]
3. Discuss the scope of right of asylum under International Law and explain ‘territorial’ and ‘extra-territorial’ asylum. [2017; 15 Marks]
4. Can India invoke the India-UK Mutual Legal Assistance Agreement for extraditing an Indian national who has run away to UK in spite of an Indian Court order in respect of fraud and money laundering against him? Explain. [2016; 15 Marks]
5. Evaluate the importance and relevance of ‘Extradition Treaty’, under International law. Is a state liable to extradite an offender, who has been accused of a political murder in a neighbouring state ? Give reasons. [2015; 10 Marks]
- 5A. What is the meaning of the term ‘Territorial Asylum’, under International law ? What are its major components? And how is it different from the term ‘Territorial Sovereignty’? Discuss. [2015; 15 Marks]
6. International Law sets little or no limitation on the jurisdiction which a particular State may arrogate to itself. Explain the nature and scope of ‘State Jurisdiction’. Critically examine the principles of ‘State Jurisdiction’. [2014; 10 Marks]

7. What do you understand by the concept 'Diplomatic Immunity'. What rules are provided under International Law in this respect. Discuss. [2014; 10 Marks]
8. Trace the development of International Law relating to sovereignty over air-space. Critically examine the scope of legal control of use and abuse of outer space. [2014; 15 Marks]
9. "Asylum stops as it were when extradition begins". Comment. Also explain the various principles of extradition with reference to leading cases. [2014; 20 Marks]
10. A group of three men (L, M and N) citizens of country A, posing as officers of premier investigating agency of A, rob a huge jewelry shop and then flee away to country, B where they are granted asylum. Government of A, requests B to extradite L, M and N in terms of extradition treaty between them. B declines. A sends spies to B who abduct L, M and N and who produce them before the Court in A. 'B' approaches ICJ against use of force by 'A'. Prepare (i) A brief of arguments for A, (ii) A brief of argument for B, (iii) Opinion of the Court. [2013; 25 Marks]
11. "Extradition as a rule is effected by bipartite treaty. There is, therefore, no duty to extradite in the absence of a treaty. Further, the extradition treaties normally relate only to serious crimes and impose the same obligation on both the parties concerned." Give your opinion on the correctness of this statement with reference to the existing position under the International Law. Also critically examine this practice in the light of ever increasing individual movements for trade and service to suggest necessary modifications in law. [2011; 30 Marks]
12. "India is neither a signatory to the 1951 Convention nor to the 1967 Protocol relating to the status of refugees and is already a signatory to other Universal Human Rights instruments. The Indian courts have taken the lead by resorting to judicial activism in protection of refugees with the aid of International Instruments, constitutional and various legislative provisions." Discuss. [2008; 20 Marks]
13. "Asylum ends where extradition begins." Explain fully. [2006; 20 Marks]

14. Discuss the basis of State jurisdiction. What are the exemptions to the territorial jurisdiction of State? [2006; 30 Marks]
15. “Aut dedere aut judicare” obligation is a common feature of the recent anti-terrorism conventions.” In the light of this statement explain the rules of International law pertaining to extradition of terrorists. [2005; 20 Marks]
16. What are the conditions for granting asylum in a diplomatic embassy? When is this asylum regarded irregular? Explain with illustrations. [2005; 30 Marks]
17. Discuss the principles on which the extradition of a fugitive offender is based. Is a state liable to extradite an offender, who has been accused of a political murder in a neighbouring state? Give reasons. [2004; 30 Marks]
18. “Every person is subject to the territorial jurisdiction of a state.” Critically examine the statement. [2000; 20 Marks]
19. Prevention and punishment of crimes against diplomatic envoys. [2000; 20 Marks]

7. Treaties: Formation, application, termination and reservation

1. Examine the extent and limits to which a treaty can confer rights and impose obligations on the third State which is not party to the treaty [2019; 15 marks]
2. Define "International Treaty" and explain the growing importance of treaties in Modern International Law. Can a multilateral treaty be terminated? If so, on what grounds? Explain. [2018; 10 Marks]
3. Discuss the provisions relating to amendment and modification of treaties under the Vienna Convention on Law of Treaties, 1969. [2017; 15 Marks]
- 3A. Explain the principles of 'Ratification of a Treaty'. Also examine the consequences of non-ratification of a treaty. [2015; 10 Marks]
4. A treaty is void if it conflicts with an existing or new or emerging peremptory norm of International Law or jus cogens at the time of its inclusion. Comment. [2016; 10 Marks]
5. Discuss whether the trend of convention providing a special clause prohibiting all kinds of reservations or some or specific or special kind of reservation or prohibiting reservations totally will hinder the growth of International Law. [2016; 10 Marks]
6. International Treaties are agreement of contractual character between States or organisation of States creating legal rights and obligations between the parties. Examine the statement critically and explain the growing importance of Treaties in Modern International Law. [2014; 10 Marks]
7. While conclusion a multilateral treaty, a State can make reservation(s) and the other State(s) may accept or reject such reservation(s) without jeopardizing the object and integrity of the treaty. Discuss the need and relevance of reservations in treaty law in the light of above statement. [2013; 10 Marks]

8. Identify and comment on the three major grounds for a State party to avoid its treaty obligations.
[2012; 12 Marks]
9. A reservation, which purports to exclude or to modify the legal effects or certain provisions of the treaty in their application to that State, is accepted in practice, if it is compatible with object and purpose of the treaty. Discuss the practice of deferent nations and opinion of ICJ regarding admissibility of reservation to the conventions. [2010; 20 Marks]
10. Explain critically the principle of 'jus cogens'. Distinguish between 'Equal Treaties' and 'Unequal Treaties'. Give examples and also discuss the salient features of Vienna Convention on the Law of Treaties. [2009; 30 Marks]
11. Explain the doctrine of 'Pacta sunt servanda'. What are the exceptions to the above doctrine?
[2007; 20 Marks]
12. Jus Cogens [20 Marks]
13. "In the eyes of International Law treaties are meant to be kept. Their obligation is perpetual."
Comment. [2006; 20 Marks]
14. Write a critical note on the provisions of the Vienna Convention on the Law of Treaties, relating to the grounds of invalidity, termination and suspension of the operation of treaties. [2005; 30 Marks]
15. Explain 'Jus cogens'. Examine critically the Articles on 'Jus cogens' in the Vienna Convention.
[2004; 30 Marks]
16. The principle 'Pacta sunt servanda' has long been recognised as a fundamental principle of International Law, which makes the treaty binding upon the parties to it, and must be performed by them in good faith (Vienna Convention). Explain. [2003; 30 Marks]

8. United Nations: Its principal organs, powers, functions and reform

1. “United Nations is designated as the foremost forum to address the issues that transcend the national boundaries, which cannot be resolved by a country alone.” In the light of this statement, discuss the functions of the General Assembly. [2019; 15 Marks]
2. “Membership of the Security Council is not democratic mainly because of its power. In view of that, the U.N Security Council should be expanded and should give more membership to other countries reflecting the demographic composition of the community of nations.” Explain. [2018; 15 Marks]
3. Does the International Court of Justice (ICJ) have the competence to determine its own jurisdiction? Discuss with case law. [2017; 10 Marks]
- 3A. The Republic of Marshall Islands (RMI) recently filed an application against India in the International Court of Justice (ICJ) alleging India’s breach of its obligation to pursue in good faith and conclude negotiations leading to nuclear disarmament. Would it fall under the compulsory jurisdiction of ICJ? Discuss. Also mention about the possibility of challenging this jurisdiction by India. [2015; 20 Marks]
- 3B. Critically examine the provisions of the UN Charter which enables the UN to perform its primary role of ‘peace keeping’ among nations. What is your assessment regarding this function of the UN? Suggest some measures or a road-map for this purpose. [2015; 20 Marks]
4. Do you agree with the statement that ‘United Nations is a World Government? Give reasons for your answer. [2012; 12 Marks]

5. In the light recent European crisis, critically assess the success of regional organizations of countries for cooperation in matters of trade and commerce. How far do geo-political proximities further economic cooperation? [2012; 30 Marks]
6. 'The United Nations is capable of legal development in accordance with the needs and circumstances. The Uniting for Peace Resolution, 1950 is its example.' Discuss the validity of this resolution. [2011; 30 Marks]
7. Normally the State are reluctant to resort to the International Court of Justice mainly due to political factor; the general conditions of international relations; the greater suitability of other tribunals; a flexibility of arbitration in compression jurisdiction and difficulty in getting enforcement of the decision of the court. However, the court has made a reasonable contribution in setting disputes. [2010; 30 Marks]
8. Would you support the idea of the general review of the United Nations Charter? Give reasons. Also give your opinion about the continuity of die 'Veto System'. What is the stand of India in these respects? [2009; 30 Marks]
9. How does the ICJ get jurisdiction over contentious disputes? Can a state be compelled to submit its dispute with another sovereign state without its consent? [2007; 20 Marks]
10. Discuss the powers of the Security Council to investigate any 'dispute' or 'situation' inimical to international peace and security. [2007; 30 Marks]
11. "The establishment of compulsory jurisdiction of the International Court of Justice is essential for the maintenance of international peace and security." Comment. Why are countries generally reluctant to accept the compulsory jurisdiction of the Court? [2006; 30 Marks]
12. What is the role of the United Nations in the promotion and protection of Human Rights? How far the Universal Declaration of Human Rights has been successful in creating a human rights culture? [2006; 30 Marks]
13. Discuss the jurisdiction of International Court of Justice. Who will decide as to whether the Court has jurisdiction or not? [2004; 30 Marks]

13. "The authors of the United Nations Charter were the first to regard respect for human rights as an instrument of peace." Explain the above statement in the light of the provisions of the U.N. Charter relating to the promotion of human rights. [2005; 20 Marks]
14. Critically examine the provisions of the United Nations Charter which enables the United Nations to perform its primary role of peace-keeping. Does the Charter require any reform in this respect? [2005; 30 Marks]
15. "The General Assembly has become more powerful than the Security Council of the United Nations." Do you agree with this view? Give reasons. [2004; 20 Marks]
16. Spell out the fundamental principles of the UNCTAD Charter of Economic Rights & Duties. [2002; 30 Marks]
17. Spell out the composition, functions and objectives of the I.L.O. How is the International Labour Code adopted by nations? What is the effect of this code on India's Labour Laws? [2002; 30Marks]
18. Do you agree with the view that voting procedure stated in Article 27 of the UN Charter has destroyed the efficiency of the Security Council? Discuss. [2001; 20 Marks']
19. Discuss the extent and scope of the doctrine of "forum prorogatum". [2001; 20 Marks]
20. Is the provision of the I.C.J. pertaining to the appointment of 'National Judges' belonging to the nationality of parties to a dispute, proper in the interest of justice? How are judgements of the courts enforced? Explain. [2000; 20 Marks]
21. "The power of veto has paralysed the Security Council." Do you agree with this view? Give reasons. [2000; 20 Marks]

9. Peaceful settlement of disputes - different modes

1. Discuss in brief, the various modes of peaceful settlement of international disputes. Do you think that these modes of settlement are effective or are any other mode required in the present scenario? [2019; 10 marks]
2. Define International Dispute. Explain the difference between peaceful settlement of disputes and compulsive settlement of disputes. Critically examine the growing importance of ADR methods in International Dispute settlement. [2018; 15 Marks]
3. Enumerate the various methods of Peaceful Settlement of International disputes. Elaborate on judicial settlement. [2017; 15 Marks]
- 3A. Discuss the various peaceful means of resolving International disputes. Which one according to you is more practical in the context of problems of the present day? Give reasons. [2015; 15 Marks]
4. “With the exception of disputes of an exclusively legal character which are usually submitted to arbitration of judicial settlement, it is purely a matter of policy or expediency which of the different methods is to be adopted for composing a particular difference between States.” Explain the different methods of peaceful dispute settlement envisaged by the United Nations Charter and examine the appropriateness of each in different situations. [2012; 30 Marks]
5. “The principle of State being obliged to “settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered” is generally bashed aside by the tendencies of the nation-states of being reticence to submit disputes to independent, impartial adjudication, particularly not accepting in advance the compulsory jurisdiction of an independent judicial body.” Explain the statement with reference at least to one such conflict

existing in the world and also prepare a module for promoting negotiations among nations, using new opportunities created by globalisation. [2011; 30 Marks]

6. Define and distinguish between 'arbitration' and 'judicial settlement' in the context of the rules of International Law. Also mention the relevant provisions regarding 'forum prorogatum'. [2009; 20 Marks]

7. Short Note: Manila Declaration, 1982 [2009; 20 Marks]

8. "Arbitration is the most efficacious mode of settlement of international disputes." Elucidate. Discuss the advantages and disadvantages of arbitration as a method of settling international disputes. [2006; 30 Marks]

9. What are the methods of settlement of disputes under International Law? Can use of force be one of the methods? Discuss. [2002; 30 Marks]

10. Discuss the recognized procedure, with special reference to the Hague Convention, for peaceful settlement of international disputes. How can the arbitral award be enforced against a state refusing to submit to it? [2000; 30 Marks]

10. Lawful recourse to force: aggression, self-defense, intervention

1. What are the rules of International Law governing the lawful use of force by the States in the exercise of their inherent right of self-defence? [2019; 10 Marks]
2. Comment on the provisions relating to prohibition of use of force and exceptions thereto under the U.N. Charter, 1945. [2017; 10 Marks]
3. Define intervention and mention the grounds under which it is justified. Also throw light on the violations this principle of International Law. [2014; 15 Marks]
4. The concepts of 'necessity' and 'proportionality' are the heart of self-defence in International Law. Explain, the light of UN Charter and recent trend of extending these to 'pre-emptive' or 'anticipatory' self-defence due to 'the imminence of attacks and advancement in armaments'. [2013; 25 Marks]
5. Chapter VI of UN Charter is devoted to peaceful settlement of International Disputes. Discuss the methods mentioned and explain the role of Security Council and General Assembly in this regard, and the role such settlement plays in obviating the need to resort to Chapter VII measures. [2013; 25 Marks]
6. 'Legal restraint on the use of force' is the fundamental postulate on which the conception of enforcement of peace is based upon in modern international law. Enumerate and elucidate various international legal instruments with the help of which this concept is actually practiced. [2012; 30 Marks]
7. "It is evident that general International Law does not prohibit intervention under all circumstances, forcible interference in the sphere of interest of another State is permitted as reaction against violation of International Law." Critically examine the statement. [2008; 30 Marks]

8. Define intervention and state the grounds under which it is justified under International Law.
[2005; 20 Marks]
9. In what circumstances may the use of force be legal under the United Nations Charter?
Critically comment. [2005; 20 Marks]
10. Explain the forcible methods of settlement of international disputes. [2004; 20 Marks]
11. Short Note: Self-defence [2003; 20 Marks]
12. Make out a case in favour of or against (any one) terminating diplomatic relations with a country during the state of hostilities. [2002; 30 Marks]

11. Fundamental principles of international humanitarian law - International conventions and contemporary developments

1. What is the difference between International Humanitarian Law and International Human Rights Law? [2019; 10 marks]
2. "Certain provisions of the four Geneva Conventions (1949) and their additional protocols of 1977 have assumed the status of customary principles (jus cogens) of IHL today. Do you agree with the above statement? Justify your argument in the light of common Article 3 of the four Geneva Conventions. [2018; 20 Marks]
3. What are the factors that govern the recognition of insurgency and belligerency? [2017; 10 Marks]
4. Elucidate the fundamental principles of International Humanitarian Law as envisaged under International Conventions. [2017; 15 Marks]
- 4A. Discuss the efficacy of International Humanitarian law in the protection of Prisoners of War. [2015; 10 Marks]
5. What are the essential differences between the International Humanitarian Law and International Human Rights Law? Explain. [2016; 15 Marks]
6. Explain the concept of 'International Humanitarian Law'. How can it be achieved? Critically examine the role of 'The Hague' and 'The Geneva Convention' in the development of Modern International Humanitarian Law. [2014 20 Marks]
7. A member of European Union has witnessed widespread disturbances, consequent upon a military coup, including censorship on all forms of media and communication, targeting civilians

sympathetic with the ousted by assaulting and killing, severe rationing and control on essential commodities such as fuel and food resulting into galloping inflation. In the light of these grave violation of human right, examine the role of :

(i) Security Council

(ii) European Court of Human Rights [2013; 25 Marks]

8. “The rules of the humanitarian law of war have clearly acquired the status of ‘just cogens’, for they are the fundamental rules of a humanitarian character, from which no derogation is possible without negating the basic consideration of humanity which they are intended to protect.” Evaluate the above statement and also point out the major distinction between humanitarian law and law relating to human rights. [2012; 12 Marks]

9. The four Geneva Conventions of 1949 for the protection of war victims cover the wounded and sick and land warfare; the wounded, sick and ship-wrecked in warfare at sea; prisoners of war; and civilians. Discuss these protections. [2011; 30 Marks]

10. “Humanitarian Law is no longer Geneva and the Hague Law but transcends these conventions to reach cosmic stature and seek expression through the United Nations and other transnational instruments.” Discuss with reference to growth and development of International Humanitarian Law in the present century. [2009; 15 Marks]

11. State ‘A’ and ‘B’ are at war with each other. Examine the effect of the war on the following treaties: (i) An extradition treaty between the States ‘A’ and ‘B’ (ii) The Convention of Traffic in Narcotic Drugs 1926, to which States ‘A’ and ‘B’ are the parties, (iii) The Geneva Prisoners of War Convention, to which States ‘A’ and ‘B’ are the parties. [2000; 30 Marks]

12. Sanctions of International Humanitarian Law. [2000; 20 Marks]

12. Legality of the use of nuclear weapons; ban on testing of nuclear weapons; Nuclear - non proliferation treaty, CTBT

1. Explain the main provisions of the Treaty on the Prohibition of Nuclear Weapons, 2017. Do you think it can lead to complete elimination of nuclear weapons? [2017; 20 Marks]
2. Discuss the legality of the use of nuclear weapons in International Law. [2006; 30 Marks]
3. Comment on the 'Legality of use or threat of atomic and nuclear weapons. [2003; 30 Marks]
4. Give a brief account of attempts made in the international field for limitation of armaments. What, according to you, hinders the proposals to prohibit the production, possession and use of automatic weapons? [2000; 30 Marks]

13. International terrorism, state sponsored terrorism, hijacking, international criminal court

1. “The effectiveness of the International Criminal Court depends on the degree of co-operation provided by the States. This co-operation concerns not only the State-party to the International Criminal Court but also the non-party State.” Discuss. [2019; 10 Marks]
2. Critical Notes: State-sponsored terrorism [2019; 10 Marks]
3. Explain the concept of terrorism in the context of current technological developments. Do you justify counter terrorism as an effective strategy to deal with terrorist activities? Is the existing legal regime effective in dealing with emerging new terrorist threats? Explain. [2018; 15 Marks]
4. Define ‘Hijacking’ and discuss the main provisions of the Hague Convention,1970. [2017; 10 Marks]
5. “International Terrorism is a threat to world order and peace.” Elucidate. Also define the term ‘International Terrorism’. What major steps have been taken up by the developed, and developing countries in this respect? Discuss. [2015; 10 Marks]
6. What is international terrorism? Discuss various actions taken by the United Nations to eliminate the causes underlying international terrorism. [2011; 15 Marks]
7. Enumerate the main features of International Criminal Court. What credit would you attribute to the functioning of this Court? What are the major drawbacks of this Court? Discuss, in this context, the possible amendments to the Regulations of the International Criminal Court. [2009; 30 Marks]
8. International Criminal Court [2005; 20 Marks]
9. State sponsored terrorism [2003; 20 Marks]
10. What steps, within the framework of International Law do you suggest India should take to eliminate state sponsored cross-border terrorism? [2002; 20 Marks]

11. 'Looking to the alarming transnationalisation of crimes, the idea of International Criminal Law and such Criminal Court appears attractive, but it has heavier limitations.' Please comment. [2002; 30 Marks]

14. New international economic order and monetary law: WTO, TRIPS, GATT, IMF, World Bank

1. Do you agree with the statement that “Globalization is a necessary evil”? Critically examine the implications of the reform process undertaken by the IMF and IBRD by way of structural adjustment, programmes and policies on developing countries, with special reference to India. [2018; 10 Marks]
2. Explain the differences between Paris and Bern Regimes. Do you agree with statement that “The Trade Related Intellectual Property Rights (TRIPs) is nothing but mere repetition of the Paris and Bern Conventions. Discuss. [2018; 15 Marks]
3. It is generally viewed that “What the U.N. did in the 20th century for maintenance of peace and security, the W.T.O is going to play the same role on economic and trade relations in 21st century.” Discuss the above statement in view of the changing notion of political sovereignty to economic sovereignty of State. [2018; 15 Marks]
4. The Dispute Settlement Body (DSB) of the World Trade Organization (WTO) is playing an important role in maintaining the stability of the global economy. Comment. [2017, 15 Marks]
5. In several respects the TRIPS Agreement goes beyond the traditional GATT approach and further develops the law of International Trade’. Examine the important achievement of the Agreements on Trade Related Aspects of Intellectual Property Rights. (TRIPS). [2014; 15 Marks]
6. What are the objectives, structure and functioning of World Trade Organisation? Does signing and ratifying WTO undermine the Parliamentary Autonomy of India? Discuss. [2014; 20 Marks]
7. Comment on the statement that ‘WTO’ is the main organ for implementation of Multilateral Trade Agreements and is the third economic pillar or the worldwide trade and commerce. [2010; 20 Marks]

8. How would you react to the statement that TRIPS agreement on the one hand is a historic act but on the other hand it failed to achieve the goals of improving trading powers and trade issues of the least developed countries? Comment. [2010; 30 Marks]
9. Explain the concept and characteristics of 'Third World Countries'. Critically examine the demands and the achievements of 'Third World Countries' in shaping New International Economic Order. [2008; 20 Marks]
10. "International Organisations are very important to International Trade Law." Examine the role of relevant International Organisations involved in the development of International Trade Law. [2008; 20 Marks]
11. Explain the need, objectives and outcome of the Bretton Woods Conference of 1944. Discuss the similarities and distinctions between the International Monetary Fund (IMF) and the 'International Bank for Reconstruction and Development (IBRD).' Critically examine the role of IMF and IBRD initiatives in the liberalisation, privatisation and globalisation of economies, while focussing on the problems of the developing countries. [2008; 30 Marks]
12. India's accession to the WTO : Pros and Cons. [2008; 20 Marks]
13. "WTO aims at progressive liberalisation of world trade in goods and services and protection of intellectual property rights." Explain. How WTO is a facility extending the institutional structure of GATT? [2006; 30 Marks]
14. WTO and TRIPS [2003; 20 Marks]
15. What will be the eclipsing reach of the proposals in the WTO and the GATT Final Act on the Municipal law in India? [2002; 30 Marks]

15. Protection and improvement of the human environment: International efforts

1. Critical Notes: International efforts towards protection and improvement of human environment [2019; 10 Marks]
2. Do you agree with the statement that “Beginning with the Stockholm Declaration of 1972, there has been an increased reliance upon non-binding international instruments dealing with environment”? Why has this trend developed and have these instruments been more useful than treaties? Explain. [2018; 15 Marks]
3. What do you mean by Human Environment? Discuss the role of United Nations Organisation (UNO) in protecting and improving the human environment. [2017; 20 Marks]
- 3A. Critically evaluate the laws/conventions/practices available for the protection and preservation of marine environment under International law. Also discuss the rules provided under International law for ‘transit passage’ and its abuses. [2015; 20 Marks]
4. The Stockholm Conference of 1972 on the human environment served to identify those areas in which rules of International environment law, acceptable to international community as a whole can be laid down, and as well as those areas in which the formation of environmental rules must encounter insurmountable obstacles. Discuss the principles of international environment law proclaimed in the Stockholm Declaration. [2011; 15 Marks]
5. “The general principles and prescriptions of International Law are not without applicability to problems of transnational pollution - an environmental degradation. Thus fundamental principle of international law limits action by one State which would cause injury in the territory of another state “

“There has been general recognition of the Rule that a State must not permit the use of its territory for purposes injurious to the interest of another State”. Explain. [2008; 30 Marks]

6. The 1972 Stockholm “Declaration on Human Environment” and “Action Plan on Human Environment” create a new relationship of rights and obligations between developed and developing countries. Explain. [2005; 30 Marks]

7. Assess the contribution of the Johannesburg World Summit on Sustainable Development (W.S.S.D.-August, 2002) and New Delhi 8th Conference of the Parties (C.O.P.-8 October, 2002) in combating climate change. [2004; 30 Marks]

8. Discuss the concept of ‘sustainable development’ highlighting contents of the Rio Declaration [UNCED] relating to protection of human environment. [2003; 30 Marks]

1. General principles of criminal liability: Mens rea and actus reus, mens rea in statutory offences

1. Even without mens rea there are certain acts, which are offences under the Indian Penal Code, 1860. Enumerate such offences. [2019; 10 Marks]
2. "Whether the maxim "actus non facit reum nisi mens sit rea" in general and the Common Law doctrine of "mens rea" as an independent doctrine in particular are relevant in the interpretation of provisions of the Indian Penal Code?" Explain the above in the light of justice opinions and judicial pronouncements. [2018; 10 Marks]
3. "In determining the quantum of criminal liability, the law takes into account the motive, magnitude and character of the offender." Examine this statement in the light of absence of mens rea in statutory offences. 10 marks
4. "Prevention of Corruption Act, 1988 is an important legislation to safeguard democracy in India." Discuss. [2014; 20 Marks]
5. 'Although the requirements of mens rea are general throughout the criminal law, there are numerous exceptions to it'. Explain with illustrations.[2009; 20 Marks]
6. Discuss the importance of mens rea in relation to criminal law. Also explain the role of mens rea in statutory offences with the help of relevant case law. [2005; 30 Marks]
7. A corporation aggregate cannot be fastened with criminal liability. [2002; 20 Marks]
8. It is not at all in doubt that the proof of existence of guilty intent is an essential element in a crime under common law. [2002; 20 Marks]

2. Kinds of punishment and emerging trends as to abolition of capital punishment

1. “Fake police encounters are nothing but murders and police officers committing it without any protection of law to them, deserve death penalty as the cases fall into rarer of the rarest category.”
Comment. [2013; 10 Marks]
2. What test has the Supreme Court prescribe to understand ‘the rarest of the rare cases theory’ while inflicting capital punishment? Can one argue that capital punishment in any case in against human right jurisprudence? [2010; 30 Marks]
3. Describe the kinds of punishments to which offenders may be punished under the provision of Indian Penal Code, 1960. [2007; 20 Marks]
4. “Compensation to the victims of crime in India is the vanishing point of criminal jurisprudence.”
Comment. [2006; 20Marks]
5. “In murder cases sentence of imprisonment for life is the rule and death sentence an exception”. Discuss. [2003; 30 Marks]

3. Preparation and criminal attempt

1. “In order to constitute criminal attempt, the act caused must be proximate to the intended result.” Explain the observation with the help of decided case law. [2017; 15 Marks]
2. Discuss various stages of crime. How is the stage of attempt punishable under the Indian Penal Code? [2014; 10 Marks]
3. “Offence does not happen all of a sudden, it passes through some stages.” Discuss and distinguish between preparation to commit offence and an attempt to commit an offence. [2008; 20 Marks]

4. General Exceptions

1. Right to private defence under the Indian Penal Code, 1860 is available only to an innocent person. It is not a right to retribution. Analyze. [2019; 10 Marks].
2. "Act done by me against my will, is not my act." Examine in the light of legal provisions of the Indian Penal Code, 1860. [2019; 10 Marks]
3. "Right of private defence to the extent of causing death of an assailant cannot be based on the surmises and speculation. The accused must be under a bona fide fear of death or grievous hurt would otherwise be the consequence of the assault, if he does not defend. To determine the existence of apprehension is always a question of fact." Explain the above proposition in the light of existing legal provisions and judicial decisions.[2018; 10 Marks]
4. "Law recognizes that 'mistake' must be in good faith." In this backdrop, explain the defence of 'mistake' contained under General Exceptions of the Penal Code. [2017; 10 Marks]
5. "A man is not criminally responsible for unintended and unknown consequences of his lawful acts performed in a lawful manner, by lawful means with proper care and caution." Elucidate. [2016; 15 Marks]
6. What is meant by right of private defence? What are the general principles which form the basis of right of private defence? [2014; 10 Marks]
7. "The maxim is 'volenti non fit injuria' and not 'scienti non fit injuria'." Explain. [2014; 10 Marks]
8. "The age of a child must be considered in deciding whether it has been guilty of contributory negligence." Discuss and refer to case law. [2014; 10 Marks]
9. "The word 'Voluntary' as used in the Indian Penal Code is very significant and it does not mean willingly but knowingly or intentionally." Explain. [2013; 10 Marks]

10. "Involuntary drunkenness is a defence." Critically examine the law relating to intoxication as defence. [2013; 10 Marks]
11. X, the producer of a film showing life of 'homosexuals', is prosecuted under Section 292 of the Indian Penal Code, alleging that the film was obscene and indecent. The film was certified by the Censor Board of Film of India for public shows. X intends to claim protection against his charge under Section 79 of the Indian Penal Code. Can he do so? Justify your answer. [2013; 25 Marks]
12. "The expression 'good faith' has a definite identity in the Indian Penal Code." Discuss. [2012; 10 Marks]
13. The accused (appellant) was separated from his wife. She was living with her father. The accused was keeping their youngest child with someone else. During the noon of a day, his wife took away the child from that someone. The accused, on hearing this, reached his father-in-law's place and quarreled. Later in the evening of the same day, the accused stabbed his father-in-law and he died. Discuss in the light of legal provisions whether the accused would have any lawful defence in this case. [2012; 20 Marks]
14. "The Indian Penal Code gives protection to one who does an act in good faith for the benefit of another." Discuss. [2011; 15 Marks]
15. "The Indian Penal Code extends protection to acts done by misfortune under certain circumstances." Discuss. [2011; 15 Marks]
16. 'A' with the intention of bringing "Hashish", a prohibited drug in India, stealthily brought in his bag a cover believing that it contains "hashish" while coming from Bangladesh to India. While trying to sell the same to 'B' a dispute regarding its price arose. B grudgingly informed the police who opened the bag. It was found that it was a harmless snuff power and not hashish. Discuss the liability of A. [2011; 30 Marks]
17. An army Jawan X who was away from his home for the last two years, requested his senior Y for leave, which Y refused. Annoyed at this, X fired two shots at Y, one shot hitting Y beneath the

knee of the right leg as a result of which he fell down. X fired another shot which hit Y at the upper left arm. Y died after then days. Discuss the liability of X. [2011; 30 Marks]

18. "Under the Indian Penal Code there is no right of private defence in which there is time to have recourse to the protection of public authorities." Examine [2010; 20 Marks]

19. 'Necessity knows no law'. Comment giving illustrations [2009; 20 Marks]

20. "Right of private defence can be exercised only against the offender." Explain and discuss also the circumstances when even death can be caused of the accused in exercise of right of private defence of property. [2008; 30Marks]

21. Under what conditions may the defence of insanity be pleaded on behalf of an accused? [2005; 20 Marks]

22. Discuss the law relating to commencement and continuance of the right of private defence of property. When does the right of private defence of property extend to the causing of death? [2004; 30 Marks]

23. "An act which is done by one against his will is not his act." Discuss. [2003; 20 Marks]

24. The defence of irresistible impulse has frequently been rejected in charges of murder. [2002; 20 Marks]

25. "Nothing is an offence which is done by a person who is bound by law to do it." Discuss. [2001; 20 Marks]

26. "Mere medical insanity is not a valid defence under the Indian Penal Code but legal insanity is." Discuss. [2001; 20 Marks]

5. Joint and constructive liability

1. A group of persons decided to act in concert with common intention to commit rape on victim (V). More than one person from the group, in furtherance of common intention, acted in concert in the commission of rape as per pre-arranged plan. One lady member of the group facilitated the commission of such rape by many persons of the group. The essence of liability in such situation being the existence of common intention. Decide the criminal liability of the following members of the group
Who were members of the plan but did not participate in the act
Who committed rape
The sole lady member who lent full facilities for the commission of rape. [2018; 15 Marks]
2. “Section 34 is incorporated in the Indian Penal Code to deal with the cases where it is very difficult to distinguish precisely the part taken by each individual in criminal act.” [2017; 20 Marks]
3. Discuss the rules regarding joint and constructive liability in Criminal Law. Do you find any distinction between similar intention and common intention? [2008; 20 Marks]

6. Abetment

1. “The abetment of the illegal omission of an act may amount to an offence although the abettor may not himself be bound to do that act.” Explain and illustrate. [2014; 10 Marks]
2. “There may be an element of abetment in a conspiracy but conspiracy is something more than an abetment.” Discuss with illustrations. [2012; 20 Marks]
3. Distinguish common intention from abetment and criminal conspiracy. [2010; 20 Marks]
4. “An abetment of an offence being a complete offence by itself, an attempt of abetment of an offence is also an offence.” Examine. [2006; 20 Marks]
5. X strikes Y with a stick. Y is by this provocation excited to violent rage. Z, a bystander intending to take advantage of Y’s rage and to cause him kill X, puts a knife into Y’s hand for that purpose. Y kills X with that knife. What offence is committed by Y and Z? Explain and discuss with reasons. [2005; 30 Marks]
6. “Whenever an illegal omission of an act is abetted, the same may amount to an offence although the abettor may not be bound to do that act.” Discuss. [2003; 20 Marks]

7. Criminal Conspiracy

1. "The law making conspiracy a crime is designed to curb immoderate power to do mischief which is gained by a combination of the means." Explain. [2016; 15 Marks]
2. "To constitute the offence of conspiracy there must be an agreement of two more persons to do an act which is illegal or which is to be done by illegal means for one cannot conspire with oneself." Discuss. [2006; 30 Marks]

8. Offences against the State

1. "Section 124A of the IPC dealing with sedition is ultra-vires of the Constitution insofar as it seeks to punish merely bad feelings against the Government. It is an unreasonable restriction on freedom of speech and expression guaranteed under Article 19(1)(a) and is not saved under Article 19(2) of the Constitution by the expression "in the interest of public order". Comment. [2016; 20 Marks]
2. "Merely doing certain acts that would bring the Government established by law into hatred or contempt is not the decisive ingredient of Sedition." Discuss. Also state the view of Law Commission of India about reforms of this provision. [2011; 30 Marks]
3. "The constitutional validity of Section 124A of Indian Penal Code was questioned in Kedar Nath Singh" on the ground of the provision of the section being in violation of freedom of speech and expression." Briefly discuss the contentions and give reasons for or against the decision in the said case. [2004; 20 Marks]



9. Offences against public tranquility

1. The offence of riot is not committed unless all the five elements are present. [2002; 20 Marks]

10. Offences against human body

1. "Every culpable homicide and murder is necessarily a hurt, but every hurt is a culpable homicide and murder." Elucidate. [2019; 20 Marks]
2. In view of the consistent opinion rendered in Aruna Shanbaug case and also considering the socio-legal medical and constitutional significance of Euthanasia, do you consider that the view expressed by the Constitutional Bench of Supreme Court in Common Cause (Architecture Regd. Society) vs. Union of India (2018) is conclusive? Comment critically. [2018; 10 Marks]
3. "Section 300 (4) of the Indian Penal Code will be applicable in cases where the knowledge of the offender as to the probability of death of a person approximates to practical certainty." Illustrate the above statement. [2018; 20 Marks]
4. Six people decided to carry out dacoity of a bank in a village. They went to the bank to commit it, but were intercepted by police. All of them ran away. While the police was chasing them, one of the dacoits (X) killed Mr. Y who tried to obstruct his way. Decide liability for the murder committed by one of them in view of Sections 391 and 396 of the Indian Penal Code. [2018; 20 Marks]
5. "For fixing criminal liability of a doctor under Section 304-A of the Indian Penal Code, it is necessary to prove that the act complained against the doctor must show such rashness or negligence of such higher degree as to indicate mental state which can be described as totally apathetic towards patient. Such gross negligence alone is punishable." In the light of the latest judicial pronouncement, explain the above statement. [2018; 20 Marks]

6. "There is a very thin but fine and subtle distinction between culpable homicide and murder. The difference lies merely in the different degrees of probability of death ensuing." Discuss the statement and refer to decided cases. [2017; 20 Marks].
7. "Culpable homicide is not murder, if it is committed without premeditation, in a sudden fight in the heat of passion." Critically examine the statement with leading case law. [2016; 15 Marks]
8. 'A' assaulted his wife by kicking her repeatedly on non-vital parts of her body. She fell down and became unconscious. In order to create an appearance that she had committed suicide he took up the unconscious body and thinking it to be a dead body hung it up by a rope. The post mortem examination showed that death was due to hanging. With the help of decided cases determine the culpability of A. [2014; 20 Marks]
9. "Distinction between death caused by rash or negligent act under section 304-A and culpable homicide not amounting to murder under section 304 of the Indian Penal Code is fine, but if overlooked, can result in grave injustice." Discuss. [2014; 20 Marks]
10. "Assault is an act of the defendant which causes to the plaintiff reasonable apprehension of the infliction of a battery on him by the defendant." Comment and distinguish between assault and battery. [2013; 20 Marks]
11. X, while driving car, suddenly became unconscious and fell back in his seat. The car became uncontrolled, it hit and killed Y. discuss the liability of X. [2013; 15 Marks]
12. Q refused to marry her boyfriend P, resulting into P's depression. Mr. R, a friend of P, suggested him to take revenge with an intention that P will come out of shock. R provided with a bottle of liquid believing it as acid. P mistook X to be Q in darkens and threw it on her (X) causing rashes on the face of X, which later resulted into serious injuries. The investigations revealed that it was not acid but was a concentrate of fungicide. Decide the liability of P and R in the case, keeping in mind that defence which may be available to P and R. [2013; 25 Marks]

13. "Culpable homicide is the genus and murder is species, and that all murders are culpable homicide but not vice versa." Discuss in the light of legal provisions and some decided cases. [2012; 10 Marks]

14. "The recent Criminal Law (Amendment Bill, 2011 seeks to replace 'rape' by the term 'sexual assault' in the IPC and intends to made rape a gender-neutral offence in the country." Examine whether this is appropriate. [2012; 10 Marks]

15. The accused, one of the two joint owners of a shop, put her lock on the shop which was let out by another joint owner without the consent. The tenant charged the accused with the offence of wrongful restraint in that he was prevented by the lock from entering into the shop. Discuss in the light of legal provisions whether the accused has committed the offence of wrongful restraint. [2012; 20 Marks]

16. 'A' and 'B' were both security guards posted outside the home of senior army officer, Mr. X. They often used to exchange hot words with each other in context to the other. On the day of Holi festival both of them had a verbal exchange due to the fact that both wanted to go home early for festival, that led to altercation between the two, both of them instantaneously aimed their revolvers at each other respectively. 'C' who was also on duty with them intervened and pacified both of them. Both 'B' noted that 'A' had lowered his revolver, he immediately fired at 'A' and killed him. On being tried 'B' was awarded death sentence. However, on appeal the High Court acquitted 'B' on the pleas of self-defence. The State intends to go in for appeal in the Supreme Court against the decision of the High Court. Advise in the light of the case law on the subject. [2010; 20 Marks]

17. Discuss the law relating to criminal intimidation. Refer to case law. In what way is extortion different from criminal intimidation? [2010; 30 Marks]

18. Mr. A, a chronic heart-patient was drawn into a political debate and in the course of arguments his adversary looked at him fiercely and said that people like him should be hit till

they are dead” Hearing this ‘A’ suffers a heart attack and dies on the spot. Discuss the liability of his adversary. Argue for the State also. [2010; 30 Marks]

19. ‘A’ a minor girl leaves her parents House because of ill treatment and lives with ‘B’ her friend. Can he (B) be prosecuted for kidnapping? [2010; 30 Marks]

20. Distinguish between culpable homicide and causing death by rash or negligent act. A, a woman with a view to poisoning her husband, administered to him a substance which she believed to be poison, but which in fact was harmless. What offence if any she has committed in this case? [2009; 30 Marks]

21. The Supreme Court of India in a recent judgement pronounced, “Doctors cannot be held criminally liable under Section 304 A of the Indian Penal Code unless they are ‘grossly’ rash of negligent in performing their duties”. Is the judgement in favour of doctors or is it against the poor and illiterate patients in our country? Give your views with reasons. [2006; 30 Marks]

22. Discuss, “attempt to commit suicide,” referring to the decisions of the Supreme Court on the Constitutional validity of Section 309 of the Indian Penal Code. [2005; 20 Marks]

23. Referring to relevant legal provisions, ‘and decided cases, point out what offence, if any, has been committed in the following cases :

(a) A soldier A fires on a mob by the order of his superior officer in conformity with the commandments of law.

(b) A sees B commit what appears to A to be a murder. A in good faith seizes B in order to bring B before the proper authorities. Later on, it turns out that B was acting in self- defence.

(c) A finds a ring on the highway not in the possession of any one person. A picks it up.

(d) A cuts down a tree on B’s ground with the intention of dishonestly taking the tree out of B’s possession without B’s consent.

(e) A intentionally gives a sword cut to B sufficient in the ordinary course of nature to cause death. B dies in consequence.

(f) A without any excuse, fires a loaded pistol into a crowd of persons and kills one of them. [2004; 30 Marks]

24. “The question as how is a court to determine as to whether a bodily injury intentionally inflicted by an accused is likely to cause death or not depends on many factors.” Discuss. [2003; 30 Marks]

25. Explain whether any offence is committed in the following instances and under what circumstances? Give reasons. Do not write more than 100 words in each case. Answer any Six questions:

(a) X husband of W, cohabits with Z.

(b) A cheque issued by X on his Bank having knowledge about insufficient funds in his account.

(c) X burns a share certificate of Z due to which she suffered mental agony in addition to financial loss.

(d) X shakes his fist at Z so as to cause reasonable apprehension in the mind of Z that she would be hit.

(e) X has sexual intercourse with his wife without her consent.

(f) X finds a valuable ring on the street and immediately sells the same for using the money to buy a computer.

(g) X sells the estate of which he is not the owner and executes a conveyance deed in favour of the purchaser.

(h) X takes Y a girl of 13 years of age without her knowledge to Mumbai to send her to Dubai to handover for marriage to a sekh over there and dispatches her to Dubai for the above purpose. [2002; 30 Marks]

26. 'A' intentionally attacks 'B'. While doing so 'A' does not know that 'B' is suffering from an enlarged appendix. The blow falls on the appendix as a result of which the appendix bursts and 'B' dies. Discuss A's liability. [2001; 30 Marks]

27. A, a pickpocket, puts his hand in the pocket of B, a person, who was reclining in the park. Incidentally, the person had a pistol in his pocket and as the pickpocket put his hand in the pocket, it touched the trigger and the pistol went off killing the person. Is a guilty of culpable homicide? Explain when culpable homicide does not amount to murder with the help of illustrations and decided cases. [2000; 20 Marks]

28. X, a girl of 14, is ill-treated by her father and step mother. 'A', the neighbour under the belief that X was 18; takes her away from her parent's house on her request but without the consent of the parents. Is he guilty of any offence? If yes, analyse the nature of the offence and cite relevant cases. [2000;20 Marks]

11. Offences against property

1. A attempts to steal some jewels by breaking open a box belonging to B and finds, thereafter so opening the box, that there is no jewel in it, but A simultaneously puts Rs.100 currency note in the box, which was already stolen by A from C. Decide as to what offence(s) is/are committed by A. [2019; 20 marks]
2. In all robbery, there is either theft or extortion. Explain. [2017; 10 Marks]
3. “Criminal breach of trust and cheating are two distinct offences generally involving dishonest intention but mutually exclusive and different in basic concept.” Explain with the help of decided cases. [2014; 20 Marks]
4. The natural calamity in Uttarakhand left hundreds dead. Some people were seen removing gold ornaments, watches and other valuables from these dead bodies. Few days later, police apprehended them and wanted to prosecute them. Under which provision of the Indian Penal Code can they be prosecuted? Discuss [2013; 25 Marks]
5. A contractor was given contract for construction work by the Minor Irrigation Department of a State Government under a specific agreement that he would return unused cement but instead of doing so, he sold the cement to outsiders. Mentioning relevant legal provision, discuss what offence, if any, is committed by the contractor. [2012; 20 Marks]
6. Explain the ingredients of the offence of criminal misappropriation of property and distinguish this from criminal breach of trust. A sees Z drop his purse with money in it. A picks up the purse with the intention of returning it to Z, but afterwards appropriates it for his own use. Has A committed any offence? Discuss. [2009; 30 Marks]

7. "In all robbery there is either theft or extortion." Explain. A holds Z down, and fraudulently takes Z's money and jewels from Z's person without Z's consent and for this purpose he causes a wrongful restraint to Z. Discuss A's liability. [2008; 30 Marks]
8. What is meant by 'extortion'? Explain its ingredients and distinguish between 'theft' and 'extortion'. [2007; 10 Marks]
9. An assistant sub-inspector A and a head constable B barged into the house of C, a businessman where he (C) was playing cards along with his six friends. A and B directed the card players to take out their wallets, threatening to take them to the police station. Apprehending registration of a case under the Gambling Act, all of them parted with Rs. 10,500/- in all. What offence have A and B committed? [2006; 30 Marks]
10. Distinguish between criminal breach of trust and criminal misappropriation of property. [2004; 20 Marks]
11. A boatman gets hold of gold ornaments from the body of a person who had drowned. A police constable takes away the same after slapping the boatman. The constable does not enter the same in the records and dishonestly keeps them with himself. Discuss the criminal liability of the constable. [2003; 30 Marks]

12. Offences against women

1. "Recent judicial decisions of the courts have changed the spirit of Section 498 A of the Indian Penal Code, 1860." Explain the statement with the help of judicial pronouncements. [2019; 15 Marks]
2. Discuss the different forms to outrage the modesty of a woman which have been made punishable in the Indian Penal Code through the Criminal Law (Amendment) Act,2013. [2017; 15 Marks]
3. "It would be wrong to perceive nudity and sex as essentially obscene, indecent or immoral. Sex and obscenity are not always synonymous." In the light of the above statement elaborate the position of obscenity as an offence in India. [2011; 30 Marks]
4. Do you find it is necessary to convict the accused both under section 304-B and Section 498-A of penal Code? Refer to recent cases. [2010; 30 Marks]
5. When an offence of 'adultery' is said to be committed? Whether a wife may be punished for the offence of adultery as an abettor? Distinguish between the offences of 'rape' and 'adultery'. [2007; 30 Marks]
6. "The evil of dowry system has been a matter of serious concern to everyone in view of its ever increasing and disturbing proportion." Discuss and critically analyse whether the Dowry Prohibition Act, 1961 can cope with this social menace. [2005; 30 Marks]
7. A promises to B, his student, and induced her to cohabit with him. He has given her a false assurance of marriage and also fraudulently gone through certain ceremonies of marriage making B

to believe that she was a lawfully wedded wife of A. Later A refused to recognise her as his wife.

What is the offence committed by A? Explain its ingredients. [2000; 20 Marks]

8. Critically examine viability of the Dowry Prohibition Act. [2000; 30 Marks]

13. Defamation

1. X sends an e-mail to Y containing defamatory matters against him. The e-mail is received by Y who deletes it after reading. Is X liable for publication? Refer to relevant case law. [2013; 15 Marks]

14. Prevention of Corruption Act, 1988

1. Corruption by public servants has become gigantic problem. Large scale corruption retards the nation-building activities and everyone has to suffer on their count. The efficiency of public servant would improve only when the public servant does his duty truthfully and honestly. Therefore, in such cases, it is difficult to accept any plea of leniency in sentence (State of MP Vs. Shambhu Dayal Nagar (2006) 8 SCC 693). Comment. [2018; 20 Marks]
2. "The Prevention of Corruption Act, 1988 prevents the public servants from misuse and abuse of their official capacity." Comment. [2016; 10 Marks]
3. "Prevention of Corruption Act, 1988 is an important legislation to safeguard democracy in India." Discuss. [2014; 10 Marks]
4. Define and discuss the ingredients of "corruption" as given under the provisions of the Prevention of Corruption Act, 1988. [2007; 30 Marks]
5. When is a public servant said to have committed an offence of criminal misconduct as defined in the Prevention of Corruption Act, 1988? Discuss referring to some decided cases. [2005; 30 Marks]
6. 'Prevention of Corruption Act, 1988 has many lacunae leading to undesirable consequences, which call for immediate requisite amendment to the Act.' - Critically examine the above statement and suggest reasons for such amendment, if any. [2002; 30 Marks]
7. "Whether a public servant is guilty of criminal misconduct under the Prevention of Corruption Act, 1988 or not is not an easy question for the courts to determine." Discuss. [2001; 30 Marks]

15. Protection of Civil Rights Act 1955 and subsequent legislative developments

1. The basic spirit of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, which was diluted by the judiciary in Kashinath Mahajan's case, has been restored by the legislature recently. Examine critically. [2019; 15 Marks]
2. "The object of the Protection of Civil Rights Act, 1955 is to abolish untouchability." Discuss. [2017; 10 Marks]
3. "The enforcement of any disability arising out of untouchability is to be an offence punishable in accordance with law". Comment upon this statement and discuss in this context the scope of protection of Civil Rights Act, 1955. [2009; 30 Marks]
4. What are the 'Civil Rights' as defined by the Protection of Civil Rights Act, 1955? Enumerate the offences prescribed under the Act. [2006; 30 Marks]
5. Critically examine the provisions of 'The Protection of Civil Rights Act, 1955' and highlight the deficiencies, if any, in the said law. [2004; 30 Marks]
6. What are the changes that were brought to the Untouchability Act of 1955? [2000; 30 Marks]

16. Plea bargaining

1. “Plea bargaining in India is the truncated one, as it is applicable to sentence only and not to the charge. Equally it is a court-monitored procedure, except that it provides a clause related to compensation to the victim.” Critically analyse the retention of such provision in the Indian Criminal Justice dispensation. Also suggest reforms, if any you understand are necessary. [2018; 15 Marks]
2. Critically examine the Code of Criminal Procedure (Amendment) Act, 2005, especially with reference to plea bargaining [2016; 10 Marks]
3. “Plea bargaining, which was considered unconstitutional, illegal and tending to encourage complaint, collusion and pollution of the pure punt of justice, is now a part of sentencing under the Indian Criminal Law.” Comment. [2013; 25 Marks].
4. Critically examine the concept of ‘plea bargaining’ and evaluate its scope in India. [2008; 30 Marks]

1. Law of Torts: Nature and Definition

1. "Pigeonhole theory' in the law of tort holds no justification now." Critically examine. [2019; 10 Marks].
2. "The paramount task of the law of torts is to pay an important regulatory role in the adjustment of losses and eventuate allocation of their cost and that until the emergence of the welfare state, the law of torts provided the only source for alternating the plight of the injured." In the light of the above statement, discuss the nature and scope of law of torts and substantiate your answer with leading case law. Also discuss the position in India. [2018; 10 Marks]
3. "Law of torts is said to be a development of the maxim 'Ubi jus ibi remedium'." Discuss the statement. [2017; 10 Marks]
4. "A tort is a specie of civil wrong." Examine this definition and add other features to make it comprehensive. [2014; 10 Marks]
5. "Tort is concerned with the allocation on prevention of losses which are bound to occur in society." Discuss. [2011; 15 Marks]
6. "Before a person can recover for loss which he suffered from another person's act, it must be shown that his case falls within the class of actionable wrongs." Discuss. [2011; 15 Marks]
7. "Damnum sine injuria and injuria sine damnum are two different principles of law". Comment briefly. [2009; 20 Marks]
8. Distinguish between tortious liability and criminal liability [2007; 20 Marks]
9. "In tort the plaintiff wins his case only when he proves as to what particular tort the defendant has committed against him." Examine. [2006; 20 Marks]

10. Which one of the following two expressions is correct and why? 'Law of Torts' or 'Law of Tort'. [2005; 20 Marks]
11. "All torts are civil injuries but all civil injuries are not torts." Explain the above statement. [2004; 20 Marks]
12. Distinguish between tortious liability and contractual liability. [2004; 20 Marks]
13. "It is the task of the law of tort to determine when the law will and will not grant redress for damage suffered." Discuss. [2003; 20 Marks]
14. "Whenever there is a breach of duty there is a cause of action in tort." Discuss. [2001; 20 Marks]

2. Liability based upon fault and strict liability; Absolute liability

1. "Rule of absolute liability has been expounded by the apex court in M.C.Mehta vs Union of India." How far is it a reform over the rule of strict liability? Comment. [2018;15 Marks]
2. Explaining the concept of 'no liability', mention the Indian Acts in which this concept has been incorporated. [2017; 15 Marks]
3. "No fault liability rule has undergone a drastic change in the recent past." Comment. [2016; 10 Marks]
4. "If a person brings or accumulates on his land anything which if it should escape may cause damages to his neighbours, he does so at his peril." Discuss the above statement by referring the judicial pronouncements alongwith the exceptions thereto. [2007; 30 Marks]
5. Discuss the rule of strict liability with the help of relevant case law. Is there any difference between strict liability and absolute liability? [2006; 30 Marks]
6. A, the owner of a mill, was getting water for his mill from a stream which was naturally flowing near the mill of A. B, the owner of another mill, dug an extensive well which hindered the flow of water to A's mill. Is B liable for a tort? Give reasons to support your answer. [2006; 30 Marks]
7. There was a leakage of oleum gas from one of the units of Mr. X's Textile Industry, situated in the city of Mumbai, on 4th and 5th October, 1995. It resulted in the death of an advocate practising in a court and all the ill effects of the same to various other persons. Mr. Y, a public spirited individual filed a writ petition, under Art. 32 of the Constitution, before the

Supreme Court of India claiming compensation. Decide the liability of the occupier. [2000; 20 Marks]

8. Explain the occupier's liability in respect of structures. [2000; 30 Marks]

3. Vicarious liability including State liability

1. “A master is liable for all acts of his servant done during the course of employment.” Explain it in general and from Indian perspective in particular. [2018; 15 Marks]
2. When is principal not liable for the torts committed by his servant? Discuss. [2017; 15 Marks]
3. “Although the decision of the Supreme Court in *Kasturi Lal v. State of U.P.* has not been overruled as such, yet for all practical purposes its force has been considerably reduced.” Elucidate. [2014; 20 Marks]
4. Mr. X himself was driving a car and when he was hit by a mail train. The car was smashed and Mr. X was seriously injured, and died in hospital. In an action by the widow against the Union of India, as owner of the Railway, it was contended that the level crossing was unmanned and the gates were open. This constituted negligence on the part of the railway. Further it was contended that there was no contributory negligence on the part of Mr. X, the deceased, as he could not have a look at the railway line from a distance as his view was obstructed by some trees, etc., nor could he hear the sound of the coming mail train while he was in the car with the engine running and the windscreen closed. Decide the case giving your reasons. [2012; 30 Marks]
5. ‘A master is not responsible for a wrongful act unless it is done in the course of employment’. Comment and explain the circumstances when wrongful acts are deemed to be done “in the course of employment”. Refer to decided cases. [2009; 30 Marks]

6. "State has to answer for every wrong committed by its erring servant." Comment. [2008; 20 Marks]

7. A car driver in the course of his employment leaves the ignition keys in the car and leaves the car on a crowded road. During his absence a trespasser gets into the car and drives it causing an accident resulting into injuries to the plaintiff. The plaintiff uses the car owner in tort. Decide. [2003; 30 Marks]

4. General defenses

1. Explain the maxim “volenti non fit injuria”. Is the knowledge of risk not the same thing as consent to suffer the risk? Support your answer with judicial pronouncement. [2018; 15 Marks]
2. Explain ‘necessity’ as a defence for the liability of tort and also mention the classes of necessity. [2017; 10 Marks]
3. "Harm suffered voluntarily does not constitute a legal injury and is not actionable." Elaborate along with its limitations. [2016; 20 Marks]
4. Defence of ‘Volenti-non-fit injuria’ is not available when the rescuer is injured in an act of recurring” Discuss. [2010; 20 Marks]
5. ‘Volenti non fit injuria is a defence for liability in tort’. Illustrate your answer with decided cases. [2009; 20 Marks]
6. The doctrine of “alternative danger” is the extention of the doctrine of “contributory negligence”. Discuss. [2007; 20 Marks]
7. A with the intention in good faith of saving human life and property, in a great fire, pulls down houses in order to prevent the conflagration from spreading it. A pleads that the harm to be prevented was of such a nature and so imminent as to justify or excuse his act. Decide, whether A has committed any offence? [2007; 30 Marks]
8. Explain the law relating to contributory negligence of children, [2000; 30 Marks]



5. Joint tort feasons

1. "Ascertainment of causation is a problem, when the events causing damage to plaintiff are not simultaneous but successive." Elaborate it with the help of decided cases under the law of tort. [2019; 15 Marks]
2. The liability of joint tort-feasons is 'joint and several'. In the light of this statement discuss who are joint tort-feasons and their liability with the help of illustrations and case law. [2005; 30 Marks]

6. Remedies

1. What are liquidated damages and when are they awarded? [2006; 20 Marks]
2. “In assessing damages, the law takes an account of certain consequences but considers only proximate consequences.” State the test by which the remoteness of consequences is determined by the courts for this purpose. Refer to judicial pronouncements. [2004; 30 Marks]
3. “Where damages cannot be precisely calculated in terms of money, the court may take into account the motives and conduct of the defendant, and where these aggravate the plaintiffs injury the damages will be correspondingly increased.” Discuss. [2001; 20 Marks]

7. Negligence

1. "A goldsmith putting earring to woman's ear does not require as much care as a surgeon performing surgery on the ear of woman." Elaborate the law relating to degree of care required under the law of tort. [2019; 20 Marks]
2. Critically examine the development of the law relating to remoteness of damages. Which test do you prefer for deciding the question of remoteness of damages and why? Give reasons for your answer. [2018; 10 Marks]
3. When, under the law of torts even using reasonable care, is a person liable for the tort of negligence? Discuss. [2017; 15 Marks]
4. "Direct evidence of negligence, however, is not always necessary and the same may be inferred from the circumstances of the case." Elucidate with cases. [2016; 15 Marks]
5. The defendant had been carrying cargo in a lorry for the plaintiff: On the way there was heavy rainfall. The cargo was damaged by seepage due to rainwater rising from below, while it had been securely protected by the defendant by tarpaulin from above. The flash flood on the highway had stranded hundreds of lorries including that of the defendant, and the water level on the highway rose above tyres and up to the level of the platform which resulted in the seepage. However, the plaintiff claimed heavy damages from the defendant on the ground of negligence or want of due care. Discuss whether the defendant can have any defence in this case. [2012; 10 Marks]
6. "The principle of 'res ipsa loquitur' is an exception to the rule that it is for the plaintiff to prove negligence of the defendant. Discuss with reference to some cases. [2012; 10 Marks]

7. "The defendant must not only owe the plaintiff a duty of a care, he must be in breach of it." In the light of the above statement examine as to how would the court find out as to whether there is a breach of a duty on the part of the defendant or not. Refer to case law. [2011; 30 Marks]
8. Discuss the principle of Res-ipsa-Loquitur. Refer to recent cases. [2010; 20 Marks]
9. "It is not the hindsight of a fool, it is the foresight of a reasonable man which alone can determine the liability." Discuss. A threw a lighted cracker in a crowded market. It fell on B's shop. C was standing nearby. To save himself and B's shop too, C threw the cracker away. It then fell on D's shop. D in his turn, threw it away which then fell on E who became blind. Decide, who is liable to E? [2008; 30 Marks]
10. "Knowledge of the danger does not amount to consent to undertake the risk." Discuss with the help of decided cases. [2008; 30 Marks]
11. "When a plaintiff acts as a reasonable and prudent man, he is entitled to damages even though he selects the more dangerous alternative when confronted by the defendant's negligence." Discuss. [2003; 20Marks]
12. "In the tort of negligence the question as to whether the defendant has acted as a reasonable man or not depends on many factors." Discuss. [2001; 30 Marks]

8. Defamation

1. Mere physical boundaries are not the essential requirement to constitute the tort of 'false imprisonment', but psychological boundaries too are enough in this regard. Critically examine [2019; 15 Marks]
2. Mention the defences of torts of defamation and also discuss whether exceptions given under the Indian Penal Code, 1860 for the offence of defamation may be claimed as additional grounds by the defendant. [2017; 15 Marks]
3. "It is immaterial whether the defendant intended the defamatory statement to apply to the plaintiff or knew of the plaintiff's existence if the statement might reasonably be understood by those who knew the plaintiff, to refer to him." Elucidate with case law. [2016; 15 Marks]
4. "It is not necessary that in all cases of tort of defamation there must be a loss of reputation of the plaintiff." Explain and illustrate. [2014; 10 Marks]
5. The editor of a weekly published a series of articles directed against the business of the plaintiff alleging how the wealth of the vast empire was built up by having recourse to the unlawful and questionable means involving tax-evasion, import-export rackets, foreign exchange violations and how the investigations into the operations of the organisation were bogged down. In an action for defamation, the defendant put up the defence of fair comment on a matter of public interest. The plaintiff brought evidence to show that the defendant had to tender an apology to the plaintiff in an earlier defamation case and that the present publication was motivated by malice. Discuss the defence of fair comment in the light of the facts of the case. [2010; 20 Marks]

6. Explain the ingredients of “Innuendo”. What is a plaintiff required to prove in order to sustain the plea of Innuendo? [2009; 20 Marks]
7. ‘A statement made in performance of duty is privileged’. In the light of this statement critically examine the tort of defamation. X the famous writer and art critic while criticising the paintings of Y the famous painter, wrote in the newspaper as follows :‘Mr. Y’s paintings are pots of paint hurled in the eyes of the public’. He afterwards wrote to Y saying that whatever he had written had been said by him in the course of his duty and hoped that he would not allow this to interfere with their friendship. Y replied and said ‘Next time I meet you, I shall punch your nose them hard. I hope you will not allow this to interfere with our friendship’. What torts, if any, have they committed and what defences are available to them? [2009; 30 Marks]
8. What is meant by ‘innuendo’? What are the facts, the Plaintiff must prove or establish in order to sustain a plea of innuendo? [2005; 20 Marks]
9. “Absence of knowledge that a matter is defamatory or absence of intention to injure the plaintiff is, by itself, no excuse for the defendant in tort.” Discuss. [2003; 30 Marks]
10. Distinguish the wrong committed in the following two incidents and also give decisions:
(i) X circulated a handbill to his neighbours alleging that Y became the Chairman of the Village Panchayat by paying money to the members of the Panchayat. (ii) X goes on informing his community members in many families that Ms Y is not chaste as many people have been her in the company of different people at various places. [2002; 30 Marks]

9. Nuisance

1. "Any interference with a plaintiff's property may cause personal discomfort to the plaintiff in enjoyment of the property." Critically examine the statement with the help of decided cases. [2019; 15 Marks].
2. "Nuisance as a tort means an unlawful interference with a person's use or enjoyment of land or some right over or in connection with it." Comment [2013; 10 Marks]
3. "It is possible to support an action for nuisance as well as of negligence on the same set of facts, however, there are certain points of distinction between the two." Discuss [2012; 20Marks]
4. "In order to constitute a public nuisance there must be an act or an illegal omission, and it is not necessary that the act should be illegal." Explain the offence of public nuisance with the help of decided cases. [2010; 30 Marks]
5. We must use our property so as not to cause discomfort to another's use of property. Yet a temporary discomfort is not actionable. Explain the law. [2010; 30 Marks]
6. "Acts done with the intention of annoying a neighbour and actually causing annoyance will be nuisance." Comment. 'A', a music teacher, gives music lessons at his residence. B, the neighbour, resides in the adjoining house, maliciously causes discomfort to A, by hammering against the party wall, beating the trays, whistling and shrieking. A prays for an injunction against B, should he succeed? [2007; 30 Marks]
7. Distinguish the following two incidents and point out regarding wrong, if any, which has been committed in these incidents. Distinguish in the context of the nature and composition of these wrongs:

(i) The Municipality permitted a political party to hold a meeting in a public park blocking a busy road. X wanted to go to Y's house crossing the road but was not allowed. There was no other way to go to Y's house. (ii) A customer was suspected of having committed a theft in the departmental store by the staff. She was detained by the Manager for 2 days in a Store-room. [2002; 30 Marks]

8. The defendant establishes a flour mill in the heart of a city adjacent to the plaintiff's house in a residential area. Running of the mill causes vibrations to the house and unpleasant noise. The plaintiff uses the defendant and claims damages and injunction. The defendant argues that he has a freedom to establish his own trade and business and that his flour mill is also beneficial to a large number of residents in the area. Decide. [2001; 30 Marks]

10. Conspiracy

1. “The law of criminal conspiracy insists on an agreement between two or more persons whereas in abetment by conspiracy a mere - engagement between them may be sufficient.”
Discuss. [2001; 30 Marks]

11. False Imprisonment

1. Mere physical boundaries are not the essential requirement to constitute the tort of 'false imprisonment', but psychological boundaries too are enough in this regard. Critically examine [2019; 15 Marks].
2. "Every confinement of the person is an imprisonment, whether it be in a common prison or in a private house, or in the stocks or even by forcibly detaining one in the public streets." Explain with the help of case law. [2016; 20 Marks]

12. Malicious prosecution

1. "Malice is not to be inferred merely from the acquittal of the plaintiff. The plaintiff must prove independently of the acquittal that his prosecution was malicious and without reasonable and probable cause." Comment. [2016; 10 Marks]
2. Explain the essentials of malicious prosecution. What are the grounds on which plaintiff can claim damages? [2012; 30 Marks] [2008; 20 Marks]
3. "It is an actionable wrong to institute, maliciously and without reasonable and probable cause, criminal proceedings which may injure person's reputation, personal freedom or property." Elucidate. [2006; 30 Marks]
4. "In tort of malicious prosecution the plaintiff must prove among other things, that the defendant was the person who was actively instrumental in putting the law in force". Discuss. [2005; 30 Marks]
5. Distinguish between:
 - (i) *Malicious prosecution and False imprisonment*
 - (ii) *Maintenance and Champerty* [2000; 30 Marks]

13. Consumer Protection Act, 1986

1. "E-commerce has adversely affected the consumer protection in India." Elucidate the statement. [2019; 10 Marks].
2. "Consumer Protection Council also play a very important role in consumer protection." Examine the statement and elaborate the objects, composition and functions of the Central, State and District Consumer Councils. [2017; 20 Marks]
3. "Provisions of the Consumer Protection Act, 1986 shall be in addition to and not in derogation of the provisions of any other law for the time being in force." Critically examine the statement. [2016; 15 Marks]
4. W, wife of A was diagnosed to be suffering from toxic Epidermal Necrolysis. Doctor D was consulted who prescribed a long acting Cortico steroid `Depomedrol injection at a dose of 80 mg twice daily. Despite administration of this medicine her condition deteriorated rapidly and she died within a week. On expert opinion, it was found that the line of treatment followed by D is not supported by any school of medical thought and is in sheer ignorance of basic hazard relating to use of steroids. A files a complaint in Consumer Forum claiming Rupees 75 lakhs as damages for death of his wife W. D objects to the jurisdiction of the Consumer Forum and also pleads lack of negligence on his part. Decide. [2014; 20 Marks]
5. "The definition given under the Consumer Protection Act, 1986 gives altogether a new legal colour and scope to the term 'Consumer'." In the light of this statement, explain the term 'Consumer'. [2013; 10 Marks]

6. The plaintiff was insured with the defendant against loss by theft. The plaintiff advertised a watch and a ring for sale and in response, he received a telephone call from someone who expressed interest. He called, agreed to pay the asked price and made payment by a building society cheque and took delivery of the times. The cheque was dishonoured. For the articles so last, a claim was presented to the insurer under the theft policy. The insurer refused to pay anything. Explain the rights, if any, available to the plaintiff under the circumstances. [2013; 20 Marks]
7. "With the enactment and implementation of the Consumer Protection Act, 1986, a new consumer jurisprudence has developed in India." Elaborate. [2011; 30 Marks]
8. Discuss the liability of hospitals under the consumer protection Act, 1986. Refer to decided case also. [2010; 20 Marks]
9. List briefly the procedure to be followed by a District Forum on receipt of a complaint regarding defective goods under the Consumer Protection Act, 1986. [2009; 20 Marks]
10. "The law of consumer protection has come to meet the long felt necessity of protection to the common men from the wrongs for which the remedy under ordinary law for various reasons has become illusory." Discuss this statement and explain to what extent the Consumer Protection Act, 1986 has succeeded in its objectives. [2008; 30 Marks]
11. Discuss the composition and objects of Consumer Protection Council under the Consumer Protection Act, 1986. [2007; 30 Marks]
12. Discuss the jurisdiction of various authorities under the Consumer Protection Act, 1986 for the settlement of disputes. [2004; 30 Marks]
13. Discuss in detail the meanings of 'complaint' and 'unfair trade practice' under the Consumer Protection Act, 1986. Are these definitions satisfactory and in consonance with the spirit of this Act? [2003; 30 Marks]

14. Explain the meaning of 'consumer' and 'service' under the Consumer Protection Act, 1986.

[2001; 30 Marks]

15. X, one Ayurvedic doctor prescribed the medicine of Allopathy which caused the death of a patient. What is his liability? Explain the liability of the doctors under the Consumer Protection Act.

[2000; 30 Marks]

1. Nature and formation of Contract / Econtract

1. "The law of contracts is not the whole law of agreements, nor it is the whole law of obligations, but it also deals with the rights and obligations of both." Elucidate. [2019; 10 Marks]
2. If certain goods are displayed either in a show window or inside the shop and such goods bear price tags, discuss whether such display amounts to an offer to sell. Explain the distinction between offer and invitation to offer with the help of decided cases. [2018; 10 Marks]
3. "Revocation of proposal is death of the proposal." Explain the statement and mention the manners of revocation. [2017; 15 Marks]
4. Under the Indian Contract Act, 1872, when is a contract deemed to be entered into by the parties? Discuss. [2017; 20 Marks]
5. "An offer is to an acceptance what a lighted match-stick is to a train of gunpowder. It produces something which cannot be recalled or undone" — Anson. Explain. [2016; 10 Marks]
6. "Privity of contract is no longer a rule but only an exception." Explain in the context of modern transactions. [2013; 10 Marks]
7. 'An invitation to treat is not an offer'. Explain. [2009; 20 Marks]
8. Difference 'Specific offer' and 'General offer'. [2009; 20 Marks]
9. "For giving rise to a valid contract, there must be consensus ad-idem among the contracting parties." Explain this statement. [2008; 20 Marks]
10. "A contract cannot be enforced by a person who is not a party to it though it is made for his benefit. He is a stranger to the contract and can claim no rights under it." Examine the above statement in the light of judicial pronouncements stating the exceptions thereto. [2007; 20 Marks]
11. "Insufficiency of consideration is immaterial but an agreement without consideration is void." Comment. [2006; 20 Marks]

12. Distinguish an offer from a quotation or an invitation to an offer with the help of illustrations. [2006; 20 Marks]
13. "All contracts are agreements but all agreements are not contracts". Explain. [2005; 20 Marks]
14. "A contract without consideration is void but there are some contracts, which even though made without consideration, are valid". Discuss. [2005; 20 Marks]
15. Whether an agreement without consideration is void? Discuss the rule with exceptions, if any. [2004; 20 Marks]
16. 'A' makes an offer to purchase goods in possession of 'B' who is the agent of 'C' but who has no authority to make any contract of sale. The offer is accepted by 'B' on behalf of 'C'. 'B' writes to 'C' for ratification of the contract. Before the ratification 'A' withdraws the offer, 'C' ratifies the contract made by 'B'. Has the contract come into existence in this case? If 'B' repudiates the contract before 'C' comes to know of it, and subsequently 'C' ratifies the contract and sues to enforce it, what will be the consequences? [2003; 30 Marks]
17. A offers to sell his machinery to 'B' for a fixed price. 'B' agrees to buy the same subject to the condition that 'A' should get it repaired in order to put it into its running condition. 'A' replies that 'B' should himself get the machinery repaired and pay him the agreed price less the actual cost of repairs. While being repaired, the machinery is destroyed without any fault of the mechanic. 'A' sues 'B' for the price of the machinery. Will he succeed? [2003; 30 Marks]
18. Legal framework of offer and acceptance does not favour protection of consumers interests. Critically examine with illustrations. [2002; 20 Marks]
19. "The test of contractual intention is objective, not subjective." Discuss. [2001; 20 Marks]
20. "An act done at the promisor's desire furnishes a good consideration for his promise even though it is of no significance or personal benefit to him." Discuss. [2001; 20 Marks]
21. What are the exceptions to the principle that the contractual benefits or obligations are confined to the parties to the contract? [2000; 30 Marks]

2. Factors vitiating free consent

1. In an action to avoid a contract on the ground of undue influence, the plaintiff has to prove two points. Explain those points and different kinds of relations leading to presumption of undue influence which vitiates free consent. [2018; 10 Marks]
2. "Minority can only be claimed as a shield but not as a sword." Explain the statement and mention the situations when a minor is liable under the law of contract. [2017; 10 Marks]
3. "There can be a mistake of identity only when a person bearing a particular identity exists within the knowledge of the plaintiff, and the plaintiff intends to deal with him only. If the name assumed by the swindler is fictitious, there will be no mistake of identity." Examine the statement with leading case law. [2016; 20 Marks]
4. X and Co. in its prospectus represented that A, B and C would be the directors of the company. This was true and on the basis of this P and Q applied for shares. However, before the allotment took place, there were changes in directors. Is the allotment of P and Q subject to their choice or it stands cancelled due to change in directors? Discuss. [2014; 10 Marks]
5. "It has been a common statement of the law that while relief is available for certain kinds of mutual mistake, it is unavailable for unilateral mistake unless the other party knew or had reason to know of the mistake." Critically examine the statement with leading case law. [2013; 25 Marks]
6. "Undue influence is said to be a subtle species of fraud whereby mastery is obtained over the mind of the victim by insidious approaches and seductive artifices." Explain. [2012; 10 Marks]
7. A television was displayed on a Web site owned by XYZ Distributors for sale at a price of Rs. 79.99. Hundreds of customers ordered the television but the retailer refused to fill the orders on the ground that they had been incorrectly priced by mistake. The correct price was Rs. 7,999. Explain

the liability, if any, arising out of the above-mentioned communications. Give reasons. [2012; 20 Marks]

8. 'An attempt at deceit which does not deceive is not fraud'. Do you agree? [2009; 20 Marks]

9. Explain the meaning of 'free consent' as an essential element of a valid contract and enumerate the factors vitiating 'free-consent'. [2007; 20 Marks]

10. "The strict adherence to the theoretical consideration that a contract made under mistake as to the identity of parties or identity of the subject matter is void, would lead to absurd result." Do you agree with this statement? Give reasons. [2004; 10 Marks]

11. "A deceit which does not deceive is no fraud." Discuss. [2003; 20 Marks]

12. Law relating to coercion and undue influence has a feature in each which is uncommon to the legal system as a whole. Explain with illustrations. [2002; 20 Marks]

13. A minor is liable to pay out of his property for necessaries supplied to him. Discuss with the help of decided cases. [2000; 20 Marks]

3. Void, voidable, illegal and unenforceable agreements

1. Section 28 of the Indian Contract Act, 1872 makes agreements in restraint of legal proceedings void. Are there any exceptions to this rule? Discuss with the help of relevant provisions and decided cases. [2018; 10 Marks]
2. “Public policy is like an ‘unruly horse’ which cannot be controlled easily.” Explain the statement and mention the agreements which are against public policy. [2017; 10 Marks]
3. A owed B Rs. 1,000, but the debt is barred by the Limitation Act, 1963. Subsequently A signs a written promise to pay 1,000 on account of the previous debt. Decide the validity of this agreement. [2016; 10 Marks]
4. “All illegal agreements are void but all void agreements are not illegal. Discuss. [2007; 20 Marks]
5. “Jurisdiction of a court to decide disputes arising out of contractual relations cannot be ousted by an agreement between the parties.” Discuss. [2003; 20 Marks]
6. There is a very limited application of law relating to agreement in restraint of trade in India. Critically examine the statement and suggest the area of limitations. [2002; 20 Marks]
7. “Public policy was a very unruly horse and when once you get astride it you never know where it will carry you.” (Burrough, J.) Examine relevancy of this statement under the Indian Law. [2000; 20 Marks]

4. Performance and discharge of contracts

1. "Discharge of a contract includes breach of contract, but breach of a contract does not necessarily include discharge of contract." Examine the statement with suitable illustrations. [2019; 20 Marks]
2. "It is well settled that if and when there is frustration, the dissolution of the contract occurs automatically. It does not depend on the choice or election of either party. It depends on the effect of what has actually happened on the possibility of performing the contract." Discuss the effects of frustration of contract. [2018; 20 Marks]
3. "Every contract contains a 'core' or 'fundamental obligation' which must be performed. If one party fails to perform this fundamental obligation, he will be guilty of a breach of contract whether or not any exempting clause has been inserted which purports to protect him." Critically examine the statement with case law. [2016; 10 Marks]
4. Briefly explain the meaning, scope and applicability of the doctrine of frustration under the law of contract. [2012; 30 Marks]
5. What is meant by the doctrine of "supervening impossibility"? Under what circumstances the "supervening impossibility" may arise? [2007; 30 Marks]
6. Is a party rightfully rescinding the contract entitled to compensation? Explain. with the help of examples. [2006; 20 Marks]
7. What are the circumstances under which a party to a contract can plead impossibility as an excuse from performing his contractual obligation? [2006; 30 Marks]

8. “If you contract to sell peas, you cannot oblige a party to take beans. If the description of the article tendered is different in any respect it is not the article bargained for, and the other party is not bound to take it.” Comment. [2006; 30 Marks]

9. A sells his motor car to B, one cylinder of which is slightly cracked to A’s knowledge. B examined the car but failed to detect the time of purchasing the car. Later on, the defect comes to the knowledge of B. Can he rescind the sale and get back the price paid by him? [2005; 30 Marks]

10. Examine the principle of ‘time is the essence of contract.’ [2000; 10 Marks]

5. Quasi- Contracts

1. "The principle of unjust enrichment finds place indirectly under the law of contract." Explain its various dimensions.[2019; 15 Marks]
2. "Quasi-contract consists of the contractual obligation which is entered upon not because the parties have consented to it, but because law does not allow a person to have unjustified benefit at the cost of other party." Explain the real basis of quasi-contracts with legal provisions and illustrations. [2012; 10 Marks]
3. 'A quantum meruit, although a quasi contract, arises out of a contract'. Comment [2009; 20 Marks]
4. "Law as well as justice should try to prevent unjust enrichment." Critically examine this statement in relation to quasi-contracts. [2008; 20 Marks]
5. "Enumerate and explain briefly those relations in the Indian Contract Act which resemble those created by a contract. [2005; 20 Marks]

6. Consequences of breach of contract

1. "Section 74 of the Indian Contract Act, 1872 has cut down the most troublesome knot of common law doctrine of awarding damages." Discuss the statement. [2017; 20 Marks]
2. "The object of awarding damages for a breach of contract is to put the injured party in the same position, so far as money can do it, as if he had not been injured." In the light of the above statement, explain the various kinds of damages that the court can award. Also explain the rules relating to assessment of damages. [2016; 20 Marks]
3. If a contract is broken, the law will endeavour so far as money can do it, to place the injured party in the same position as if the contract had been performed. Explain the above statement and discuss the principle court follows for assessment of damages. [2014; 10 Marks]
4. In a contract between A and B, security deposit was taken by A from B to ensure due performance of the contract. B committed default in performance though no actual loss had arisen. A forfeited the deposit for fault of B. B claimed that forfeiture of deposit is not valid in law. How would you decide? Give reasons. [2012; 20 Marks]
5. On breach of contract only such loss can be recovered as was in the contemplation of both the parties at the time of entering into the contract. Discuss. [2010; 20 Marks]
6. Discuss the scope of Section 70 of the Indian Contract Act, 1872. Can a State recover cost of training on failure of the defendant to join the service? [2004; 30 Marks]
7. Discuss in detail the principle of promissory estoppel and its application in respect of contractual obligations. Explain the position of this principle as against the Government and its agencies. [2003; 30 Marks]
8. Even where the party seeking recession is not in a position to restore to the defendant his status quo ante, the courts may allow by doing what is practically just in the circumstances. [2002; 20 Marks]

7. Contract of indemnity, guarantee and insurance

1. A stands as a surety for the good conduct of B, who is employed in a Bank on a monthly salary of Rs. 1,600. Three months after when the financial position of the bank deteriorated B. agreed to accept a monthly salary of Rs. 1,500. Two months after, it is discovered that B has been misappropriating cash all through. What is the liability of A as surety under the Indian Law? [2014; 20 Marks]
2. "Indemnity" has relation to the conduct either of the indemnifier himself or of a third party. A 'Guarantee' is always related to the conduct of a third party." Elucidate [2013; 10 Marks]
3. "There can be no contract of guarantee unless there is someone primarily liable." Comment. [2011; 15 Marks]
4. The very object of taking a surety is defeated, if the creditor is required to postpone his remedies against the surety. Expand the liability of the surety. [2010; 20 Marks]
5. Difference: 'Contract of indemnity' and 'Contract of guarantee'. [2009; 20 Marks]
6. "Liability of the surety is secondary." Comment. [2008; 20 Marks]
7. "Every contract of guarantee is a contract of indemnity but every contract of indemnity is not a contract of guarantee." Elaborate. 'A' and 'B' go to a shop. 'A' says to the shopkeeper, "let B take goods from your shop and if he does not pay, I will pay". What kind of contract is this? Give reasons. [2008; 30 Marks]

8. Contract of agency

1. "Contract of agency is revocable like an ordinary contract, but sometimes it is impossible to repudiate it." Analyze with the help of decided cases and relevant provisions. [2019; 10 Marks]
2. "If a person falsely represents that he is an agent of another, the principal may ratify the act even though the same was done without his authority." Discuss, in the light of the above statement, the essentials of valid ratification and its effect. [2018; 15 Marks]
3. "The revocation of agent's authority can be made by the principal subject to certain rules." Examine these rules in the light of protection to agent. [2016; 15 Marks]
4. "The liability of sub-agent towards principal is not direct, except in case of fraud and wilful wrong." Explain giving reasons. [2014; 10 Marks]
5. Explain with illustration when may a principal unilaterally cancel and agency relation without incurring liability for breach of contract. [2012; 10 Marks]
6. "Ratification is a kind of affirmation of unauthorized acts." Critically examine. Is there any difference between 'agency by estoppel' and 'agency by ratification'? Discuss. [2011; 10 Marks]
7. 'The essential characteristic of an agent is that he is invested with a legal power to alter his principal's legal relations with third parties; the principal is under a co-relative liability to have his legal relations altered'. Discuss. A enters into a contract with B to sell him 500 bales of cotton and afterwards discovers that B was acting as agent for C. Who is liable to A for the price of the cotton? [2009; 30 Marks]
8. "Agency in law connotes an authority or capacity in one person to create legal relations between a person occupying the position of principal and third parties." Critically discuss the concept of 'agency'. Explain the duties of an agent to principal. [2006; 30 Marks]

9. "Agency in law connotes an authority or capacity in one person to create legal relations between a person occupying the position of principal and third parties." Critically discuss the concept of 'agency'. Explain the duties of an agent to principal. [2006; 30 Marks]
10. "The authority of an agent means his capacity to bind the principal". Discuss. [2005; 20 Marks]
11. To know whether a person occupies the position of an agent or not, the law has to go by his functions and the substance of the transaction and not the parties terminology. [2002; 30 Marks]
12. Discuss the rights and obligations of undisclosed principal and his agent vis-a-vis the other party to the contract, [2002; 30 Marks]
13. "An agency coupled with interest cannot be terminated in the absence of an express contract." Discuss. Also discuss as to when is an agency irrevocable. [2001; 30 Marks]
14. The defendant husband and his wife lived in a suite of a hotel where he was the manager and the wife acted as manageress. They had no domestic establishment of their own. The wife incurred with a tradesman a debt for clothes, payment of which was demanded from the husband. Discuss the liability of the husband to pay off the debt. [2001; 30 Marks]

9. Sale of goods and hire purchase

1. "Parties to the contract of sale may reduce or enhance the risk relating to passing of property." Elucidate its various dimensions under the law of sale of goods. [2019; 20 Marks]
2. "Right to stoppage of goods in transit starts when right to lien ends". Discuss. [2017; 10 Marks]
3. "The rights of unpaid seller do not depend upon any agreement, express or implied, between the parties. They arise by implication of law." Elucidate. [2016; 20 Marks]
4. Explain the scope of rule of "Caveat Emptor" in the expanding law of consumer protection. [2014; 15 Marks]
5. Under what circumstance 'breach of condition' may be treated as 'breach of warranty' under the Sale of Goods Act? Discuss. [2012; 30 Marks]
6. "Passing of property and delivery of goods are two different concepts." Explain with the help of provisions of The Sale of Goods Act and case law. [2011; 30 Marks]
7. 'Sale' and 'hire purchase' agreement. [2009; 30 Marks]
8. "The rule of Caveat Emptor does not mean that the buyer must take a chance, it means that the buyer must take care." Explain with exceptions, if any. [2008; 20 Marks]
9. The general rules as regards to transfer of title is "nemo dat quod non habet" (No one can give or transfer what he does not himself possess). Critically examine the rule highlighting its exceptions in the light of statutory provisions. [2007; 30 Marks]
10. Discuss the rights of 'unpaid seller' against the goods as described under the Sale of Goods Act, 1930. [2007; 30 Marks]
11. Discuss the essentials of hire-purchase agreement. [2006; 15 Marks]

12. Define and distinguish between a 'Condition' and a 'Warranty'. Under what circumstances can a breach of condition be treated as a breach of warranty? [2005; 30 Marks]
13. "The contract of sale is consensual and bilateral." Discuss. How does Sale differ from Hire Purchase Agreement? [2004; 10 Marks]
14. Critically examine the principle of Caveat Emptor, highlighting its exceptions in the light of statutory provisions and judicial pronouncements. [2004; 30 Marks]
15. "The right of stoppage of goods in transit is the rule of natural justice and is recognised in sale of goods". Discuss. [2003; 20 Marks]
16. How do you distinguish the nature and features of the following transactions?
(i) A agree to buy a motor-cycle from M/ s Eastern Traders on terms that on delivery of the motorcycle to A, A will pay the price in instalments along with interest for the motor-cycle in 24 monthly instalments.
(ii) M/s Eastern Traders agrees to give possession of a motorcycle to A on terms that A would pay down Rs. 5,000 and thereafter Rupees Three Thousand every month for 12 months. After the payment of all instalments only the vehicle would be registered in the name of A. [2002; 30 Marks]
17. What are unfair trade practices? Explain why the following transactions are or are not unfair trade practice(s): (i) selling renovated goods as original; (ii) exaggerating usefulness of a product; (iii) suggesting a trade name for the product, which belong to another. [2002; 30 Marks]
18. "There are definite rules for ascertaining the intention of the parties as to time when the property in the specific goods is to pass to the buyer." Discuss. [2001; 20 Marks]
19. 'A' sold 100 bales of cotton to 'B' for a sum of Rs. 50,000. 'A' had not received the payment of the price but he sent the railway receipt to 'B' without reserving his right of disposal. 'B' immediately endorsed the railway receipt to 'C, a bonafide purchaser for value. 'B' became insolvent before the goods could reach their destination. 'A' exercised his rights of stoppage of goods in transit. Discuss the title of 'C over the goods. [2001; 30 Marks]

20. A transport company refuses to deliver certain goods to the consignee except upon the payment of illegal charge of carriage. The consignee pays the sum charged in order to obtain the goods. Discuss the rights of the consignee as against the transport company. [2000; 20 Marks]
21. Explain how far the rule of Caveat Emptor has undergone changes especially after passing the Consumer Protection Act. [2000; 10Marks]
22. What is passing of the property where the goods are unascertainable? [2000; 10 Marks]

10. Formation and dissolution of partnership

1. "The dissolution of partnership is the dissolution of a partnership firm, but the dissolution of a partnership firm is not the dissolution of partnership." Elucidate with the help of legal provisions and cases. [2019; 10 Marks]
2. "In determining whether a group of persons is or is not a firm, or whether a person is or is not a partner in the firm, regard shall be had to the real relations between the parties, as shown by all relevant facts taken together." Comment. [2016; 10 Marks]
3. The actual concept of partnership from 'people sharing the profit' to 'mutual responsibility' was the outcome of the decision in Cox V Hickman case. Elaborate. [2014; 10 Marks]
4. Mere cessation of trading does not result in dissolution of a partnership. Rights and liabilities need to be settled between the partners. Explain. [2010; 20 Marks]
5. 'As an agreement is an essential ingredient in a Partnership, it follows that a minor cannot enter into an agreement of Partnership'. Critically examine this statement and discuss the circumstances under which the Indian Partnership Act permits a minor to participate in the benefit of partnership. [2009; 30 Marks]
6. "The effects of non-registration of partnership firm are so fatal that ordinarily the firms are registered." Explain with the help of legal provisions and decided cases. [2008; 30 Marks]
7. Under what circumstances a partnership firm may be dissolved by the intervention of the court. [2007; 30 Marks]
8. "Sharing of profits is not a conclusive evidence of the existence of partnership firm." Discuss and describe the essential elements to constitute a partnership firm. [2007; 30 Marks]
9. "Though a minor cannot be a partner in a firm, but he may be admitted to the benefits of the partnership." Explain the rights and liabilities of a minor in the light of this statement. [2006; 15 Marks]

10. There are two partners in a firm. One of them dies. Will it result in dissolution of the firm? [2006; 15 Marks]
11. “The Indian Partnership Act has effectively ensured the registration of firms without making it compulsory”. Comment. [2005; 30 Marks]
12. A, B, C and D are partners in a firm which has not been registered. A is wrongfully expelled from the firm by the other partners. Can he successfully bring a suit against the other partners for damages for wrongful expulsion and declaration that he continues to be a member of the firm? What remedies if any are open to A? [2005; 30 Marks]
13. “In determining whether a group of persons is or is not a firm, or whether a person is or is not a partner in a firm, regard shall be had to the real relations between the parties as shown by all the relevant facts taken together.” Do you agree with this statement? Give reasons. [2004; 20 Marks]
14. Discuss the consequences of non registration of partnership firm. [2004; 30 Marks]
15. What is meant by “Reconstitution of a firm”? In what circumstances can a partnership firm be reconstituted? Refer to the relevant statutory provisions and the decided cases in your answer. [2003; 30 Marks]
16. There is a possibility that a minor admitted to the benefit of partnership may not know long after his attaining majority that he is admitted to the benefits of partnership. Hence the principle of equity may adversely affect the interest of the minor. Critically examine the statements and justify with reasons. [2002; 30 Marks]
17. Distinguish between partnership by estoppel and partnership by holding out. Discuss the chief ingredients of Section 28 of the Indian Partnership Act. [2001; 30 Marks]
18. Explain the circumstances under which a partnership firm is said to be reconstituted, [2000; 30 Marks]

11. Negotiable Instruments Act, 1881

1. If an officer with an intelligence of the Government receives a cheque for consideration on the basis of an agreement to pass on intelligence inputs, can such cheque be enforceable under Section 138 of the Negotiable Instruments Act, 1881? Discuss the scope of the legally enforceable liability of the drawer under Sections 138 and 139 of the Act. [2018; 20 Marks]
2. Explain 'holder' and 'holder in due course', and distinguish between the two. Also discuss their rights. [2017; 15 Marks]
3. "Every sole maker, drawer, payee or endorsee, or all of joint makers, drawers, payees, or endorsees, of a negotiable instrument may endorse and negotiate it." In the light of the above statement, distinguish between endorsement and negotiation and also explain different kinds of endorsements'. [2016; 10 Marks]
4. "The principle of 'holding out' is based on the principle of estoppels." Elucidate. [2013; 10 Marks]
5. "Once an instrument passes through the hands of a holder in due course, it is purged of all defects, it is true like a current coin." Explain [2013; 10 Marks]
6. Discuss the law regarding dishonour of cheque for insufficiency, etc., of funds in the account. [2012; 10 Marks]
7. "The great element of negotiability is the acquisition of property by your own conduct, not by another's, that if you take it bonafide and for value nobody can deprive you of it." Explain. [2011; 15 Marks]
8. What do you understand by a Promissory Note? Discuss. [2010; 20 Marks]
9. "A cheque marked 'not negotiable' is nevertheless negotiable". Comment. [2009; 20 Marks]

10. Explain the concept of 'Holder' and 'Holder in due course' as envisaged in the Negotiable Instruments Act and also examine the privileges and protections to which they are entitled under the Act. Illustrate your answer with decided cases. [2009; 30 Marks]
11. "The object of Sec. 138 of the Negotiable Instruments Act, 1881 is to inculcate faith in the efficacy of banking operations and credibility in transacting business on negotiable instruments." Elucidate with the help of the latest Supreme Court cases. [2008; 30 Marks]
12. Who can make negotiable instrument? Whether a promissory note duly executed in favour of minor is void? Give reasons. [2007; 30 Marks]
13. What is meant by 'material alteration' in the negotiable instrument? Under what circumstances an alteration in the negotiable instrument may be treated as material alteration under the-Negotiable Instruments Act, 1881? State the effect of such alteration. [2007; 30 Marks]
14. "Any material alteration of a negotiable instrument renders the same void." Discuss. [2006; 20 Marks]
15. Distinguish between Holder and Holder in due Course. Support your answer with decided cases. [2004; 30 Marks]
16. What are various kinds of indorsement recognised by law? Discuss the effect of forged indorsement. Give reasons. [2004; 30 Marks]
17. "A cheque marked 'not negotiable' is nevertheless negotiable." Discuss. [2003; 20 Marks]
18. Examine the reasons which make it necessary that there should be a concept like "holder in due course" in the law of negotiable instruments. State the characteristics of a "holder in due course" and his privileges and protections under the Negotiable Instruments Act, 1881. [2003; 30 Marks]
19. What conditions an instrument must possess to become negotiable? How do you distinguish negotiability from endorsement? Explain with illustrations, [2002; 30 Marks]
20. "Once a bearer instrument is always a bearer instrument." Discuss. [2001; 20 Marks]
21. Discuss the circumstances in which a bill of exchange is said to be dishonoured. What are the consequences of such dishonour? [2001; 30 Marks]

22. What is meant by material alteration of a negotiable instrument? What is the legal effect of such material alteration? [2000;10 Marks]

23. A dismissed his servant B from service and for his wages gave him a draft in the following words "Mr. X will much oblige Mr. A by paying to Mr. B or order Rs. 200 on his account - A". Is this draft a bill of exchange? [2000; 10Marks]

24. What is forgery? What are the effects of forged indorsement on a negotiable instrument? [2000; 30 Marks]

12. Arbitration and Conciliation Act, 1996

1. Highlight the important amendments made in the Arbitration and Conciliation Act, 1996 by the Arbitration and Conciliation (Amendment) Act, 2014. [2016; 15 Marks]
2. Arbitration, as an alternate method of adjudication is acceptable to parties largely irrespective of the fact that access to court by the parties has been curbed drastically under the Arbitration and Conciliation Act, 1996. Explain. [2014; 10 Marks]
3. Distinguish between 'Foreign Award' and the enforcement of 'Foreign Award' with the help of case law.[2010; 30 Marks].
4. State the procedure laid down in the Arbitration and Conciliation Act, 1996 for conciliation in the family disputes. [2006; 15 Marks]
5. How is an Arbitral Tribunal constituted? On what grounds and under what procedure can an appointment of an arbitrator be challenged? [2003; 30 Marks]
6. 'The Arbitration and Conciliation Act, 1996 contains provisions for effective use of Arbitration as an alternate model of justice.' -Do you agree? Explain your answer with suitable illustrations. [2002; 30 Marks]
7. Define and explain "international commercial agreement" and "arbitration agreement" under the Arbitration and Conciliation Act, 1996. [2001; 30 Marks]

13. Standard form contracts

1. The courts have found it very difficult to come to the rescue of the weaker party to a standard form contract and thus evolved certain modes to protect such weaker party against the possibility of exploitation inherent in such contracts. Explain the modes of protection available to weaker party in a standard form contract.[2018; 20 Marks]
2. “An irrational distrust of all standard form contract would be as dangerous as a facile acceptance and enforcement of these contracts.” Discuss. [2012; 30 Marks]
3. “Standard from contracts exist in complete disregard to the established principles of freedom of contract and equality of bargaining power of the parties.” Elucidate. [2011; 15 Marks]
4. “In a ‘standard form contract’, it is likely that the party having stronger bargaining power may insert such exemption clauses in the contract that his duty to perform the main contractual obligation is thereby negated.” Explain, and discuss the various rules which have been evolved to protect the weaker party. [2004; 30 Marks]

1. Public Interest Litigation

1. “Public interest litigation is not the pill of all ills, it is the boon of the courts. However it is also the duty of the court to prevent its misuse.” Elucidate. [2019; 10 Marks]
2. Public Interest Litigation (PIL) in India, of late has been used not only to represent the unrepresented and weak but also to advance the interest of others. Comment on the recent trends relating to the application, use and misuse of PIL in India. [2018; 10 Marks]
3. “Public interest litigation has played a very crucial role in protection of environment in India.” Elucidate and illustrate with the help of decided cases. [2017; 15 Marks]
4. In matters such as enforcement of social, economic, cultural or political rights or civil liberties or gender concerns, courts in India have been inclined to apply relaxed rules of standing or litigational competence rather than strict rules of locus. Discuss. [2013; 25 Marks]
5. “Public interest litigation is not in the nature of adversary litigation but it is a challenge and its officers to make basic human rights meaningful to the deprived and vulnerable sections of community to assure them social and economic justice which is the signature tune of our Constitution.” Discuss [2012; 30 Marks]
6. Public interest Litigation has been a significant tool in protecting the environment Discuss with the help of cases. [2010; 30 Marks]

2. Intellectual property rights - Concept, types/prospects

1. "In the present time, there is a conflict between the right to access to knowledge and the copyright law." Explain the statement in the light of doctrine of fair dealing under the copyright law. [2019; 15 Marks]
2. In spite of introduction and recognition of Technological Protection Measures (TPMSs), the digital copyright continues to be unsafe and unsecured. Explain the impact of the 2012 Amendments to the Copyright Act, 1957 on the protection of digital copyright in India. [2018; 10 Marks]
3. Discuss the various defences which can be pleaded by the defendant in an action for infringement of copyright under the Copyright Act, 1957. [2017; 10 Marks]
4. When does the infringement of trademark occur? Discuss the essentials of infringement of trademark. Write down the acts not constituting infringement of registered trademark. [2017; 10 Marks]
5. "An invention has to satisfy certain conditions in order to get a patent." Examine critically the statement. [2017; 15 Marks]
6. "Copyright is the right of the artist, author, producer of a film who have created a work by use of their artistic skills." Examine infringement of copyright particularly relating to video piracy and the remedies available under the law. [2014; 20 Marks]
7. "The copyright exists in expression but not in idea." Discuss with the help of the provisions of Copyright Act and case law. [2013; 10 Marks]
8. Critically analyse the term 'inventive steps' as incorporated under the Patent (Amendment) Act, 2005. Do you agree with the present definition? Refer to recent case law. [2013; 25 Marks]

9. The principle of passing off' in an action has been extended to the use of 'false trade description. Explain the conditions for two successful passing off action and the defenses available to the opposite party. [2010; 30 Marks]

10. "Intellectual property of whatever species is in the nature of intangible incorporeal property." In the light of this statement discuss the scope of intellectual property rights in India.. [2008; 30 Marks]

3. Information Technology Law including Cyber Laws - Concept, purpose/prospects

1. Ascertainment of jurisdiction is a big challenge under the cyber law. Elaborate the relevant legal provisions of the Information Technology Act along with various tests applied by the Indian courts. [2019; 15 Marks].
2. “E-governance represents a new form of governance which needs dynamic laws, keeping pace with the technological advancement.” Comment on the adequacy of the Information Technology Act, 2000 in ensuring effective E-governance in India. [2018; 15 Marks]
3. Explain the salient features and your views on the Information Technology Act, 2000 as amended in 2008 by the Information Technology (Amendment) Act, 2008. [2016; 15 Marks]
4. “The procedure and qualifications for appointment of chairperson and members of Cyber Appellate Tribunal have been introduced to keep up the standards of Justice”. Comment. [2014; 10 Marks]
5. Cyber-terrorism is a well organised transborder criminal act, hence a combined domestic law supported by a Global law may help to address the problem. Discuss. [2014; 20 Marks]
6. What is securing of digital signature under the Information Technology Act, 2000? State the duty of distance of the Certifying Authority. [2011; 30 Marks]
7. Examine the legal recognition of ‘Digital Signature’ and explain the procedure for its registration under the information Technology Act. [2010; 30 Marks]
8. ‘Information Technology - brought about by Computers, Internet and Cyberspace - has posed new problems in jurisprudence’. In the context of this statement, critically examine how far our existing laws are deficient in meeting these challenges. [2009; 30 Marks]

9. “Cyber crime is a collective term encompassing both ‘cyber contraventions’ and ‘cyber offences’.” Explain this statement and discuss the various offences enumerated in the Information Technology Act, 2000. [2008; 30 Marks]

4. Competition Law- Concept, purpose/ prospects

1. "The basic purpose of competition policy and the law is to preserve and promote competition as a means of ensuring efficient allocation of resources in an economy." Elucidate the statement in the light of new economic scenario in India. [2019; 20 Marks]
2. How far is the Competition Act, 2002 an improvement over the monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act, 1969) with respect to 'abuse of dominant position? Discuss and explain the relevant statutory provisions. [2017; 15 Marks]
3. "Right not to compete" is a right meant for promoting business through small groups called firms. Explain. [2014; 20 Marks]
4. Competition Law in India has not achieved the result as was expected. Discuss the bottlenecks with which it suffers and suggest the remedies necessary to make it fruitful. [2013; 25 Marks]
5. "Competition Law needs to have necessary provisions and teeth to examine and adjudicate upon anti-competitive practices." Examine and evaluate this statement in the context of the Competition Act, 2012. [2011; 30 Marks]
6. The competition Act is designed to prevent monopolies and unfair trade practices against smaller competitors and consuming public elucidate. [2010; 30 Marks]
7. Critically examine the utility of the Monopolies and Restrictive Trade Practices Act, 1969 in the days of liberalisation, globalisation and privatisation. [2000; 30 Marks]

5. Alternate Dispute Resolution - Concept, types/prospects

1. "Alternative dispute resolution mechanism as provided under the Legal Services Authorities Act, 1987 has played a pivotal role in dispensation of justice to the needy persons." Explain with the help of legal provisions and case law. [2019; 15 Marks]
2. "Approximate justice with finality by the way of arbitration is against the basic principle of administration of justice in the courts." Examine the statement in the light of latest developments of alternative dispute resolution system in India. [2019; 15 Marks]
3. Even though Section 89 of the Code of Civil Procedure, 1908 provides for out of court settlement of civil disputes filed in a civil, the impact of such settlement through Alternative Dispute Resolution (ADR) appears to be poor. Analyse the reasons for failure to settle the disputes through ADR modes. [2018; 15 Marks]
4. "By and large Lok-Adalats have failed in achieving the objects for which they were created." Comment. And also suggest some measures to make this institution more effective. [2014; 10 Marks]
5. What are the advantages and disadvantages of Alternative Dispute Resolution System? [2012; 10 Marks]
6. "Lok-Adalatas in India manifest the purpose and objective laid down in Alternate Dispute Resolution Schemes." Discuss. [2011; 15 Marks]
7. An impartial and independent conciliator assists the parties in resolving their dispute amicably. Discuss the provisions of law relating to conciliation. [2010; 30 Marks]
8. "In most cases reference to arbitration shuts out the jurisdiction of the courts, except as provided in the Act, and since criminal courts cannot be deprived of their jurisdiction to try criminals, no criminal matter can be referred to arbitration". Comment. [2005; 30 Marks]
9. "In any event, adaptability and access to expertise are hallmarks of arbitration". Discuss the advantages of arbitration over litigation. [2005; 30 Marks]

6. Major statutes concerning environmental law

1. “The National Green Tribunal, which was established for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources, has played a pivotal role in the recent past in this regard.” Examine the statement with reference to pronouncements given by the National Green Tribunal. [2019; 20 Marks]
2. “Sustainable development” has been accepted as a balancing concept between ecology and development. Discuss the recognition and application of this principle under the laws relating to environmental protection in India. [2018; 15 Marks]
3. Discuss the constitution, jurisdiction, powers and authority of National Green Tribunal. How far has it been successful in achieving its objectives? Explain with the help of recent cases [2017; 20 Marks]
4. "The object of Public Liability Insurance Act, 1991 is to provide relief to the victims of accidents in hazardous industries in addition to any other right to claim compensation." Explain with case law. [2016; 15 Marks]
5. The doctrine of “Public Trust” as propounded by Supreme Court has worked as an instrument for protection of Environment in India. Discuss. [2014; 15 Marks]
6. Corporate causing havoc to the wildlife existing on seashores is an extreme type of environmental crime and laws are almost non-existent to deal with them directly. Discuss. [2013; 25 Marks]
7. “The rise of Environmental Crimes in spite of Environmental Legislations is due to absence of adequate punitive methods of sentencing.” Discuss. [2011; 30 Marks]
8. The “precautionary principle” and the “polluter pays principle” are the parts of the environment law of this country. Explain in the light of decided cases. [2008; 30 Marks]

7. Right to Information Act

1. "Pragmatic regime of right to information for citizens is the key to good governance in India, but it is not being implemented in its original spirit." Examine it in the light of decision of the Supreme Court of India in Anjali Bhardwaj vs. Union of India, February 2019. [2019; 10 Marks]
2. "Mahatma Gandhi, the Father of Nation, observed that the meaning of real freedom is not to acquire authority by few but to acquire the capacity to question the abuse of such authority." Examine, in the light of the above statement, the obligations of the public authorities and explain whether they have discharged it effectively during the last about seven decades. [2018; 15 Marks]
3. "Notwithstanding transparency of governance, certain information's have been exempted from disclosure under the rights to information Act, 2005." Discuss the relevant provisions and limitations on disclosure of information. [2017; 15 Marks]
4. "The Right to Information Act, 2005 was enacted in order to promote transparency and accountability in the working of every public authority." How far has this goal been achieved by the Right to Information Act, 2005 in the last ten years ? Critically analyse your answer with the support of exceptions and case law. [2016; 15 Marks]
5. "An attempt by all political parties to bring amendments to the RTI Act, 2005 is to sabotage the steps towards transparency of governance in this country." Critically evaluate the statement. [2013; 25 Marks]
6. A Central Government Medical Research Institute in collaboration with an MNC used a drug on experimental basis on humans for curing cancer. Some of the patients died due to this drug. In order to sue for compensation for such victims and violation of right to privacy, Mr. X, a relative of a deceased patient sought information through the instrumentality of Right to Information Act. The information was refused on the ground that it affects the contracting power of the Central Government with foreign companies and violates trade secrets too. Decide. [2011; 30 Marks]

8. Trial by media

1. Trial by media appears to be an affront to the concept of free and fair trial in criminal cases, apart from being a kind of contempt of court in certain cases. Analyse the impact of trial by media on the administration of criminal justice in general and on the stakeholders in particular. [2018; 15 Marks]
2. “Though there is no law for media trial, however, in freedom of expression and speech under fundamental rights, media has the freedom to express its views based on evidence. This trial has no authority before the court of law.” Critically examine the statement with case law.[2016; 15 Marks]
3. Judiciary in India is impartial, hence cannot be influenced by internal or external factors. In the light of this discuss how far media transgresses its limit and attempts to influence the judicial process. [2014; 20 Marks]
4. “During high publicity court cases, the media are often accused of provoking an atmosphere of public hysteria akin to a lynch mob which not only makes a fair trial nearly impossible but means that regardless of the result of the trial the accused will not be able to live the rest of his life without intense public scrutiny.” How would you reconcile the ‘freedom of the press’ and the “individual’s right to privacy and right to a fair trial”? Do you think that trial by media amounts to “contempt of court” and needs to be punished? [2012; 20 Marks]