

(D1231LL/CL/TCL/CSL)

Total No. of Questions : 10]

[Total No. of Pages : 01

LLM DEGREE EXAMINATION, DECEMBER – 2018

First Year

Common to All Branches

RESEARCH METHODOLOGY

Time : 3 Hours

Maximum Marks : 70

Attempt any Five questions
All questions carry equal marks.

- Q1)** Define Research and examine the recent trends in Legal Research.
- Q2)** Examine the problems involved in identification and formulation of a Research problem.
- Q3)** What do you mean by 'Hypothesis'? What is its significance?
- Q4)** From what different sources data is taken in legal research?
- Q5)** Write a note on 'random sampling'. What are its advantages?
- Q6)** Discuss the utility and problems of mailed questionnaire.
- Q7)** What is the meaning and significance of 'Research designs'?
- Q8)** Discuss the importance of and problems in adopting interview method.
- Q9)** Distinguish between 'Doctrinal' and 'Non – doctrinal' research.
- Q10)** Explain the fundamental difference between case study method and survey method.



(D1233LL)

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LL.M DEGREE EXAMINATION, DECEMBER – 2018

First Year

LABOUR LAWS

Dispute Resolutions in Labour Management Relations

Time : 3 Hours

Maximum Marks : 70

Answer any Five questions

All questions carry equal marks.

- Q1)** Is Compulsory Adjudication method or Voluntary method of resolution of Industrial disputes best suited for the fast changing industrial scenario.
- Q2)** Define ‘Industry’ and critically examine the changing concept of industry in the post Bangalore Water Supply case.
- Q3)** Define ‘lay-off’ and ‘retrenchment’ and discuss the consequential remedies available under ID Act
- Q4)** Discuss the powers and jurisdiction of Labour courts and Industrial tribunals.
- Q5)** Discuss the statutory restrictions laid down on employer in respect of ‘closure of the establishment’ under chapter V B of Industrial Disputes Act, 1947.
- Q6)** Discuss the statutory restrictions imposed on the exercise of managerial laid down under Sec. 33 of the ID Act.
- Q7)** Discuss the powers of the appropriate government under section 10 of the Industrial Disputes Act, 1947.
- Q8)** Discuss the jurisdiction of labour courts under Sec. 33(C) 2 of Industrial Disputes Act, 1947.
- Q9)** Explain the workers’ right to compensation in respect of ‘lay – off’ and ‘retrenchment’ as provided under Chapter VA of the Industrial Disputes Act. 1947.
- Q10)** Write short notes on any two of the following :
- a) Individual dispute
 - b) Finality of the award
 - c) Closure of the establishment
 - d) Works Committee



(D1234LL)

Total No. of Questions : 10]

[Total No. of Pages : 01

LLM DEGREE EXAMINATION, DECEMBER – 2018

First Year

LABOUR LAWS

Trade Union Laws

Time : 3 Hours

Maximum Marks : 70

Answer any Five questions

All questions carry equal marks.

- Q1)** Critically examine the legal status of Freedom of Organisation in UK and USA.
- Q2)** Critically examine to what extent judiciary protected the Right to Form Association under Indian legal frame work.
- Q3)** Critically examine the origin and growth of Indian Trade Union Movement and state the reasons for the decline in trade unionism.
- Q4)** Explain the scope of immunities from civil and criminal proceedings conferred on the registered Trade Unions under Sec. 17 & 18 of the Trade Unions Act with the help of case law.
- Q5)** Critically examine the distinction between the status of a registered union and the recognized union.
- Q6)** Freedom of organization guaranteed under Art 19 (1) (C) does not carry along with it the right to recognition of trade unions. Critically examine the statement with the help of case law.
- Q7)** “The multiplicity of Trade union is one of the evils that are undermining the growth and effectiveness of Trade unions”. Do you think that this statement holds good subsequent to the amendment to Trade Unions Act in 2001.
- Q8)** In the era of globalization Bonded labour system is continuing to persist in different forms – Do you agree with the statement? Explain the Constitutional and statutory position of Bonded labour.
- Q9)** Discuss the problems of unionizing agricultural labour in India.
- Q10)** Write short notes on any two of the following :
- b) Unorganized labour
 - b) Lockout
 - c) Politics and Trade unions
 - d) Child labour



(D1237LL/CL/TCL/CSL)

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[Total No. of Pages : 01

LL.M. DEGREE EXAMINATION, DECEMBER – 2018

First Year

JURISPRUDENCE (Common to All Branches)

Time : 3 Hours

Maximum Marks : 70

Answer any Five questions

All questions carry equal marks.

- Q1)** What are the different sources of Law? Discuss in detail customs as source of law.
- Q2)** Who are the proponents of Natural Law School? Explain their views and compare with 'positivism'.
- Q3)** What is 'Modern Realism'? Discuss the views of American and Scandinavian Realism.
- Q4)** Explain the Marxist theory of Law.
- Q5)** What is a 'Right'? Critically analyze the characteristics and kinds of Legal Rights.
- Q6)** Discuss the various kinds of 'Duties'. How does a Duty differ from a 'Sanction'?
- Q7)** What are the factors necessary to fix liability under Criminal Law?
- Q8)** Discuss the classes of wrongful acts, with the help of decided cases. Explain the rule of 'Damnum sine injuria'.
- Q9)** With the help of landmark judgments explain the law of Negligence.
- Q10)** Answer any TWO of the following :
- a) Ratio decidendi
 - b) Kinds of liability
 - c) Mischief rule
 - d) Mistake of law and mistake of fact.



(DI235LL)

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LL.M. DEGREE EXAMINATION, DECEMBER – 2018

First Year

LABOUR LAWS

Industrial Discipline and Punishment Process

Time : 3 Hours

Maximum Marks : 70

Answer any Five questions

All questions carry equal marks.

- Q1)** Define the word 'discipline' and explain the need for maintaining industrial discipline.
- Q2)** Explain the essentials of charge sheet and state whether it has to be served on the delinquent employee before or after the suspension.
- Q3)** Explain the concept of discharge simpliciter and how it differs from punitive discharge.
- Q4)** What is meant by misconduct? Explain different types of acts and omissions which amount to misconduct as per Model standing orders.
- Q5)** Discuss the constitutional safeguards provided to the civil servants in case of dismissal, discharge or reduction in rank.
- Q6)** Discuss the procedure to be followed for conducting the domestic enquiry.
- Q7)** Is there any statutory right vested in the employer to transfer his employees? Explain directions if any, of the judiciary in this regard.
- Q8)** Critically examine the power of Labour courts, Tribunals and National Tribunals to give appropriate relief in case of discharge or dismissal of workmen as provided under Sec. 11-A of Industrial Disputes Act with the help of case law.
- Q9)** Discuss the principles of natural justice that are to be followed in the process of awarding punishments in case of proven acts of misconduct.
- Q10)** Write short notes on any two of the following :
- c) Administrative tribunals
 - b) Industrial discipline
 - c) Model standing orders
 - d) Termination of employment



(D1236LL)

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LL.M DEGREE EXAMINATION, DECEMBER – 2018

First Year

LABOUR LAWS

Collective Bargaining

Time : 3 Hours

Maximum Marks : 70

Answer any Five questions

All questions carry equal marks.

- Q1)** Explain in detail ‘right to form association’ as provided under the international documents.
- Q2)** Discuss the positive and negative aspects of the concept of freedom of organization and briefly explain its status under the American legal framework.
- Q3)** Explain the concept of ‘collective bargaining’ and discuss its legality with the help of case law.
- Q4)** Explain different types of bargaining and discuss merits and demerits of each type of bargaining.
- Q5)** Freedom of organization guaranteed under Art. 19(1) (C) does not carry along with it the right to recognition of trade unions. Critically examine the statement with the help of case law.
- Q6)** Define the term ‘strike’ and critically examine different forms of strikes with the help of case law.
- Q7)** Discuss the recommendations of Second Labour Commission on strengthening the collective bargaining process in India.
- Q8)** Critically examine enforceability of collective agreements in India.
- Q9)** Discuss briefly the various schemes adopted by Government of India to promote workers participation in Management.
- Q10)** Write short on any two of the following :
- d) Worker Director
 - b) Joint Management Council
 - c) Conciliation settlement
 - d) Gherao

