

(D1231LL/CL/TCL/CSL)

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LL.M. DEGREE EXAMINATION, MAY – 2018

First Year

Common to all Branches

RESEARCH METHODOLOGY

Time : 3 Hours

Maximum Marks :70

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Attempt any five questions.

All questions carry equal marks.

- Q1)** Write an essay on ‘objectivity and value neutrality’ in social sciences research.
- Q2)** Explain what is meant by formulation of the research problem.
- Q3)** What are the criteria of a good research design?
- Q4)** Explain the difference between doctrinal and non-doctrinal research. Examine the applicability of non-doctrinal approach to legal research.
- Q5)** ‘Observation is the oldest and the best method for data collection’. Comment.
- Q6)** Explain the importance of socio-legal survey in legal research.
- Q7)** Discuss the criteria for selecting a sampling procedure. What are different types of sample designs?
- Q8)** What are the steps involved in processing of data?
- Q9)** Explain and compare questionnaire method and scheduled method in research.
- Q10)** Evaluate the procedure to be followed in writing a research report.



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LL.M. DEGREE EXAMINATION, MAY – 2018

First Year

LABOUR LAWS

Dispute Resolutions in Labour Management Relations

Time : 3 Hours

Maximum Marks :70

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Attempt any five questions.

All questions carry equal marks.

- Q1)** Critically examine Government policy on industrial Relations in the post Independence era.
- Q2)** Discuss the scope of definition of ‘workman’ in the light of the multi-dimensional nature of work culture in the industrial scenario.
- Q3)** The role of works committee in the dispute resolution mechanism has almost become outdated. – Comment.
- Q4)** Discuss the scope of Appropriate Government’s referral power under Industrial Disputes Act.
- Q5)** Explain the term ‘Industrial adjudication’ and discuss the objectives of Industrial adjudication.
- Q6)** Define ‘Award’ and discuss the finality and judicial review of awards.
- Q7)** Discuss the statutory restrictions laid down on employer regarding closure of an establishment and retrenchment of workmen under chapter VA of Industrial Disputes Act, 1947.
- Q8)** Critically examine the power of the employer to change the conditions of service during the pendency of proceedings before the adjudicatory bodies under the Industrial disputes Act, 1947.
- Q9)** Discuss the Constitution and composition of National Tribunal.
- Q10)** Write short notes on any two of the following:
- Settlement and award
  - Industrial dispute
  - Conciliation
  - Voluntary arbitration

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LL.M. DEGREE EXAMINATION, MAY – 2018

First Year

LABOUR LAWS

Trade Union Law

Time : 3 Hours

Maximum Marks :70

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Answer any five questions.

All questions carry equal marks.

- Q1)** Explain the concept of Freedom of Organisation and discuss the recognition and incorporation of this freedom under ILO and Indian Constitution.
- Q2)** The British Trade Union movement is a long drawn process of struggles unlike the situation in the Indian Trade Union movement. Critically examine.
- Q3)** TU Act 1926 is generally acclaimed as landmark legislation enacted for the protection of rights of the workers Comment.
- Q4)** ‘A Trade union is entitled to carry out legitimate activities peacefully’, Comment what is the scope of immunity from civil and criminal liability conferred on Trade Unions?
- Q5)** Discuss the recommendations of Second Labour Commission on the problem of recognition of trade unions in India.
- Q6)** Is outsider’s participation in trade union is a bane to the effective functioning of trade unions in India? Discuss in the light of the recommendations of the First and Second National Commission on Labour.
- Q7)** Discuss the problems of unorganized labour and state whether we have any statutory protection for unionization of unorganized labour.
- Q8)** “Trade Unions in India were born in politics, they are living in politics and they will continue to live in politics” – Comment on this statement and discuss whether there is a need for separating trade unions from politics.
- Q9)** Critically examine the law relating to child labour in the light of the latest amendments.
- Q10)** Write short notes on any TWO of the following:

- a) Multi-unionism
- b) Bonded labour
- c) Trade unions and corporate status
- d) Intra and Inter union rivalries



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LL.M. DEGREE EXAMINATION, MAY – 2018

First Year

Common to all Branches

JURISPRUDENCE

Time : 3 Hours

Maximum Marks :70

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Answer any five questions.

All questions carry equal marks.

- Q1)** What are the different kinds of Law? Discuss in detail ‘Legislation’ as source of Law. Cite some recent legislation enacted by the Parliament.
- Q2)** Discuss Kelsen’s Pure theory of law. Analyze the criticism against his law.
- Q3)** Elaborately discuss the various rules of Interpretation of a Statute.
- Q4)** Who is the proponent of historical School of Law? Critically examine his views on this law.
- Q5)** What is a ‘Duty’? Discuss the characteristics and functions of Duty.
- Q6)** Discuss the various kinds of liability as recognized under Civil law.
- Q7)** Discuss the theories of Penal Liability.
- Q8)** Analyze with the help of case law the elements of ‘Mense rea’ in fixing liability under criminal law.
- Q9)** Explain with decided cases the law on ‘Mistake of fact and Mistake of Law.
- Q10)** Answer any TWO of the following:
- Precedence
  - Meaning and scope of negligence
  - Exceptions in criminal justice system
  - Damnum sine injuria

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LL.M. DEGREE EXAMINATION, MAY – 2018

First Year

LABOUR LAWS

Industrial Discipline and Punishment Process

Time : 3 Hours

Maximum Marks :70

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Attempt any five questions.

All questions carry equal marks.

- Q1)** Discuss the concept of industrial discipline and examine whether it promotes healthy industrial relations.
- Q2)** Explain various punishments which may be usually awarded to workmen for the misconducts committed.
- Q3)** Explain the concept of ‘suspension during pendency of enquiry proceedings’.
- Q4)** ‘It is well settled that management cannot punish its employee for an act of misconduct without proving it and without giving him a reasonable opportunity to defend himself in a proper domestic enquiry’. Explain with the help of case law.
- Q5)** Discuss the role of enquiry officer and distinguish it with the role of a presenting officer in the domestic enquiry proceedings.
- Q6)** Critically examine the scope of doctrine of pleasure as provided under Art.310 of the Constitution.
- Q7)** Explain the essential features of Industrial Employment (Standing Orders) Act 1946 and state how it promotes industrial discipline.
- Q8)** ‘The fundamental principle in the punishment process is that it should commensurate with the nature and gravity of the offence’. Comment.
- Q9)** Distinguish between the jurisdiction of Industrial tribunal and Administrative tribunal with regard to the punishment process.
- Q10)** Write short notes on any TWO of the following:
- Cumulative or non-cumulative fines
  - Show cause notice
  - Labour court
  - Subsistence allowance

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LL.M. DEGREE EXAMINATION, MAY - 2018

First Year

LABOUR LAWS

Collective Bargaining

Time : 3 Hours

Maximum Marks : 70

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Attempt any five questions  
All questions carry equal marks

- Q1)** Discuss the concept of “Collective Bargaining” and explain its utility in settlement of Industrial disputes.
- Q2)** Define collective bargaining and examine the pre-requisites for successful collective bargaining.
- Q3)** Explain “strike” and “lock-out” as legal controls of collective bargaining endeavours.
- Q4)** Multi-unionism is the bane of decline of trade unionism and thereby collective bargaining process. Discuss.
- Q5)** Critically examine to what extent collective bargaining is successful in India with the help of some empirical studies made in India.
- Q6)** Explain the term Gherao and discuss whether it should be treated as an offence or a legitimate form of strike with the help of case law.

**Q7)** Explain the concept and theories of participation of workers in Management.

**Q8)** Critically examine the role of Worker Director in the process of Workers' Participation in Management.

**Q9)** Discuss the concepts of Collective agreement and conciliation settlement.

**Q10)** Write short notes on any two of the following:

- a) Lock-out.
- b) Industry level bargaining.
- c) Works Committee.
- d) Sole bargaining agent.

