

**(D 1231 LL/CL/TCL/CSL (NR))**

LL.M.(Previous) DEGREE EXAMINATION, DECEMBER 2012.

First Year

Paper I — RESEARCH METHODOLOGY

(Common to All Branches)

Time : Three hours

Maximum : 80 marks

Answer any FIVE questions.

All questions carry equal marks.

1. What is the Correlation between Science, theory and facts? How are they relevant in research?
  2. What are the various institutions/places where legal research takes place in India?
  3. What are the consideration relevant in selecting a research problem?
  4. What are the criteria of a good hypothesis and its sources?
  5. Narrate the uses and advantages of sampling. What are the different kinds of sampling?
  6. Explain how to construct a good questionnaire and the advantages of questionnaire.
  7. Evaluate observation as a tool of data collection.
  8. Write an essay on the use of statistics in the analysis of data.
  9. Prepare a research design for doing research on 'Impact of Foreign Direct Investment in retail market'.
  10. Write short notes on any TWO of the following :
    - (a) Concepts
    - (b) Jurimetrics
    - (c) Case study
    - (d) Content Analysis.
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**(D 1237 LL/CL/TCL/CSL) (NR))**

LL.M. (Previous) DEGREE EXAMINATION, DECEMBER 2012.

First Year

Paper IV — JURISPRUDENCE  
(Common to all branches)

Time : Three hours

Maximum : 100 marks

Answer any FIVE questions.

All questions carry equal marks.

1. Sociological school of jurisprudence is the combination of all schools. Comment.
  2. The coming together of Natural Law and Positive Laws is the current Jurisprudence – Lyod. Elaborate the statement.
  3. Law is not logic, it is human experience – Holmes. Give an account of realist school.
  4. Every progressive society hitterts moves from status to contract Henry Main. Discuss historical school of thought and its contribution to Jurisprudence.
  5. Discuss the rules of interpretation in general and constitutional interpretation in particular.
  6. Explain the judicial precedent as the important source of Law.
  7. Explain the scope of corporate personality and theories of corporate personality.
  8. Discuss the importance of possession in claiming property.
  9. Explain different theories of liability.
  10. Write explanatory notes an any two of the following :
    - (a) Ratio decidend
    - (b) Custom
    - (c) Legal rights and duties
    - (d) Hart theory of law.
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First Year

Labour Laws

Paper II — DISPUTE RESOLUTIONS IN LABOUR MANAGEMENT RELATIONS

Time : Three hours

Maximum : 80 marks

Answer any FIVE questions.

1. “The voluntary methods of settlement of industrial disputes faster industrial peace and promotes goodwill between the parties to the dispute ”–Critically analyse.
  2. Discuss the provisions of the Industrial Disputes Act, 1947 relating to closure.
  3. Explain the powers and duties of the conciliation Officer under the Industrial Disputes Act.
  4. Examine the nature and extent of Government’s power to refer the dispute for adjudication.
  5. Discuss the composition and powers of Labour Court and Industrial Tribunal.
  6. Define Award and write about the form, commencement and operation of an Award.
  7. “Right to life includes Right to livelihood”. Examine the relevance of this statement with reference to Retrenchment and Lay-off. Explain the rights of a workman under these circumstances.
  8. Describe in detail the various unfair labour practices envisaged under the Industrial Disputes Act, 1947.
  9. What is the procedure for recovery of money due from the employer under Industrial Disputes Act?
  10. Write short notes on any TWO of the following.
    - (a) Works Committee
    - (b) Settlement
    - (c) Court of Inquiry
    - (d) Appropriate Government.
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LL.M. (Previous) DEGREE EXAMINATION, DECEMBER 2012.

First Year

Labour Laws

Paper III — TRADE UNION LAW

Time : Three hours

Maximum : 80 marks

Answer any FIVE questions.

All questions carry equal marks.

1. The British Trade Union movement is a long drawn process of struggles unlike the situation in the Indian Trade Union movement. Critically examine.
  2. Explain the historical significance of the Indian Trade Unions Act, 1926. How did it help the growth of the Trade Union movement in India?
  3. Critically examine to what extent judiciary protected the Right to Form Association under Indian legal framework?
  4. "The problem of outsiders in Trade Union relates back to the origin of the Trade union legislation in India." Do you agree with this statement? Critically examine the role of outsiders in the trade unions.
  5. '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?
  6. Discuss the provisions of Trade Unions Act relating to registration of Trade Union. What are the remedies available to the members in case of refusal of registration under Trade Unions Act?
  7. 'Inter-union and Intra-union rivalry proved fatal to the growth of a responsible Trade Union movement in India' – Comment. What are your suggestions to free the Trade Union Movement from these inhibiting factors?
  8. Critically examine the judicial response to the Bonded labour system in India and state whether it is adequate for the complete eradication of this social evil.
  9. Critically examine the legislative efforts of the Government of India in the direction of protecting unorganized labour.
  10. Write short notes on any TWO of the following :
    - (a) Agricultural labour.
    - (b) Recognition of Trade Unions.
    - (c) Politics and Trade Unions.
    - (d) Child Labour.
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LL.M.(Previous) DEGREE EXAMINATION, DECEMBER 2012.

First Year

Labour Laws

Paper V — INDUSTRIAL DISCIPLINE AND PUNISHMENT PROCESS

Time : Three hours

Maximum : 80 marks

Answer any FIVE questions.

All questions carry equal marks.

1. Discuss the concept of industrial discipline and examine whether it promotes healthy industrial relations.
  2. Define 'misconduct' and discuss the remedial measures provided under the industrial jurisprudence.
  3. Explain the essentials of charge sheet and state whether it has to be served on the delinquent employee before or after the suspension.
  4. Discuss the principles of natural justice that are to be followed in the process of awarding punishments in case of proven acts of misconduct.
  5. Explain the essential features of Industrial Employment (Standing Orders) Act 1946 and state how it promotes industrial discipline.
  6. Critically examine the scope of doctrine of pleasure as provided under Art.310 of the Constitution.
  7. Discuss the jurisdiction and powers of the Administrative tribunals.
  8. Is there any statutory right vested in the employer to transfer his employees? Explain directions if any, of the judiciary in this regard.
  9. Critically examine the right of hearing of civil servants and its exceptions with the help of case law.
  10. Write short notes on any TWO of the following:
    - (a) Cumulative or non-cumulative fines
    - (b) Termination of employment
    - (c) Domestic enquiry officer
    - (d) Industrial tribunal.
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First Year

Labour Laws

Paper VI – COLLECTIVE BARGAINING

Time : Three hours

Maximum : 100 marks

Answer any FIVE questions.

1. Explain briefly the methods to be adopted in the collective bargaining process.
  2. Discuss the advantages of collective bargaining process and state whether it is better than the compulsory adjudication system.
  3. Critically examine 'lock-out' as a weapon used by the employer in the process by collective bargaining.
  4. Discuss the conditions necessary for successful collective bargaining between labour and management.
  5. Are the workers entitled to get wages for participating in illegal strikes – explain with the help of use law.
  6. Explain the concept of worker's participation in management and state two methods adopted in India in this direction.
  7. Explain the distinction between the collective agreements and conciliation settlements.
  8. Discuss the merits and demerits of plant level and industry level bargaining.
  9. Critically examine the distinction between 'legality and illegality' and 'justifiability and unjustifiability' of strikes in India.
  10. Answer any TWO of the following :
    - (a) Joint management councils
    - (b) Picketing
    - (c) Multi-Unionism
    - (d) Work to rule.
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