

UNIVERSITY OF CALCUTTA

**Syllabus &  
Question Bank  
Semester VIII**

## **Syllabus for 8th Semester**

- **Paper 1**~ Human Rights Law and Practice
- **Paper 2**~ Interpretation of Statutes and Principles of Legislation
- **Paper 3** ~ Environmental Law
- **Paper 4** ~ Labour and Industrial Law - I

### **Paper 1 ~ Human Rights Law and Practice**

1. Concept of Human Rights - National and International Insights.
2. Universal Declaration of Human Rights, 1948.
3. International Covenants on Political and Civil Rights, 1966.
4. International Covenants on Economics, Social and Cultural Rights, 1966.
5. Convention of Elimination of Discrimination against Women, 1979.
6. Convention on Rights of Child, 1989.
7. The Protection of Human Rights Act, 1993.
8. Human Rights and Indian Constitution.

### **Paper 2 ~ Interpretation of Statutes and Principles of Legislation**

#### **A. Principles of Interpretation.**

(a) **Meaning of Interpretation and Construction of Statute.**

(b) **Basic Rules of Interpretation.**

Literal or Grammatical Rule of Interpretation.

Golden Rule of Interpretation.

Mischief Rule of Interpretation.

**3. General principle of Interpretation.**

Statute to be read as a whole.

Intention of Legislature Predominates.

Statute to be construed to make it effective and workable.

**4. Guiding Rules of Interpretation.**

a) Causus Omissus.

### **5. Subsidiary Rules of Interpretation.**

Mandatory and Directory Provisions.

Use of "Shall" and "May"

"It shall be lawful", "Shall have Power"

As be deems fit.

"or" and "and"

### **6. Maxims.**

(a) Nosciturusociis.

(b) Eiusdem Genesis.

(c) ExpressioUnius Est ExclusioAlterius.

(d) ReddendoSingulaSingulis.

(e) GeneraliaSpecilibus non Derogant.

### **7. Internal Aids to Construction.**

### **8. External Aids to Construction.**

### **9. Interpretation of Taxing Statute.**

### **10. Interpretation of Penal Statute.**

### **11. Interpretation of Social and Beneficial Legislation.**

### **12. Interpretation of Constitution.**

### **B. General Clauses Act :**

1. The General Clauses Act, 1987

### **C. Principles of Legislation:**

1. Definition and Nature and scope of Legislation.
2. Criteria and Types of Legislations Individualism.
3. Collectivism and Marxism.

## ***Paper 3 ~ Environmental Law***

1. **U. N. Stockholm Declaration 1972; Rio-Declaration 1992 kioto Declaration.**
2. **The Meaning of 'Environment'** as defined in the Environmental Protection Act,1986 {Section 2(a) and 'Pollution' as defined in the said Act of 1986 and the water Prevention and control of Pollution} Act, 1974, The concept of environment in the Constitution - Article 21, 47, 48A, 49 and 51A (g).

3. **Prevention, Control and Abatement of Environment Pollution.**
  - a) For Human Being: Pertaining to Water, Air and Noise.
  - b) For Non-Human Being: Pertaining to Wildlife including Plants and Forests.
4. **Administration and functioning of Pollution Control Board with reference to Water Act.**
5. **Laws relating to the role of courts to protect environment pollution.**
6. **punishments in Environmental Law.**
7. **Environment Policy in India.**

### ***Paper 4 ~ Labour and Industrial Law - I***

1. **The Factories Act, 1948**
  - (b) Preliminary
  - (c) Inspecting Staff
  - (d) Health
  - (e) Safety
  - (f) Welfare
  - (g) Employment of young Person.

#### 2. **The Minimum Wages Act, 1948 :**

Definitions - Minimum Wage, Fair Wage and Living Wage.

Fixing of Minimum Wages - Procedure and Payment.

Inspectors

Claims

Cognizance of Offences

Contracting Out.

#### 3. **Prevention, Control and Abatement of Environment Pollution.**

For Human Beings : Pertaining to Water, Air and Noise.

For Non-Human Being : Pertaining to Wildlife including Plants and Forests.

#### 4. **The Workmen's Compensation Act, 1923 :**

Definitions

Workmen's Compensation - Employee Liability

Commissioners - Their Power and Functions.

**5. The Employee's State Insurance Act, 1948 :**

Definitions.

E.S.I. Corporation, Standing Committee, and Medical Benefit Council c)  
Contribution

**6. The Fatal Accidents Act, 1855 :**

Compensation to the Family of a person for loss occasioned to it by his death by actionable working.

## HONOURS

Paper - I: Law of Trade Marks and Design

Paper - II: Insurance Law.

### Paper - I

Law of Trade Marks and Design

1. Introduction:

a) The Object of Trade Marks Law.

b) Concept of Trade Marks, Domain Name, Good Trade Mark, Associated Trade Mark, Trade Descriptions and Deceptive Similarity.

c) Functions of Trade Mark.

2. Collective Trade Mark.

3. Certification of Trade Mark.

4. Registered Users of Trade Marks.

5. Registration of Trade Marks.

6. Protection of Trade Marks and Goodwill.

7. Registrar of Trade Marks: Powers and Functions.

8. Licensing of Trade Marks.

9. Assignment and Transmission of Trade Marks.

10. Infringement of Trade Marks and Remedies.

11. Industrial Design.

a) Concept and Subject-Matter.

b) Novelty and Originality.

c) Publication.

12. Registration of Industrial Design and Rights of owner.

13. Infringement of Design and Remedies.

**Paper-II**

## Insurance Law

## 1. General Principles of Insurance Contract:

- a) Concept of Insurance in global economy.
- b) History of Insurance in India.
- c) Formation of Insurance contract.
- d) Utmost Good faith.
- e) Insurable Interest.
- f) The risk and the policy and its Types.
- g) Assignment of Subject - matter.
- h) Agency.
- i) Doctrine of Privity of Contract.
- j) Duty of Disclosure and Claims Procedure.

## 2. Life Insurance:

- a) Formation of life Insurance.
- b) Proposal and Policy.
- c) Assignment.
- d) Nomination.
- e) Tax Law and Life Insurance.
- f) Claims and Title to Policy
- g) Representations and Warranties.

## 3. Marine Insurance:

- a) Nature and scope.
- b) Classification of Marine Policies.
- c) The Marine Insurance Act, 1963
- d) Regulation of Insurance Business.
- e) Protection of Policy Holder.

## 4. Motor Insurance:

- a) Object Behind this policy.
- b) Concept of Motor Vehicles.

## 5. The Motor Vehicles Act, 1988:

- a) Chapter - XI
- b) Comparative study of Chapter - VIII and Chapter - XI.

## 6. Fire Insurance:

Characteristics of Fire Insurance and Policies of Fire Insurance.

7. Liability Insurance:

Scheme and Authority under the Public Liability Insurance Act, 1991.

8. Health Insurance: Concept and Object behind it.

9. Social Insurance in India:

a) Concept of Social Insurance.

b) Social Security Legislations:

i) The Workmen's Compensation Act, 1923.

ii) The Employees Provident Fund and Miscellaneous Provisions Act, 1952.

iii) The Employees State Insurance Act, 1948. iv) The Maternity Benefits Act, 1961.

iv) The Payment of Gratuity Act, 1972.

10. Insurance and Consumer Protection Act.

11. Protection of Policy Holders:

a) The Indian Fatal Accident Act, 1855.

b) IRDA (Protection of Policy holders' interest) - Regulations, 2002.

c) The Insurance Act, 1938.

d) The Insurance Rules, 1939

12. Comparative study of Insurance contract and contract of wage.

## **Question Papers for Sem VIII** **2019 | Human Rights Law and Practice**

Answer any five Questions

1. Discuss the concept of Human Rights with National and International insights. [16]
2. Write a note on Universal Declaration of Human Rights, 1948. [16]
3. Discuss the relation between the Civil and Political Rights and Economic, Social and Cultural Rights. [16]
4. Discuss the power and function of National and State Human Rights Commission in India. [16]
5. Write a note on 'elimination of discrimination against women' with special reference to human rights. [16]
6. Compare and contrast between the 'Fundamental Rights' under the Constitution of India and 'Human Right Covenant'. [16]
7. Write a detail note on 'Right to life and personal liberty'. [16]

8. "International Covenant on Civil and Political Rights, 1966 in a binding law." - Discuss with reasons. [16]
9. The Convention on Rights of Child, 19889 is a detail code on the rights of child. - Discuss with reasons. [16]
10. Write notes on **any two** of the following: [8×2]
  - (a) Equality and non-discrimination.
  - (b) Protective discrimination.
  - (c) Definition of Human Rights.
  - (d) Human Rights Court.

## **2019 | Interpretation of Statutes and Principles of Legislation**

### **Group - A**

#### **Answer any three Questions**

1. (a) What do you mean by Interpretation of Statute? [4]  
 (b) Discuss the 'Literal Rule of Interpretation' with decided case laws. [12]
2. (a) Discuss the 'Golden Rule of Interpretation' with relevant case laws. [9]  
 (b) Discuss the rule of Interpretation of Penal Statutes. [7]
3. (a) Discuss the Mischief Rule and state the reason why it is often termed as 'Heydon's Rule'. [8]  
 (b) Discuss the Doctrine of Severability and Doctrine of Colourable Legislation. [8]
4. Explain (**any two**): [8×2]
  - (b) Rule of Eiusdem Generis.
  - (c) Statute to be read as a whole.
  - (d) Noscitur a Socus.
  - (e) Reddendo Singula Singulis.
5. Discuss (**any two**): [8×2]
  - (b) Generalia Specialibus non-Derrogant.
  - (c) Mutatis Mutandis.
  - (d) Expressio Unius Est Exclusio Alterius. (d) Contemporanea Expositio.

6. What is meant by internal and external aids to construction of statutes? Explain in detail with examples. [16]

**Group - B**

**Answer any one Questions**

7. (a) Discuss the salient features of the GCA, 1897. [8]  
 (b) What is the effect of repeal of an enactment? [8]
8. Write short notes on (**any four**): [4×4]
- (b) Offence.  
 (c) Collector.  
 (d) India.  
 (e) Central Act.  
 (f) Union Territory. (f) Service by Post.

**Group - C**

**Answer any one Questions**

9. (a) What is the difference between Bill and Act? [6]  
 (b) Discuss the importance of 'Delegated Legislation'. [10]
10. Briefly discuss the different types of Legislative Instruments. [16]

## **2019 | Environmental Law**

**Answer any five Questions**

1. (a) State the objects behind enacting The Environment (Protection) Act, 1986.  
 (b) Discuss the salient features of Rio-Declaration. [6+10]
2. (a) Discuss 'Polluter Pays Principle'. [8]  
 (b) Explain the principle laid down by the Supreme Court of India in the Oleum gas leak case. [8]
3. (a) State the composition of the Central Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974. [6]  
 (b) Discuss few important functions of the Central Board for Prevention and Control of Water Pollution. [10]
4. (a) Discuss the concept of 'Consent Mechanism' in respect of the State Board as a safeguard against air pollution as provided in the Air (Prevention and Control of Pollution) Act, 1981. [8]

- (a) What steps should be taken by the State Board under the Air (Prevention and Control of Pollution) Act, 1981, in case of an accidental emission of any air pollutant in excess of the standards as laid down by the State Board? [8]
5. (a) Explain the Constitutional Vision of the Indian Courts regarding the Right to Environment under Article 21. [10]  
(b) Write a note on Writ as remedies to enforce the right to environment. [6]
6. (a) Discuss the significance of the 'Taj Trapezium Case' as decided by the Hon'ble Supreme Court in the field of air pollution. [10]  
(b) Explain the restrictions on the use of loud speakers system under the Noise Pollution (Regulation and Control) Rules, 2000. [6]
7. What is Sanctuary? What restrictions have been placed on the entry in a sanctuary? What are the duties of a person residing in a Sanctuary? What acts are prohibited in a sanctuary? [3+5+4+4]
8. Discuss how 'public interest litigation' has played an important role in environmental protection in India and how the judiciary has applied the principles of sustainable development while deciding the cases. [16]
9. Discuss the importance of Kyoto Protocol and state its important provisions. [16]
10. Write short note on **any four** of the following: [4×4]  
(a) Strict Liability.  
(b) Silence Zone.  
(c) Sustainable Development.  
(d) Hazardous Substance.  
(e) Protected Areas.  
(f) Public Trust Doctrine.

## 2019 | Labour and Industrial Laws I

Answer any five Questions

1. Discuss the duties and functions of the Inspector under the Factories Act, 1948. [16]
2. (a) Define the term Factory under the Factories Act, 1948. [10]  
(b) Define the manufacturing process. [6]
3. Explain the various measures regarding the protection of health of workers under the Factories Act, 1948. [16]
4. (a) Explain Fair Wages and Living Wages under the Minimum Wages Act, 1948.  
(b) Who will be appointed as an Inspector under the Minimum Wages Act? [8+8]

5. Discuss, in brief, the salient features of the Fatal accident Act, 1885. [16]
6. Discuss the Constitution of the Corporation under Employees State Insurance Act, 1948. What types of establishment come within the purview of the above Act? [16]
7. State the law relating to registration, cession and disqualification of the membership of the corporation. [16]
8. Define Worker. Discuss various provisions of welfare measure provided by the Factory Act, 1948. [16]
9. Write short notes on **any four** of the following: (4×4)
  - (b) Dependent.
  - (c) Insures Person.
  - (d) Minimum Wages.
  - (e) Disablement.
  - (f) Wages.
  - (g) Standing Committee.
10. What is the time of payment of wages to the persons employed under the Payment of Wages Act, 1936? [16]

## **2018 | Human Rights Law and Practice**

### **Answer any five Questions**

1. Discuss the concept of Human Rights with special reference to the National and International Rights. [16]
2. Write a note on the Universal Declaration of Human Rights, 1948. [16]
3. Discuss object of the International Covenants on Political and Civil Rights, 1966 highlighting its important provisions. [16]
4. Examine the protection of Rights of Child in National and International scenario. [16]
5. Write a note on the International Covenants on Economic, Social and Cultural Rights, 1966. [16]
6. Critically analyse protection of rights on women with reference to Indian Judicial decisions and the Convention on Elimination of Discrimination against women, 1979. [16]
7. Discuss working of the National Human Rights Commission and its powers as well as functions under the Human Rights Act, 1993. [16]

8. Examine the relationship between Fundamental Rights and Directive Principles of State Policy in Indian perspectives. [16]
9. Discuss Enforcement of Human Rights in India with reference to suitable Judicial Decisions. [16]
10. Write notes on **any two** of the following: [8×2]
  - (a) Working of the West Bengal Human Rights Commission.
  - (b) Public Interest Litigation.
  - (c) Freedom of Speech and Expression.
  - (d) Rights to Equality.

### **2018 | Interpretation of Statutes and Principles of Legislation**

#### **Group - A**

#### **Answer any three Questions**

1. What do you understand by the term 'Interpretation of Statutes'? Explain the 'Literal or Grammatical Rule of Interpretation' with case law. [4+12]
2. (a) Discuss the 'Golden Rule of Interpretation' with relevant case laws. [9]
  - (a) Discuss the rule of Interpretation of Penal Statutes. [7]
3. (a) Discuss the rule of Harmonious Construction of Statute. [8]
  - (b) 'Statutes to be read as a whole' - Explain in a statute with Judicial Pronouncement. [8] Explain
4. Write any **any two** of the following : [8×2]
  - (a) Noscitur a Sociis. (b) Generalia Specialibus Non Derogant. (c) Eiusdem Generis. (d) Rule of Pith and Substance.
5. (a) What do you mean by Internal and External aids to Construction? Discuss any two aids from each group. [10]
  - (b) Explain the rule of Interpretation of Taxing Statutes. [6]
6. Discuss in brief, the different rules of Interpretation of Constitution with case laws. [16]

#### **Group - B**

#### **Answer any one Questions**

7. (a) Discuss the salient features of the General Clauses Act, 1897. [8]
  - (b) What is the effect of repeal of an enactment? [8]
8. Write short notes on **any four** of the following: [4×4]
  - (a) Affidavit.
  - (b) Enactment.

- (c) Offence.
- (d) India.
- (e) Property.
- (f) Document.

**Group - C**  
**Answer any one Questions**

9. (a) Discuss the nature and scope of Legislation. [6]  
(b) What do you mean by 'Delegated Legislation'? Signify the reason for Growth of Delegated Legislation. [10]
10. Explain the Bentham's Theory of Utilitarianism. [16]

**2018 | Environmental Law**

**Answer any five Questions**

1. "Rio Declaration is the reaffirmation of Stockholm Declaration with the object to establishment global partnership to protect Human Environment" - Explain. [16]
2. (a) Discuss the purpose and object of enacting the Environment (Protection) Act, 1986. [6]  
(b) Briefly narrate the concept of 'Polluter Pays Principle' and explain it with the help of the decision given by the Supreme Court in the 'Oleum Gas Leak Case'. [4+6]
3. (a) Briefly discuss the emergency measures that the State Board may take to mitigate air pollution under the Air (Prevention and Control of Pollution) Act, 1981. [8]  
(b) Discuss the significance of the 'Taz Trapezium' case as decided by the Apex Court in the area of air pollution. [8]
4. (a) Discuss the concept of 'Consent Mechanism' in respect of the State Board as a safeguard against air pollution as provided in the Air (Prevention and Control of Pollution) Act, 1981. [8]  
(b) Briefly discuss 'Absolute Liability' and its development in India with reference to decided cases. [8]
5. (a) Define the term 'Hazardous Substance' according to the Environment (Protection) Act, 1986. [2]  
(b) What kind of restrictions have been imposed by the Environment (Protection) Act, 1986 for emission or discharge of Environmental Pollutants? [6]

- (c) Discuss the power of the Central Government to take measures to protect and improve the environment as laid down under the Environment (Protection) Act, 1986. [8]
6. Explain how 'Public Interest Litigation' has emerged as a weapon to redress the grievances of the people suffering from the hazardous effect of the pollution on environment and ecology. [16]
7. (a) Discuss the relevant provisions with regard to collection of sample of water under the Water (Prevention and Control of Pollution) Act, 1974. [8]  
(b) Write a brief note on the wildlife (Protection) Act, 1972. [8]
8. "The Directive Principles under the Constitution of India are directed towards ideals of building welfare State". - Elucidate with relevant constitutional provisions and case laws." [16]
9. (a) How does the State Government constitute an area as 'National Park' under the provision of the Wildlife (Protection) Act, 1972? [10]  
(b) Write a note on Noise Pollution. [6]
10. Write short notes on **any four** of the following: [4×4]  
(a) Strict Liability.  
(b) Kyoto Protocol.  
(c) Sustainable Development.  
(d) Sanctuary.  
(e) Green Bench.  
(f) Analysts.

## **2018 | Labour and Industrial Laws I**

### **Answer any five Questions**

1. Define 'Worker'. Discuss various provisions relating to safety and health of the workers under the Factories Act, 1948. [4+12]
2. Discuss the law relating to appointment, power and duties of Inspector as enumerated in the Factories Act, 1948. [16]
3. State the provisions regarding the employment of Young Persons in factories in relation to Factories Act. Discuss the provisions for the welfare of the workers under the Factories Act, 1948. [6+10]

4. (a) Define the term 'Employer' under the Minimum Wages Act. [4]  
 (b) Write the remedies available to the workers who have been paid less than the minimum rate of wages. [4]  
 (c) State briefly the general procedure for final determination of disputes. [8]
5. Distinguish between 'Fair Wages' and 'Living Wages'. Discuss elaborately the numerous powers and functions of Inspectors under the Minimum Wages Act. [6+10]
6. (a) Define Workmen under the Workmen Compensation Act, 1923. [4]  
 (b) State the conditions under which an employer is liable to pay compensation under this Act. [12]
7. (a) Explain the constitution of the 'Corporation' under the Employees State Insurance Act, 1948. [4]  
 (b) State the law relating to registration, cessation and disqualifications of the membership of the Corporation. [12]
8. Discuss elaborately the salient features of the Fatal Accident Act, 1855. [16]
9. State the liabilities of 'Principal' and 'Contractor' in respect of compensation payable under the Workmen Compensation Act. Mention the situations under which compensation be suspended or extinguished. [8+8]
10. Write short notes on **any four** of the following: [4×4]
  - (a) Certifying Surgeon.
  - (b) Notice by Occupier.
  - (c) Minimum Wages.
  - (d) Insured Person.
  - (e) Factory.
  - (f) Partial and Total Disablement.
  - (g) Dependent.

## **2017 | Human Rights Law and Practice**

### **Answer any five Questions**

1. Define the term "Human Right" and explain the scope and ambit of it in National and International Perspectives. [16]
2. Discuss various rights as enumerated in the Universal Declaration of Human Rights, 1948. [16]
3. Critically explain the utility of the Universal Declaration of Human Rights, 1948 with reference to Indian scenario. [16]

4. Discuss the National and International legal provisions and cases relating to protection of the rights of women. [16]
5. Explain and examine the legal provisions relating to protection of rights of child and prevention and control of child abuse. [16]
6. Write a critical note on Reservation Policy in Human Rights Perspective. [16]
7. Write a note on Right to Life and Personal Liberty with reference to the Universal Declaration of Human Rights and Indian Constitution. [16]
8. Discuss Right to Religion with reference to the Universal Declaration of Human Rights and Indian Constitution. [16]
9. Critically evaluate Social Economic and Cultural Rights as guaranteed under the International Convention and Indian Constitution. [16]
10. Write short notes on **any two** from the following: [8×2]
  - (a) Enforcement of Human Rights in India.
  - (b) 'Due Process of Law' - with reference to suitable cases.
  - (c) Civil and Political Rights.
  - (d) Fundamental Duties.
  - (e) Working of National Human Rights Commission.

## **2017 | Interpretation of Statutes and Principles of Legislation**

### **Group - A**

#### **Answer any three Questions**

1. (a) What do you mean by the term "Interpretation of Statute"? discuss. [10]  
 (b) Is there any difference between Construction of Statute and Interpretation of Statutes? [6]
2. (a) What is 'Golden Rule of Interpretation'? Explain with case laws. [8]  
 (b) Discuss the Rule of Harmonious Construction of Statute. [8]
3. "Intention of the legislature is a common but slippery phrase" - (Watson). Explain the relevance of Judicial interpretation of the intention of the legislature. [16]
4. (a) Discuss the Mischief Rule and state the reason why is it often termed as 'Heydon's Rule'. [8]  
 (b) Discuss the Doctrine of Severability and Doctrine of Colourable Legislation. [8]
5. What is meant by Internal Aids to Construction of Statutes? Explain how Preamble and Proviso are Internal Aids. [16]

6. Explain on (**any two**) : [8×2] (a) Rule of Ejusdem Generis.  
 (b) Mutatis Mutandis.  
 (c) Noscitur a Sociis.  
 (d) Generalia Specialibus Non-Derogant.

**Group - B**

**Answer any one Questions**

7. Write short notes on (**any four**) : [4×4]  
 1. Union Territory. (d) District Judge.  
 2. Collector. (e) Service by Post.  
 3. India. (f) Month and Year.
8. Discuss the salient features of the General Clauses Act, 1897 in brief. [16]

**Group - C**

**Answer any one Questions**

9. (a) Discuss the nature and scope of Legislation. [8]  
 (b) What do you understand the term 'Delegated Legislation'? [8]
10. Briefly discuss the different types of Legislative Instruments. [16]

## **2017 | Environmental Law**

**Answer any five Questions**

1. Why is the Human Environment and Development Conference at Stockholm of 1972, regarded as the 'Magna Carta' of environment and sustainable development? Discuss its main principles. [16]
2. (a) Define the term 'Environment' and 'Pollution' as defined in Environment Protection Act 1986. [2+2]  
 (b) Discuss the various constitutional mandates which deal with protection of environment in our country. [12]
3. (a) State the composition of the Central Pollution Control Board under The Water (Prevention and Control of Pollution) Act, 1974. [6]  
 (b) Discuss few important functions of the Central Board for Prevention and Control of Water Pollution. [10]

4. 'The judicial grammar of interpretation has broadened the scope and ambit of Article 21 and now it includes. Right to Live in healthy environment under Right to Life' - Discuss. [16]
5. (a) Discuss the various legislative measures available in India to control Noise Pollution. [10]
  - (a) Discuss the judicial attitude towards control of Noise Pollution through a landmark judgement in this regard. [6]
6. Define **any four** of the following: [4×4]
  - (a) Silence Zone.
  - (b) Precautionary Principle.
  - (c) Reserve Forest.
  - (d) Climate Change.
  - (e) Hazardous Substance.
  - (f) Protected Areas.
7. What is a Sanctuary? What restrictions have been placed on the entry in a Sanctuary? What are the duties of a person residing in a Sanctuary? What acts are prohibited in a Sanctuary? [3+5+4+4]
8. (a) Discuss the power of State Government to declare 'Air Pollution Control Areas' and give instructions for ensuring Standards for emission from automobiles. [8]
  - (b) What is the power of State Board to take samples of air or emission? [8]
9. Discuss how PIL has played an important role in environmental protection in India and how the judiciary has applied the principles of sustainable development while deciding the cases. [16]
10. Discuss the important of the Kyoto Protocol and state its important provisions. [16]

## **2017 | Labour and Industrial Laws I**

### **Answer any five Questions**

1. Discuss, the duties and functions of the Inspector under the Factories Act, 1948. [16]
2. Explain the various measures regarding the protection of the health of workers under the Factories Act, 1948. [16]
3. (a) Define the term 'Factory' under the Factories Act, 1948. [6]
  - (b) Discuss the general duties of Occupier of a Factory. [10]

4. (a) Define the term 'Employer' and 'Wages' under the Minimum Wages Act, 1948. [5]  
(b) Discuss the procedure to be followed in fixing the minimum rate of Wages in an Industry. [5]
5. (a) Explain 'Fair Wages' and 'Living Wages' under the Minimum Wages Act, 1948. [8]  
(b) Who will be appointed as an 'Inspector' under the Minimum Wages Act? [8]
6. Discuss the liability of the Employer to pay compensation under the Workmen's Compensation Act, 1923. [16]
7. Discuss the Rights of a Workman in respect of compensation for personal injury caused to him in an accident arisen out in the course of employment. [16]
8. Discuss the constitution of the Corporation under the Employees State Insurance Act, 1948. What types of establishment come within the purview of the above Act? [16]
9. Explain the following terms under the Employee's State Insurance Act. [4×4] (a) Wages.  
(ii) Standing Committee.  
(iii) Employee.  
(iv) Disablement.
10. Discuss, in brief, the salient features of the Fatal Accident Act, 1885. [16]

## **2016 | Human Rights Law and Practice**

### **Answer any five Questions**

1. (a) Define the term 'Human Rights'. [4]  
(b) What are the instruments that constitute the International Ball of Human Rights? (explain in Details) [12]
2. Discuss the origin and development of Human Rights with special reference to International Insights. [16]
3. Examine the role of UN. High Commissioner in the protection and promotion of Human rights. [16]
4. Discuss the role of Indian Judiciary in the Protection and Promotion of Human Rights in India. [16]
5. Discuss the concept of Human Rights with special reference to National and International Insights. [16]

6. Discuss the scope and ambit of the protection of Human Rights Act of 1993. [16]
7. Write a critical note on the convention on Rights of Child, 1989. [16]
8. Discuss about the various rights recognised under International Convention on Elimination of Discrimination against women, 1979. [16]
9. Explain the Universal Declaration of Human Rights 1948 and its utility. [16]
10. Write short notes on **any two**: [8×2]
  - (a) Human Rights Courts.
  - (b) Human Rights and Environment.
  - (c) National Human Rights Commission.
  - (d) Human Rights and United Nation Charter.

### **2016 | Interpretation of Statutes and Principles of Legislation**

#### **Group - A**

#### **Answer any three Questions**

1. (a) What do you mean by Interpretation of Statute? [4]
  - (a) Discuss the 'Literal Rule of Interpretation' with decided case law. [12]
2. (a) Discuss the Rule or 'Harmonious Construction of Statute'. [8]
  - (a) Discuss the 'External Aids' to Construction of Statute. [8]
3. Explain (**any two**): [8+8]
  - (a) Utres Majis Valeat Quam Parent.
  - (b) Expressio Unius Est Exclusio Alterius.
  - (c) Reddendo Singula Singulis. (d) Ejusdem Generis.
4. (a) Explain the Rule of Interpretation of Penal Statute with Case Laws. [8]
  - (b) Explain the Rule of Interpretation of Taxing Statute with case laws. [8]
5. (a) Explain the nature of 'Consolidating Statute' and 'Amending Statute'. [10]
  - (b) 'Statute to be read as a whole' - Explain. [6]
6. Discuss in Brief the different rule of Interpretation of Constitution with case laws. [16]

#### **Group - B**

#### **Answer any one Questions**

7. Discuss the following provisions of the General Clause Act, 1897: [4×4]
  - (a) Effect of Repeal.                      (c) Measurement of Distance.
  - (b) Computation of Time. (d) Revival of Repealed Enactment.

8. Write short notes (**any four**): [4×4]
- (a) Central Act. (d) Immovable Property.  
 (b) Affidavit. (e) Offence.  
 (c) Document. (f) Month and Year.

**Group - C**  
**Answer any one Questions**

9. (a) What is the difference between Bail and an Act? [6]  
 (b) Discuss the importance of 'Delegated Legislation'. [10]
10. Discuss the Bentham's Theory of Utilitarianism. [16]

**2016 | Environmental Law**

**Answer any five Questions**

1. "Rio declaration reaffirmed the Stockholm declaration with the object to establish global partnership to protect human environment" - Explain. [16]
2. (a) State the salient features of Kyoto Protocol 1997. [8]  
 (b) Write a brief note on Rio-declaration 1992. [8]
3. "The Directive principles under The Constitution of India directed towards ideals of building welfare state. Healthy environment is also one of the elements of welfare state" - Explain. [16]
4. Discuss the Fundamental Rights contemplated in Art. 14 and 19(1)(g) of The Constitution of India in the context of Environmental Protection. [16]
5. Explain the objects, reasons and background of passing The Environment (Protection) Act, 1986. [16]
6. Examine the power of Central Government to take measures to protect and improve environment under the Environment (Protection) Act, 1986, Also explain 'Hazardous Substance' as defined in The Environment (Protection) Act, 1986. [10+6]
7. (a) Discuss the power of the Central Government to take measures to protect and improve the environment as laid down under The Environment (Protection) Act, 1986 for emission or discharge of Environmental Pollutants.  
 (b) Write brief note on The Indian Wildlife (Protection) Act, 1972. [8+8]
8. (a) Explain the Constitutional vision of the Indian Courts regarding the Right to Environmental under Article 21. [8]

- (b) Write a note on Writs as remedies to enforce the Right to Environment. [8]
9. (a) How can an area be declared as 'Air Pollution Control Area' by the State Government? [8]
- (b) What are the essential qualifications to be member of the Pollution Control Board as laid down in the Water (Prevention and Control of Pollution) Act, 1974? [8]
10. Write short notes on **any four** of the following: [4×4]
- (a) Polluter Pays Principle.
- (b) Sustainable Development.
- (c) Strict Liability.
- (d) Green Bench.
- (e) Precautionary Principle.
- (f) National Park.

## **2016 | Labour and Industrial Laws I**

### **Answer any five Questions**

1. Define 'Worker'. Discuss various provisions relating to 'Safety' and 'Health' of the Workers under the Factories Act, 1948. [4+12]
2. Discuss the law relating to appointment, power and duties of Inspector under the Factories Act, 1948. [4+6+6]
3. Write short notes on **any four**: [4×4]
  - (a) Certifying Surgeon.      (d) Factory.
  - (b) Working hours of adults.      (e) Notice by Occupier.
  - (c) Employment of young persons.      (f) Certificate of Fitness.
4. Discuss suit for compensation to the family of a person for loss caused to it by his death by actionable wrong under the Fatal Accidents Act, 1885. What relief may be given by court and to whom and in what manner? [10+6]
5. Discuss the powers and functions of 'Standing Committee' under the Employee's State Insurance Act, 1948. Examine the procedure for supersession of the 'Corporation' and 'Standing Committee'. [8+8]
6. Distinguish between 'Fair Wage' and 'Living Wage'. Discuss the power and functions of Inspector under the Minimum Wages Act, 1948. [6+10]
7. Define 'Wages'. Describe the principles and procedure to be followed in fixing the Minimum Rate of Wages in an Industry. [6+10]

8. What is the time of payment of wages to the persons employed under the Payment of Wages Act, 1936? Briefly discuss the statutory provision relating to payment of undisbursed wages in cases of death of employed person. [6+10]
9. Define 'Workman' under the Workmen's Compensation Act, 1923. What are the conditions under which an employer is liable to pay compensation under this Act? [6+10]
10. Write short notes on **any four**: [4×4]
  - (a) Partial Disablement. (e) Industrial or Other Establishment.
  - (b) Total Disablement. (f) Insured Person.
  - (c) Qualification Medical Practitioner. (g) Dependent.
  - (d) Minimum Wages.

## **2015 | Human Rights Law and Practice**

### **Answer any five Questions**

1. Define 'Human Rights' and trace out the history of development of 'Human Rights' to India. [16]
2. Compare and contrast between International Covenants of Civil and Political Rights and Economic, Social and Cultural Rights, 1966. [16]
3. Discuss the scope and ambit of the Protection of Human Rights Act of 1993. Discuss its important features relating to the protection of Women. [16]
4. Write a critical note on International Convention on Elimination of Discrimination against Women, 1979. [16]
5. Discuss about various rights recognised under the International Convention on the Rights of Child, 1989. [16]
6. Discuss the powers and functions of National and State Human Rights Commissions established under the Protection of Human Rights Act, 1993. [16]
7. Compare between Human Rights recognised under the Universal Declaration of Human Right 1948 and Fundamental Rights under the Constitution of India. [16]
8. Discuss the origin and development of Human Rights with reference to International Insights. [16]
9. Discuss in detail the role of the Indian Apex Court in the enforcement of Human Rights. [16]
10. Write short notes on **any two** of the following: [8×2]

- (a) Right to Life.
- (b) Equality and Non-discrimination.
- (c) Human Rights Courts.
- (d) Rights of Women in India.
- (e) Human Rights and Environment Protection.

## **2015 | Interpretation of Statutes and Principles of Legislation**

### **Group - A**

#### **Answer any three Questions**

1. (a) What do you mean by the term "Interpretation of Statute"? Discuss. [10]  
 (a) Is there any difference between Constitution of Statutes and Interpretation of Statute? [6]
2. (a) What is 'Golden Rule of Interpretation'? Explain with case laws. [8]  
 (a) Discuss the Rule of Harmonious Construction of Statute. [8]
3. (a) Discuss the Mischief Rule of Interpretation with decided case Laws. [8]  
 (a) Discuss the role of Interpretation of Penal Statutes. [8]
4. Explain the different parts of a Statute with illustrations. [16]
5. Explain on (**any two**): [8×2]  
 (a) Rule of Ejusdem Generis.  
 (b) Statute to be read as a whole.  
 (c) Noscitur a Sociis.  
 (d) Reddendo Singula Singulis.
6. Discuss the following (**any two**): [8×2]  
 (b) Rule of Pith and Substance  
 (c) Doctrine of Severability  
 (d) Doctrine of Colourable Legislation

### **Group - B**

#### **Answer any one Questions**

7. Write short notes on (**any four**): [4×4]  
 (a) Offence.  
 (b) Collector.  
 (c) India.

- (d) District Judge.
  - (e) Document.
  - (f) Service by Post.
8. Discuss the salient feature of the General Clause Act, 1897 in brief. [16]

**Group - C**  
**Answer any one Questions**

9. (a) Discuss the nature and scope of Legislation. [10]  
(b) What do you understand by the term 'Delegated legislation'? [6]
10. Discuss the Bentham's Theory of 'Utilitarianism'. [16]

**2015 | Environmental Law**

**Answer any five Questions**

1. (a) State the objects behind enacting the Environment (Protection) Act, 1986. [6]  
(b) Discuss the salient feature of Rio-Declaration. [10]
2. (a) Discuss 'Polluter Pays Principle'. [8]  
(b) Explain the principles laid down by the Supreme Court of India in the Oleum Gas leak case. [8]
3. (a) How is the Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974? [8]  
(b) What are the essential qualification to be a member of the Pollution Control Board, as laid down in the Water (Prevention and Control of Pollution) Act, 1974? [8]
4. (a) Discuss the concept of 'Consent Mechanism' in respect of the State Board as a safeguard against Air Pollution as provided in the Air (Prevention and Control of Pollution) Act, 1981? [8]  
(b) What steps should be taken by the State Board under the Air (Prevention and Control of Pollution) Act, 1981, in case of an accidental emission of any Air Pollutant in excess of the standards as laid down by the State Board? [8]
5. (a) Explain the Constitutional vision of the Indian Courts regarding the right to Environment under article 21. [8]  
(b) Write a note on Writs as remedies to enforce the Right to Environment'. [8]
6. (a) Discuss the significance of the 'Taj Trapezium Case' as decided by the Hon'ble Supreme Court in the field of Air Pollution. [8]  
(b) Explain the restrictions on the use of loud speaker system under the Noise Pollution (Regulation and Control) Rule, 2000. [8]

7. (a) Briefly discuss the emergency measures that the State Board may take to mitigate Air Pollution under the Air (Prevention and Control of Pollution) Act, 1981? [8]  
(b) Discuss the briefly the Public Liability Insurance Act, 1991. [8]
8. (a) Discuss briefly the administrative machinery for Protection and Sanctuaries in the Wild Life (Protection) Act, 1972. [8]  
(b) Write a brief note on 'National Park'. [8]
9. Explain how 'Public Interest Litigation' has emerged as a weapon to redress the grievances of the people suffering from the hazardous effect of pollution on environment and ecology. [16]
10. Write Short notes on **any four** of the following: [4×4]
  - (a) Strict Liability.
  - (b) Absolute Liability.
  - (c) Silence Zone.
  - (d) Hazardous Substance.
  - (e) Reserved Forest.
  - (f) Sustainable Development.

## **2015 | Labour and Industrial Laws I**

Answer **any five** Questions

1. (a) Define 'Factory' as laid down under the Factories Act, 1948. [6]  
(b) What are the general duties of occupier of a Factory? [10]
2. (a) How is the Inspector under Factories Act Appointed? [6]  
(b) What are the powers of an inspector as provided under the Factories Act, 1948? [10]
3. (a) What are the provisions regarding Employment of Young Persons in Factories? [6]  
(b) Describe the provisions for the welfare of workers under the Factories Act, 1948. [10]
4. (a) Define the term 'Employer' under the Minimum Wages Act, 1948. [4]  
(b) What is the remedy available to the worker who has been paid less the Minimum Rates of Wages? State the procedure for the final determination of the dispute? [12]
5. What are the conditions under which as employer is liable to pay compensation under the Workmen's Compensation Act, 1923? When compensation will be suspended or extinguished? [16]
6. (a) What shall be the amount of compensations to be paid to the worker or his dependent? [8]

- (b) What is the liability of the Principal and the Contractor in respect of compensation payable under the workmen's Compensation Act, 1923? [8]
7. What are the procedures for determination of period of wages and how the wages of the employee will be disbursed? [16]
8. Explain the following terms under the Employee's State Insurance Act, 1948. [4×4]
- (b) Employee.
- (c) Standing Committee.
- (d) Contribution.
- (e) Disablement.

## **2014 | Human Rights Law and Practice**

### **Answer any five Questions**

1. Discuss the concept of Human Rights with special reference to National and International Insights. [16]
2. Write a critical note on Universal Declaration of Human Rights, 1948. [16]
3. Discuss the various principles adopted in the International Convention on Elimination of Discrimination against Women, 1979. [16]
4. Compare and contrast between Civil and Political Rights and Economic, Social and Cultural Rights as recognised in the Covenants 1966. [16]
5. Write in brief what are the rights incorporated in the Convention on Rights of Child 1989? [16]
6. Discuss the power and functions of the National Human Rights Commission established under the Protection of Human Rights Act, 1993. [16]
7. Discuss the role of the Supreme court and High Courts in implementing Human Rights in India. [16]
8. Discuss the relation between Human Rights and Rights guaranteed under the Constitution of Indian and compare between them. [16]
9. "Human Rights means rights relating to life, liberty, equality and human dignity of the individual guaranteed by the Constitution or embodied in the international covenants and enforceable by court in India". Critically discuss. [16]
10. Write short notes on **any two** of the following : [8+8]
  - (a) Human Rights Courts.
  - (b) Human Rights and Environment.

- (c) Human rights and UN Charter.
- (d) State Human Rights Commission.

## **2014 | Interpretation of Statutes and Principles of Legislation**

### **Group - A**

#### **Answer any three Questions**

1. What do you understand by the term 'Interpretation of Statute'? Explain the Literal or Grammatical Rule of Interpretation with case law. [4+12]
2. (a) Discuss the 'Golden Rule of Interpretation' with relevant case laws. [9]  
(b) Discuss the Rule of Interpretation of Penal Statutes. [7]
3. What do you understand by the term 'Internal and External Aids' to construction? Discuss. [16]
4. (a) Discuss the Rule of Harmonious Construction of Statute. [8]  
(b) 'Statutes to be read as a whole' - Explain. [8]
5. Explain in (**any two**) : [8×2] (a) Noscitur a Sociis.  
(b) Utres Majis Valeat Quam Parent.  
(c) ExpressioUnius Est ExclusioAlterius. (d) ContemporaneaExpositio.
6. Discuss the rules of Interpretation of Constitution. [16]

### **Group - B**

#### **Answer any one Questions**

7. (a) Discuss the object of general Clauses Act, 1897. [8]  
(b) What is the effect of repeal of an enactment? [8]
8. Write short notes on (**any four**) : [4×4]
  - (b) Affidavit
  - (c) Immovable Property
  - (d) Document
  - (e) Central Act
  - (f) District Judge
  - (g) Union Territory

### **Group - C**

#### **Answer any one Questions**

9. Explain the Bentham's Theory of Utilitarianism. [16]
10. (a) State the nature of 'Delegated Legislation'. [10]  
(b) What do you mean by the term 'Sub-delegation of Legislative Power'? [6]

## **2014 | Environmental Law**

### **Answer any five Questions**

1. (a) Discuss the salient features of Rio Declaration, 1992. [10]  
(b) Discuss - 'Polluter Pays Principle'. [6]
2. (a) Discuss the power of the Central Government to take measures to protect and improve the environment as laid down under the Environment (Protection) Act, 1986. [10]  
(b) What are the restrictions as imposed by the Environment (Protection) Act, 1986 for emission or discharge of Environmental Pollutants? [6]
3. (a) How can an area be declared as 'Air Pollution Control Area' by the State Government? [8]  
(b) Write a note on 'Noise Pollution'. [8]
4. (a) Discuss the Rule of Strict Liability. [8]  
(b) What are the exceptions to the above rule? [8]
5. (a) Define the term 'Hazardous Substance' as laid down under the Environment (Protection) Act, 1986. [4]  
(b) Trace the relationship between the 'Public Nuisance' and 'Environment Pollution'. Answer in the light of the various Court decisions. [12]
6. (a) What is the meaning of 'Silence Zone' as laid down under the Noise Pollution (Regulation and Control) Rules, 2000? [4]  
(b) How does the State Government constitute an area as 'National Park' under the provisions of the Wild Life (Protection) Act, 1972. [12]
7. (a) Examine the environmental concerns directly addressed by the Constitution of India. [8]  
(b) Can you discuss a case law in which Hon'ble Supreme Court issued directions under Article 48A of the Constitution to protect environment? [8]
8. "Protection of environment is not only the duty of the citizens but is also the obligation of the State and all other State organs including the Court" - Justify the comment in the Indian Context with special reference to the Judicial Activism. [16]
9. (a) How is the 'Central Pollution Board' Constituted under the Water (Prevention and Control of Pollution) Act, 1974? [10]  
(b) What are the essential qualifications to be a member of the Pollution Control Board, as laid down in the Water (Prevention and Control of Pollution) Act, 1974? [6]

10. Write short notes (**any four**): [4×4]

- (a) Green Bench.
- (b) Environment Pollutant.
- (c) Sanctuary.
- (d) Precautionary Principle.
- (e) Village Forests.
- (f) Absolute Liability.

## **2014 | Labour and Industrial Laws I**

### **Answer any five Questions**

1. (a) Define 'Factory' under the Factories Act - 1948. [3]  
 (b) What notice an occupier is required to give before he occupies the premises as to Factory? [5]  
 (c) What are the general duties of Manufacturer as regards articles and substances for use in factories? [8]
2. Enumerate the various measures contemplated by the factories Act - 1948 regarding protection of the health of workers. [16]
3. (a) What are the previous regarding employment of young persons in factories?  
 (b) Describe the provisions for the welfare for workers under the Factories Act, 1948? [6+10]
4. (a) Define the term 'Employer' under the Minimum Wages Act, 1948. [4]  
 (b) What is the remedy available to the worker who has been paid less than the minimum rates of wages? State the procedure for the final determination of the dispute? [8]  
 (c) When court will not entertain any complaint? [4]
5. (a) Define the term 'Wages' under the Minimum Wages Act, 1948. [4]  
 (b) Describe the principles and procedure to be followed in fixing the Minimum Rate of Wages in an Industry. [12]
6. (a) What is the time of payment of wages to the persons employed under the Payment of Wages Act, 1936? [7]  
 (b) How Inspector are appointed under this Act? Describe the powers and functions of Inspector. [9]

7. (a) What are the conditions under which an Employer is liable to pay compensation under the Workmen's Compensation act, 1923? [8]  
(b) What shall be the amount of compensation to be paid to the worker or his dependent? [8]
8. (a) Explain the constitution of the corporation under the Employees State Insurance Act, 1948. [7]  
(b) What are the provisions of law as to resignation, cessation and disqualification of the membership of corporation? [9]
9. (a) What is meant by Contribution? How the Payment of Employers and Employees are made? [4+6]  
(b) Discuss the procedure for calculation of average daily wages. [6]
10. (a) Under what circumstances, a suit for compensation to be family of a person for loss occasioned to it by his death by actionable wrong may be filed under the final accident Act, 1885? [9]  
(b) What relief may be given by court and to whom and in what manner? [7]

## **2013 | Human Rights Law and Practice**

### **Answer any five Questions**

1. (a) What is meant by 'Human Rights'? [6]  
(b) What are the instruments that constitute the International Bill of Human Rights? Explain in detail. [10]
2. Discuss the salient feature of Universal Declaration of Human Rights. Examine the binding effect of the Declaration on domestic system of laws. [8+8]
3. Trace out the provision of Human Rights contained in the Constitution of India? [16]
4. Explain the relationship between "Human Rights" and "Fundamental Rights" under the Constitution of India. Write a note on "Human Rights of Women". [12+4]
5. (a) Write a note on International Covenant on Civil and Political Rights, 1996. (b) Discuss its legal effects in India. [12+4]
6. Examine the role of the Indian Judiciary in the protection and promotion of Human Rights in India. [16]
7. (a) What is the role of the UN High Commissioner in the protection of Human Rights? [8]  
(b) Discuss the function of the office of the High Commission for Human Rights. [8]

8. Discuss the power and function of National Human Rights Commission as laid down in the Protection of Human Rights Act, 1993. [16]
9. (a) Discuss the constitution and jurisdiction of the State Human Rights Commission. [10]  
(b) Is there any limitation laid down in the Protection of Human Rights Act, 1993, on the power of the Commission relating to inquiries? [6]
10. Write short notes on **any two** of the following: [8+8]
  - (a) Rights of Child.
  - (b) Economic, Social and Cultural Rights.
  - (c) Right to compensation for wrongful arrest, detention and torture. (d) Human Right Court

## **2013 | Interpretation of Statutes and Principles of Legislation**

### **Group - A**

#### **Answer any three Questions**

1. (a) What do you mean by Interpretation of Statute? What is the object of Interpretation? [10]  
(b) Is there any difference between Constitution of Statute and Interpretation of Statutes? [6]
2. (a) What is 'Golden Rule of Interpretation'? It is really so golden? [8]  
(b) Discuss the Mischief Rule and state the reason why is it often termed as 'Haydon's Rule'. [8]
3. 'Intention of the Legislature is a common but slippery phrase' -(Watson). Explain the relevance of judicial interpretation of the intention of the Legislature. [16]
4. What is meant by Internal Aids to Construction of Statutes? Explain how Preamble and Proviso are Internal Aids. [16]
5. (a) Discuss the what type of Rule of Construction of Statutes? Explain how preamble and Proviso are Internal Aids. [16]  
(b) Explain the Rule of Interpretation of Penal Statutes. [6]
6. Write short notes on (**any four**) : [4×4]
  - (a) Rule of Eiusdem Generis.
  - (b) Reddendo Singula Singulis.
  - (c) Generalia Specialibus Non-Derogant.
  - (d) Mutatis Mutandis.
  - (e) Consolidating Statutes.

**Group - B****Answer any one Questions**

7. Write short notes on (**any four**) : [4×4]
- (a) Central Act.
  - (b) Union Territory.
  - (c) Collector.
  - (d) India.
  - (e) Month and Year.
  - (f) Offence.
  - (g) District Judge.
  - (h) Service Post.
8. (a) Discuss the nature and object of the general Clauses Act, 1897. [10]  
 (b) What is the effect of repeal of an enactment? [6]

**Group - C****Answer any one Questions**

9. (a) State the nature and scope of Legislation. [8]  
 (b) What is the difference between Bill and an Act? [8]
10. Briefly discuss the Bentham's Theory of Utilitarianism. [16]  
 Or,  
 Briefly discuss the different types of Legislative Instruments.

**2013 | Environmental Law****Answer any five Questions**

1. (a) What do you mean by the term 'Environment' and 'Environmental Pollution' under the Environment (Protection) Act, 1986? [4]  
 (b) What are the objects behind the enactment of the Environment (Protection) Act, 1986? [4]  
 (c) Discuss the salient features of Rio Declaration. [8]
2. (a) Define the term 'Board' as laid down under the Water (Prevention and Control of Pollution) Act, 1974. [4]  
 (b) How is the Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974. [6]

- (c) What are the essential qualifications to be a member of the Pollution Control Board, as laid down in the Water (Prevention and Control of Pollution) Act, 1974. [6]
3. (a) Define the term 'Air Pollution' as laid down under the Air (Prevention and Control of Pollution) Act, 1981. [4]
- (b) Discuss the concept of 'Consent Mechanism' in respect of the state Board as a safeguard against Air Pollution as provided in the Air (Prevention and Control of Pollution) Act, 1981. [8]
- (c) What steps should be taken by the State Board under the Air (Prevention and Control of Pollution) Act, 1981, in case of an accidental emission of any Air Pollution is excess of the standards as laid down by the State Board? [4]
4. (a) What is the constitutional vision of the Indian Courts regarding the Right to Environment under Article 21 of the Constitution. [8]
- (b) Are Constitutional Writs available as remedies to enforce the Right to Environment? [8]
5. (a) What do you understand by the Concept of 'Absolute Liability'? Trace its development in our country with reference to decided cases. [6+6]
- (b) Distinguish between 'Strict and Absolute Liability'. [4]
6. (a) Define the term 'Hazardous Substance' as laid down under the Environment (Protection) Act, 1986. [4]
- (b) What are the restrictions as imposed by the Environment (Protection) Act, 1986 for emission or discharge of Environmental Pollution? [4]
- (c) Discuss the power of the Central Government to take measures to protect and improve the environment as laid down under the Environmental (Protection) Act, 1986. [8]
7. (a) What do you mean by the term 'Wild Life' and 'Wild Animal' as defined under the Wildlife (Protection) Act, 1972? [4]
- (b) What are the restrictions on entry in a Sanctuary? What are the purpose for which visit may be allowed to the Sanctuary? [8]
- (c) Distinguish between National Parks and Sanctuaries under Wild Life (Protection) Act, 1972. [4]
8. Discuss the Role of Public Interest Litigation in development of Environment Jurisprudence in the country. Cite relevant case laws. [16]
9. (a) Discuss the power of the State Pollution Control Board to take samples of any sewage or trade effluent for the purpose of its analysis and the procedure to be

followed in connection therewith as laid down under the Water (Prevention and control of Pollution) Act, 1974. [12]

(b) How is the report of the result of analysis of such sample prepared by the analyst? [4]

10. Write short notes (**any four**):

- (a) Sustainable Development.
- (b) Polluter Pays Principle.
- (c) State Water Laboratory.
- (d) National Park.
- (e) Reserved Forests.
- (f) Government Analyst.
- (g) Ganga Pollution.
- (h) Air Pollution Control Area.

## **2013 | Labour and Industrial Laws I**

### **Answer any five Questions**

1. (a) Define 'Factory' as laid down under the Factories Act, 1948. [6]  
(b) What are the general duties of occupier of a Factory? [10]
2. (a) How is the Inspector under Factories Act appointed? [6]  
(b) What are the power of an Inspector, as provided under the Factories Act, 1948? [10]
3. (a) What procedure is followed for granting certificate of fitness by Certifying Surgeon? [10]  
(b) What is the period of work of children employed in Factory? [6]
4. Which types of safety measures will be taken in favour of workers during working hours under the Factories Act, 1948? explain. [16]
5. (a) Discuss the power of commissioner under the Workman's Compensation Act, 1923 for awarding of compensation. [6]  
(b) Discuss the rights of a workman in respect of compensation for personal injury caused to him in an accident arisen out and in the course of employment. [10]
6. What is the liability of the principal and the contactor in respect of compensation payable under the Workman's Compensation Act, 1923 and when compensation will be suspended or extinguished? [16]
7. (a) What are the power of Standing Committee under E.S.I. Act, 1948? [8]

- (b) What are the procedure for supersession of the corporation and Standing Committee? [8]
8. What are the procedure for determination of period of wages and how the wages of the employee will be disbursed? [16]
9. (a) Define 'Fair Wages' and 'Living Wages' under the Minimum Wages Act, 1948. [8]  
(b) Who will be appointed as an 'Inspector' under the Minimum Wages Act, 1948. [8]
10. Explain the following terms under the Employee's State Insurance Act, 1948: [4×4]
- (a) Employee.  
(b) Dependant.  
(c) Disablement.  
(d) Wage.