

(D 1231 LL/CL/TCL/CSL)

LL.M. (Previous) DEGREE EXAMINATION, DECEMBER 2007.

First Year

Paper I — RESEARCH METHODOLOGY

(Common to all Branches)

Time : Three hours

Maximum : 100 marks

Answer any FIVE questions.

All questions carry equal marks.

1. What is the significance of scientific research and explain relationship between concepts and variables.
2. If research problem is clearly stated it is said the problem is half solved. Discuss.
3. 'The ideal hypothesis is a fusion of two elements i.e. past experience and imagination in the disciplined mind of the scientist Larrabee. Comment.
4. Explain the contents and characteristics of a research design.
5. Briefly discuss about different kinds of sampling method.
6. 'The three elements of observation are sensation; attention and perception'. Expand.
7. 'The case study is the examination of a single situation, person, group or institution as complex whole in order to identify types and process', Stuart A, queen. Comment.
8. What are the advantages and disadvantages of survey method?
9. Explain the contents of research report.
10. Write short notes on any TWO of the following :
 - (a) Schedule
 - (b) Types of interview
 - (c) Non doctrinal research
 - (d) Bibliography.

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First Year

Labour Laws

Paper II — DISPUTE RESOLUTIONS IN LABOUR MANAGEMENT RELATIONS

Time : Three hours

Maximum : 100 marks

Answer any FIVE questions.

All questions carry equal marks.

1. Explain the Governmental policy on industrial relations in India.
2. Define and distinguish between 'Industrial dispute' and 'Individual dispute'.
3. Write a note on various authorities under Industrial Disputes Act, 1947.
4. 'In industrial dispute resolution conciliation is being treated as a fourth wheel'. Explain.
5. Explain the statutory provisions of Industrial Disputes Act, 1947 in reference of dispute by the appropriate Government.
6. Discuss the jurisdiction, power and functions of Labour Courts and Industrial Tribunals.
7. The award passed by a labour tribunal is final and binding. Explain the procedure under which an award of the labour tribunal can be challenged in constitutional court.
8. Explain the restrictive practices on 'lay off' and 'retrenchment' in respect of industries falling under Chapter VB of the Industrial Disputers Act, 1947.
9. Explain the provisions and procedure for recovery of money due from an employer under Section 33 (C) (2) of the Industrial Disputers Act, 1947.
10. Write short notes on any TWO of the following :
 - (a) Works committee
 - (b) Voluntary arbitration
 - (c) Appropriate Government
 - (d) Exit policy.

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First Year

Labour Laws

Paper III — TRADE UNION LAW

Time : Three hours

Maximum : 100 marks

Answer any FIVE questions.

All questions carry equal marks.

1. Briefly discuss the history of the trade union movement in India in the context of political affiliation.
2. Distinguish between a 'Recognised trade union' and a 'Registered trade union'. What are the privileges of a registered trade union?
3. Briefly trace out the history of trade union movement in Britain.
4. What are the circumstances in which and the extend to which a trade unions is protected from civil and criminal liability?
5. Explain the factors which caused the Indian Trade Union Movement to be plagued with inter-union rivalry and intra-union rivalry.
6. Define and examine the scope of the definition of 'Trade Union' under the TU Act 1926 in the context of Judicial decisions.
7. "Our approach to the concept of the term 'Outsiders' is some what different from that of the Trade unions Act, which regards all non-employees outsiders". Comment and discuss keeping in view the recommendations of National Commission on Labour on 'Out siders' in unions.
8. Discuss the procedure for and effect of registration of a trade union under the trade unions Act 1926. Explain the recommendations of National Commission on Labour.
9. What are the important civil and political objectives of a registered trade union? Can any trade union raise seperate funds for the above purpose?
10. Write short notes on any TWO of the following :
 - (a) Child Labour.
 - (b) Problems and unorganised Labour.
 - (c) Disqualifications of office bearers of unions.
 - (d) Union shop - closed shop.

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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. Discuss the criticism of Austin's theory of law.
2. Bring out the inter relationship between primary rules and secondary rules developed by prof. H.L.A. Hart.
3. Explain the contribution of Savigny in the development of Historical school of Jurisprudence.
4. What do you mean by the term 'Custom' and highlight the requisites of valid Custom?
5. Define the term 'Delegated legislation', discuss the relative merits and demerits of legislation and precedent.
6. Discuss the Golden Rule of interpretation laid down by Lord Wensleydale.
7. Discuss the various kinds of rights.
8. Salmond "A duty is an obligatory Act that is to say – it is an act opposite of which would be a wrong" – Discuss.
9. Discuss the legal provisions relating to measure of liability for criminal offences.
10. Write any TWO of the following :
 - (a) Ratio-decidenti.
 - (b) Mens rea.
 - (c) Motive.
 - (d) Codification.

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Labour Laws

Paper V — INDUSTRIAL DISCIPLINE AND PUNISHMENT PROCESS

Time : Three hours

Maximum : 100 marks

Answer any FIVE questions.

All questions carry equal marks.

1. Write a note on the role of employer and employees in preparation and modification of standing orders.
2. What do you mean by 'Punishment'? Write a note on disproportionate punishment by an employer.
3. Briefly state the provision and procedure for discharge of a probationer.
4. Write a note on "individual dispute" with regard to the A.P. State amendment Act.
5. Define 'Doctrine of pleasure'. Examine the constitutional provisions relating to the doctrine.
6. Define 'Charge Sheet'. Write clearly what are the important ingredients that are to be provided for in a charge sheet.
7. Write a note on Administrative Tribunals. Whether High Courts are empowered to sit in appeal over an award of Tribunal?
8. Compare the jurisdiction of labour courts and industrial tribunals on industrial justice delivery system.
9. Write a note on 'Domestic Enquiry'. Discuss application of principles of natural justice in a domestic enquiry.
10. Write short notes on any TWO of the following :
 - (a) Section 11-A of I.D. Act 1947
 - (b) Suspension
 - (c) Model Standing orders
 - (d) Fines.

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Labour Laws

Paper VI — COLLECTIVE BARGAINING

Time : Three hours

Maximum : 100 marks

Answer any FIVE questions.

All questions carry equal marks.

1. Discuss the nature, structure and role of collective bargaining. Outline an ideal process of collective bargaining.
2. Has the collective bargaining flourished in India? If not what are the reasons? How can we make it work in India?
3. What are the essential functions of joint management councils? Why have they not been successful in our country?
4. Explain the concept and theories of participation of workers in management.
5. What are the circumstances under which strikes and lockouts are illegal? What are the penalties for illegal strikes and lockouts under the industrial disputes act?
6. Why does these exist the problem of inter-union rivalry? What are the evil effects of this problem? Suggest measures to curb this problems in India.
7. Discuss various types of collective bargaining in India and express your views as to which type is more effective in Indian conditions.
8. Explain the advantages of collective bargaining over compulsory adjudication.
9. What are the pre-requisites of successful collective bargaining?
10. Write short notes on any TWO of the following :
 - (a) Gherao
 - (b) Multi unionism and bargaining
 - (c) Worker director
 - (d) Collective agreements.