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INTERNATIONAL UNIVERSITY

Ph.D. Entrance Test 2017

**Faculty of Law**

Syllabus & Questions for Entrance Test

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**1. Constitutional Law of India**

- Preamble & Features of the Constitution
- Fundamental Rights and Duties
- Directive Principles of State Policy
- Judiciary
- Executive
- Legislative Relations between Union and State
- Emergency Provisions
- Amendment to the Constitution
- Writ Jurisdiction
- Distribution of powers between the Centre and the State
- Parliament and State Legislatures
- Role of Election Commission

**2. Administrative Law:**

- Nature, Scope and Importance of Administrative Law
- Principles of Natural Justice
- Administrative Discretion and its control
- Judicial Review of Administrative Action
- Lokpal and Lokayukta

**3. Legal Theory**

- Nature and Sources of Law
- Concepts: Right, Duty, Ownership, Possession and Person
- Theories including Positivism, Natural Law, Social Engineering
- Theories of Punishment
- Judicial Process including application of Doctrine of Precedent in India
- Role of Judiciary in bringing Social Change
- Law and Morality

**4. Public International Law**

- Nature, scope, and sources of International Law
- Relationship with Municipal Law
- Recognition of State and Governments
- United Nations and its Organs
- Settlement of International Disputes
- Human Rights
- Concept of Sovereignty and its relevance today



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- Extradition, Asylum, Nationality and status of Refugees
- International Court of Justice
- World Trade Organization – Global Trade Regime

**5. Family Law:**

- Sources of Family Law in India
- Concepts in Family Law
- Marriage and Dissolution of Marriage
- Divorce
- Maintenance
- Matrimonial Remedies
- Adoption and Guardianship
- Uniform Civil Code

**6. Law of Contracts - General Principles and Special Contracts**

- Essentials of a Valid Contract
- Offer, Acceptance and Consideration
- Capacity to Contract
- Elements vitiating Contract – Mistake, Fraud, Misrepresentation, Public Policy, Coercion, Undue Influence, Frustration of Contract
- Remedies for Breach of Contract
- Partnership Act – Nature and Essentials, Mutual Rights and Liabilities, Advantages of Registration of Firms
- Sales of Goods Act
- Negotiable Instruments Act

**7. Company Law**

- Incorporation of companies, basic documents
- Doctrines of Indoor Management, constructive notice, Ultra Vires
- Shares and Debentures
- Directors
- Meetings
- Oppression and Mismanagement
- Winding up
- Mergers and Amalgamation

**8. Law of Torts:**

- Nature and Definition of Torts
- Foundation of Tortious Liability



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- General Defences to an Action of Torts
- Vicarious, Absolute and Strict Liability
- Contributory Negligence
- Damages
- Specific Torts – Negligence, Nuisance and Defamation
- Consumer Protection – Consumer Rights and Mechanism for Redressal of Consumer Grievances

**9. Law of Crimes**

- Nature, meaning, definition and essentials of Offence
- General Exceptions
- Common Intention and Common Object
- Criminal Attempt, Conspiracy, Joint Liability and Abetment
- Offences against Women
- Offences against Human Body
- Offences against Property
- Defamation

**10. Labour Law**

- Concepts – Industry, Industrial Dispute and Workman
- Trade Unions – Rights and Immunities of Registered Trade Union; Registration and its advantages
- Methods of settlement of Industrial Disputes under the Industrial Disputes Act, 1947
- Strike and Lock-out as Instruments of Collective Bargaining
- Retrenchment, Lay-Off and Closures

**11. Environmental Law:**

- Environmental Pollution – Meaning of Environment and Environmental Pollution; Kinds of Pollution
- Legislative Measures for Prevention and Control of Environmental Pollution in India – Air and Water Pollution and General Protection of Environment
- International Development for Protection of Environmental Pollution
- Remedies for Environmental Protection – Civil, Criminal and Constitutional
- Impact of Forest and Wildlife in protecting environment
- Environmental Impact Assessment and Control of Hazardous Wastes

**12. Human Rights**



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- Concept and Development of Human Rights
- Contribution of United Nations in the development and implementation of Human Rights
- Implementation of Human Rights in India – Role of NHRC
- Protection of Marginalized Groups – Women, Children, Minorities and Refugees

**13. Emerging Laws**

- Media Law
- Cyber Law
- Intellectual Property Law
- Energy Law



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**Sample questions**

- Q.1 What is the minimum age limit to be qualified to be chosen as the member of the Council of States?
- a. 18 years
  - b. 30 years\*
  - c. 25 years
  - d. 21 years

Answer: b

- Q.2 The Supreme Court in the case of *Aruna Shanbaug v. Union of India* has legalized \_\_\_\_\_
- a. political *bandhs*
  - b. suicide
  - c. passive euthanasia\*
  - d. *hartals*

Answer: c

- Q.3 The Doctrine of Separation of Powers was systematically formulated by \_\_\_\_\_.
- a. Adam Smith
  - b. Plato
  - c. Aristotle
  - d. Montesquieu\*

Answer: d

- Q.4 Jurisprudence was defined as the formal science of Positive Law by \_\_\_\_\_.
- a. Holland\*
  - b. Bentham
  - c. Roscoe Pound
  - d. Blackstone



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Answer: a

- Q.5 A member of the United Nations, who persistently violates the principles contained in the Charter, can be expelled from the United Nations by the \_\_\_\_\_.
- Security Council upon the recommendation of General Assembly
  - General Assembly upon the recommendation of International Court of Justice
  - General Assembly upon the recommendation of Security Council\*
  - International Court of Justice upon recommendation of Security Council

Answer: c

- Q.6 Muta marriage is recognised by \_\_\_\_\_.
- Ithna Ashari School\*
  - Hanbali School
  - Maliki School
  - Hanafi School

Answer: a

- Q.7 Under Section 6 of the Hindu Minority and Guardianship Act, 1956 the natural guardian of a minor child is \_\_\_\_\_.
- Mother
  - Father\*
  - both Mother and Father
  - decided by the family

Answer: b



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- Q.8 Legal Principle: An offer need not be made to an ascertained person, but no contract can arise until it has been accepted by an ascertained person.  
Factual Situation: 'A' affirmed to the public that he would give Rs. 10000 to a person who will find 'A's lost dog. 'B' hearing this makes efforts and finds the dog. While returning the dog to 'A', 'B' claimed Rs. 10000.  
Question: Decide the rights of 'B', if any with the help of the principle.
- 'B' can sue 'A' as it was a general offer made to world at large and hence it could be accepted by any person who is performing a condition mentioned in the offer\*
  - 'B' cannot sue 'A' as the offer was not made to him and so he cannot accept it
  - 'B' cannot sue 'A' as there was no intention to be bound by the promise so made
  - 'B' cannot sue 'A' as there was no acceptance communicated by 'B' to 'A' and hence no contract comes into existence

Answer: a

- Q.9 A contract that is dependent on the happening or non-happening of a future uncertain event, collateral to the main contract is a \_\_\_\_\_
- Wagering contract
  - Voidable contract
  - Uncertain contract
  - Contingent contract\*

Answer: d

- Q.10 "Quantum Meruit" literally means \_\_\_\_\_
- as much as earned\*
  - quality of goods
  - quantity of goods
  - as much as lost

Answer: a



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- Q.11 The articles of association of a Company need to be signed by \_\_\_\_\_.
- Proposed Directors
  - Registrar
  - Subscribers of memorandum\*
  - Company Secretary

Answer: c

- Q.12 Martin was prevented from voting in the annual general meeting held for appointing secretary of his Apartment under Society Registration Act. Martin can claim damages under the principle of:
- Damnun sine Injuria
  - Injuria nova scotia damnum
  - Injuria damnum non abstusue
  - Injuria sine damnum\*

Answer: d

- Q.13 Choose the appropriate option with the help of Rule and Situation given below:  
Rule: According to Section 500 of the Indian Penal Code, 1860 (IPC) “any person who publishes any material concerning any other person intending to harm the reputation of the said person is responsible for the defamation.”  
According to exception provided to Section 500 of IPC “expression of opinion in good faith respecting the conduct of any person touching any public question is not defamation.”  
Situation: Mr. ‘Z’ a political leader from ‘Y’ political party makes a statement about an education policy prepared by the Minister of Human Resource Development. According to him policy reflects lack of intellectualism and wisdom for the higher education in India.
- Mr. ‘Z’ is not responsible for defamation of the Minister of Human Resource Development because Mr. Z criticized the policy in good faith which is question of public importance.\*
  - Mr. ‘Z’ is responsible for the defamation of the Minister of Human Resource Development because he is a public figure and the leaders from opposite





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party should behave responsibly while making comments about other public functionaries.

- c. Mr. 'Z' is responsible for defamation because Minister of Human Resource Development is representative of the people in India.
- d. Mr. 'Z' is responsible for defamation because the minister is supposed to know what the policy requirements for their own country are.

Answer: a

Q.14 Theft is offence relating to \_\_\_\_\_.

- a. movable and immovable property
- b. movable property\*
- c. immovable property
- d. intellectual property only

Answer: b

Q.15 In *Bachan Singh v. State of Punjab* the Supreme Court held that for awarding death penalty it shall be \_\_\_\_\_.

- a. rarest of rare case\*
- b. case involving moral turpitude
- c. case involving substantial question of law
- d. case involving substantial question of fact

Answer: a

Q.16 Who out of the following cannot be appointed as a presiding officer of the Labour Court?

- a. The one who has held any judicial office in India for not less than seven years.
- b. The one who has been civil judge for 2 years.\*
- c. The one who has for a period of not less than 3 years, been a District Judge or an Additional District Judge
- d. The one who has been a Judge of High Court.

Answer: b



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Q.17 The Taj Trapezium case is the popular name for \_\_\_\_\_.

- a. M. C. Mehta v. Union of India, AIR 1987 Kant 82\*
- b. Indian Council for Enviro-Legal Action v. Union of India, AIR 1999 SC 1502
- c. Rural Litigation & Entitlement Kendra v. State of UP, AIR 1985 SC 652
- d. Research Foundation For Science v. Union of India and Others, (2012) 7 SCC 764

Answer: a

Q.18 Which one of the following is correct according to Art 1 of the Universal Declaration of Human Rights, 1948?

- a. All human beings are born free and equal in rights
- b. All human beings are born free and equal in dignity
- c. All human beings are equal in dignity and rights
- d. All human beings are born free and equal in dignity and rights.\*

Answer: d

Q.19 In India Patent is granted for \_\_\_\_\_.

- a. Invention\*
- b. Painting
- c. Music composition
- d. Industrial Design

Answer: a

Q.20 The Central Electricity Regulation Commission (CERC) was created by \_\_\_\_\_.

- a. Indian Electricity Act, 1910
- b. Electricity (Supply) Act, 1948
- c. National Electricity Policy
- d. Electricity Regulatory Commissions Act, 1988\*

Answer: d



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Q.21 Which one out of the following statutes regulates the printing presses and newspaper and makes registration with an appointed authority compulsory for all printing presses?

- a. The Press (Objectionable Matters) Act, 1951
- b. The Press and Registration of Books Act, 1867\*
- c. The Newspaper (Prices and Pages) Act, 1956
- d. Press Council Act, 1978

Answer: b

Q.22 The Information Technology Act, 2000 deals with \_\_\_\_\_.

- a. E-Commerce and E-Governance
- b. E-Commerce and E-banking
- c. Cyber Crimes
- d. E-Commerce, E-Governance, E-banking and Cyber Crimes\*

Answer: d