

Name of the Candidate: _____

Roll No.: _____



INDIAN LAW INSTITUTE

(Deemed University)

Bhagwan Das Road, New Delhi - 110 001

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Ph.D. Entrance Test – 2022
(for Non-Exempted Category Candidates)

On

Sunday, the 1st May, 2022

Time: 10.00 a.m. to 01.00 p.m.

Note:

- i. There are eight questions in each Part (Part-I & Part-II) and all questions shall carry 10 marks each.
- ii. Answer **any five** questions from **Part-I**.
- iii. Answer **any five** questions in all choosing at least one question from each group from **Part-II**.
- iv. Each question is to be answered in not more than 150 words.

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Maximum Marks-100 : Time : 03 Hours

(Part-I : 50 Marks : Part-II : 50 Marks)

Part-I (Maximum Marks – 50)

LEGAL RESEARCH METHODOLOGY

Note : Answer any FIVE of the following questions. All questions carry equal marks.

1. What is meant by doctrinal research? How do you distinguish it from non-doctrinal research? Discuss in brief the merits and demerits of the two.
2. What is the importance of defining the research universe? What is the difference between probability and non-probability sampling? Discuss what factors a researcher must keep in mind while deciding the sampling technique to be followed.
3. Explain the deductive and inductive method of legal research. Are they mutually exclusive? Discuss.
4. Select a topic for research on a contemporary legal issue of significant importance and prepare a draft questionnaire or interview schedule.
5. A hypothesis is a statement that introduces a research question and proposes an expected result. Elucidate. Discuss the key factors involved in formulating and testing a hypothesis.
6. Distinguish 'pure legal research' with 'socio-legal research'. What major components are needed for doing 'socio-legal research'?
7. What are the major steps involved in report writing. Discuss the importance of unbiased reporting of information obtained in response to questions (variables).
8. Explain the process of analysis and interpretation of data. What is its significance in legal research?

Part-II

(Maximum Marks : 50)

Note : Answer FIVE questions in all, selecting at least one question from each group. All questions carry equal marks.

Group-A : Jurisprudence

1. Discuss in brief Hohfeld's theory of jural relations with appropriate examples.
2. "Basic norm of a positive legal system is simply the basic rule according to which norms of the legal system are created; it is simply the setting into place of the basic material fact of law creation." Discuss this statement in the light of Kelsen's Pure Theory of Law.

Group-B : Constitutional Law

3. India is said to be a quasi-federal state. Discuss the idea of "federalism with a unitary bias" in the context of distribution of legislative powers under the Indian Constitution.
4. Explain the Doctrine of Eclipse with respect to Article 13 of the Constitution of India.

Group-C: Indian Penal Code

5. What is meant by the maxim "*actus non facit reum nisi mens sit rea*"? What is the position of *mens rea* in case of strict liability offences? Discuss with examples from the Indian Penal Code, 1860.
6. The offence of sedition under section 124A of the Indian Penal Code, 1860 "aims at rendering penal only such activities as would be intended, or have a tendency, to create disorder or disturbance of public peace by resort to violence". Discuss. Is this offence in conflict with the freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution of India?

Group-D: Commercial Law (Contract, Partnership and Sale of Goods)

7. "Subject to the law for the time being in force there is no implied warranty or condition as to the quality or fitness for any particular purpose of goods supplied under a contract of sale". Explain the principle of '*caveat emptor*' and its exceptions in the light of the above statement.
8. Differentiate between offer and invitation to offer citing relevant cases.