

Name of the Candidate: _____

Roll No.: _____



INDIAN LAW INSTITUTE

(Deemed University)

Bhagwan Das Road, New Delhi - 110 001

Ph.D. Entrance Test – 2023
(for Non-Exempted Category Candidates)

On

Sunday, the 7th May, 2023

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

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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.

INDIAN LAW INSTITUTE

Ph.D. Entrance Examination 2023

Maximum Marks-100 Time : Three 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 do you understand by the expression 'Qualitative Research' and how do you distinguish it from 'Quantitative Research'? Explain giving examples.
2. What is the importance of public opinion in legal research? Explain and elucidate as to how the public opinion in legal research can be collected, compiled and codified.
3. Distinguish 'pure legal research' and 'socio-legal research'. What are the major components that need to be considered for doing 'socio-legal research'? Elucidate.
4. What is the importance of questionnaire and schedules in an empirical work? Explain major standpoints that one needs to take into consideration for drafting questionnaire and schedules.
5. 'Any kind of relevant and valid research in the changing paradigm of law and justice is 'inter-disciplinary research'. Do you agree with the statement? Examine.
6. Select any topic for research and explain as to how to use secondary and primary legal sources for gathering required information for relevant and valid legal research.
7. 'Hypothesis is the most technical and complex but vital part of research process and determines the quality of research in fundamental ways'. Do you agree with this statement? Critically examine the components of a good hypothesis in the light of the above statement.

8. It is widely believed that tools and techniques used in empirical research in sociology and behavioural sciences are the ones that have become the standard tools of research for legal research as well. How far do you agree with the statement? Explain and elucidate.

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Part-II

(Maximum Marks : 50)

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

Group-A : Jurisprudence

1. Positivistic tendencies in law emerged as a beacon of light in a volatile world dominated by different strands of natural law thinking, which meant different things to different people. Critically examine the statement from the perspective of benefits of positive law thinking in jurisprudential world.
2. "A legal system is not an abstract collection of bloodless categories but a living fabric in a constant state of movement". Explain and elucidate the 'pure theory of law' in the light of the above statement.

Group-B : Constitutional Law

3. "The philosophy of Indian Constitution is known to be enshrined in the Preamble of the Indian Constitution, in as much as the Preamble is known to be the statement of a new compact between the State and the individual citizens". How far do you agree with the statement? Critically examine.
4. The expression "Rule of law" has not been mentioned anywhere in the Indian Constitution, nevertheless Justice V.R. Krishna Iyer considers Rule of Law as a brooding omnipresence behind every provision of Indian Constitution. Critically discuss the Rule of Law in the light of the above statement.

Group-C : Indian Penal Code

5. What do you understand by the expression inchoate offences? Critically examine the provisions relating to inchoate offences under the Indian Penal Code, 1860.
6. "What distinguishes murder from culpable homicide is a thin line of knowledge and likelihood of death happening due to a certain set of events and circumstances." Explain the difference between murder and culpable homicide in the light of this statement.

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

7. There can be no contract without consideration. Explain the principle of consideration and its exceptions.
8. "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.

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