

INDIAN LAW INSTITUTE

Ph.D. Entrance Examination 2018

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 mean by 'inter-disciplinary research'? Can there be inter-disciplinary research in legal field? explain the limitations that hog the inter-disciplinary research in India.
2. Deductive and inductive methods of doing research, are not opposed or exclusive to each other, rather they are complementary and supplementary to each other in any serious legal research. Explain deductive and inductive method of legal research in the light of the above statement.
3. What do you understand by a structured questionnaire for collecting data on a relevant legal problem? Distinguish between structured and un-structured questionnaire and explain their pros and cons in conducting legal research.
4. What are the major legal referencing and footnoting systems used in legal research in India? Explain major features of such referencing and footnoting system.
5. The outcome and validity of a research work depends largely on the kind of sampling one does for collecting data on the subject. Explain and elucidate the factors that help in designing a reliable sampling method.
6. Select a topic for research on a contemporary legal issue of significant importance and explain as to how you will use secondary and primary legal sources for collecting relevant data in conducting legal research.

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8. 'Though there is always a huge necessity for legal reform in a socio-political system like India, but there is little that happens in terms of research for genuine legal reform'? Write a critical essay on legal reform in India in the light of the above statement.
9. What do you understand by the expression 'cluster analysis'? Explain the difference between hierarchical clustering and non-hierarchical clustering and their pros and cons in legal research.

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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. 'Jurisprudence' is Lawyer's extra-version ? Explain the concept and ambit of 'jurisprudence' in the light of the above statement.
2. "Law is not necessarily the product of designed thinking, but is an expression of the common consciousness of the people" Explain with reference to historical school of jurisprudence.

Group-B : Constitutional Law

3. Article 19 in the Constitution of India, which ensures certain freedoms of an individual citizen, gives certain rights with the one hand and snatches the same by another. Explain.
4. There is no conflict between part-III and part-IV of Indian constitution, in fact the balance between the two constitute the foundation stone of Indian Constitution. Critically examine.

Group-C : Indian Penal Code

5. What is common intention? Explain the situations where common intention can be inferred from the circumstances, citing relevant case law on the subject.
6. What constitute theft under Indian Penal code? Explain the components of theft citing relevant case law on the subject.

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

7. Explain the concept of Consideration with the help of decided case law on the subject.
8. Differential between the concept of guarantee and warranty for the purpose of transaction under Sale of Goods Act.

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