



Second Semester LL.M. Examination, June 2011
(Constitutional Law Branch) (Course – IV)
Specialisation Paper – II : PUBLIC UTILITIES LAW

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** questions.
2. Figures to the **right** indicate marks.

Q. No. 1.(a) Privatisation in telephone services opened a new vista for competition and best possible cost effective quality service to customers by all service providers. Comment.

OR

Discuss the pattern of establishment of any one of public utility services and legislations along with it.

Marks : 10

(b) Briefly explain the utility of fire brigade.

OR

Explain briefly how supply of gas – cooking gas/LPG/Lug – is ensured to the general public.

Marks : 6

Q. No. 2.(a) In order to ensure that the affairs of statutory public utility services are conducted in the best interest of the general public, a general governmental control over the working of the corporations is highly desirable. Comment

OR

Discuss the constitutional division of powers to legislate for the establishment of public utility services by the Union Parliament and State Legislatures.

Marks : 10

(b) Explain different patterns of public administrative authorities.

OR

Explain parliamentary control over subordinate legislation.

Marks : 6

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Q. No. 3. (a) Discuss whether public utilities are bound by the principles of natural justice.

OR

Discuss whether establishment of regulatory authorities for public utility services is serving the purposes of their respective establishments.

Marks : 10

(b) Explain the functioning style of Telephone Regulatory Authority of India-TRAI.

OR

Reason out for the exclusion of public utility services from the cobweb of M.R.T.P. Act.

Marks : 6

Q. No. 4. (a) Discuss whether employees of public sector services are entitled to constitutional protection.

OR

Whether there can be strike in public utility services ? What is the role of industrial law in case of a strike by employees of public sector ?

Marks : 10

(b) Write explanatory note on public utilities and fundamental rights.

OR

Whether "Public Utilities" are "State" for the purpose of Article 12 of the Constitution of India.

Marks : 6

Q. No. 5. (a) Discuss the liability of public utility services organisation for torts committed by its employees while discharging their duties.

OR

Explain the modes of entering into contract by public utility service provider organisation as provided and practiced under Constitution of India.

Marks : 10

(b) Does the doctrine of Waiver apply to government contracts ?

OR

Write a note on liabilities of public utility service provider in criminal law.

Marks : 6