



II Semester LL.M. Examination, December 2012
Spl. Paper – 2 : PUBLIC UTILITIES LAW (Specialisation Paper – II)
(Course – IV)

Duration : 3 Hours

Max. Marks : 80

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

Q. No. 1. (a) Discuss whether liberalisation, privatisation and globalisation in the post 1990 has had any impact on the policy of Government of India with regard to public utility services. Marks : 10

OR

Trace the growth and evolution of banking services as public utility services.

(b) Write an explanatory note on transport service. Marks : 6

OR

Examine the role of police in serving the public.

Q. No. 2. (a) Public utilities are services rather than commercial enterprises. Comment. Marks : 10

OR

Parliamentary control is implied in statutory public utility services as they owe their origin and continued existence to a statute passed by Parliament. Comment.

(b) Briefly explain different laws of incorporation for patterns of public utility services in India. Marks : 6

OR

Explain the control mechanism over administrative rule making by Parliament.

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Q. No. 3. (a) Conceptually analyse “fair hearing”.

Marks : 4

OR

Explain the procedure and practice of administrative adjudication in public utility services.

(b) What is meant by “Administrative discretion”.

Marks : 6

OR

Whether common law rights under contract law are sufficient to protect the consumer.

Q. No. 4. (a) Explain the constituency of Articles 16 and 311 of Constitution of India with respect to service rules of employees in public sector undertakings.

Marks : 10

OR

Discuss the compatibility of application of Industrial Law in case of strike in public utility services.

(b) Is the extension of definitions of “state” under Article 12 feasible to protect the interest of employees of “public utility services” ?

Marks : 6

OR

Compare and contrast the status of employees of public sector undertakings with civil servants.

Q. No. 5. (a) Discuss the contractual liability of the government.

Marks : 10

OR

Whether public sector undertakings can claim special privileges of the government in tort.

(b) What are the privileges the government is entitled under Criminal Procedure Code ?

Marks : 6

OR

Whether a public utility service personnel be held liable for damage caused while performing his duties ?