



Second Semester LL.M. Examination, June 2013
PUBLIC UTILITIES LAW (Constitutional Law Branch)

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer **all** questions.
2. Figures to the **right** indicate marks.
3. Answer **one** essay type and **one** short note from **each Unit**.

Q. No. 1. (a) The growth performance of telecommunications services has been an astounding success if success is defined in terms of both the cost of that service and its availability : Comment.

Marks : 10

OR

Public utility enterprises are services rather than commercial organisations of government. Comment.

(b) Write a short note on :

Marks : 6

i) Surface transportation as public utility services.

OR

ii) Patterns of the laws of incorporation of public utility services.

Q. No. 2. (a) Explain the legislative patterns for the incorporation or establishment of a public utility services organisation supported by illustrative examples.

Marks : 10

OR

What is meant by subordinate legislation in case of Administrative/Regulatory bodies for public utility services ? Explain rule-making in case of banking services.

(b) Write a short note on :

Marks : 6

i) Constitutional provisions to legislate on public utility services.

OR

ii) Governmental control over public utility services with special reference to police.

P.T.O.



- Q. No. 3. (a) What is meant by fair hearing ? In the absence of the statutory provisions whether public utility services organisation is under the obligation to observe rule of fair hearing ? Discuss with the help of case laws.

Marks : 10

OR

Explain the practice and procedure followed by administrative adjudicating/regulatory authority in case of "Electricity" public utility services with special reference to state of Karnataka.

- (b) Write a short note on :

Marks : 6

i) Public Utility Services and Rights of Consumer.

OR

ii) Contract of Employment and Rights.

- Q. No. 4. (a) Explain the status of employees of a public utility services organisation in contrast to the civil servants.

Marks : 10

OR

Are public utilities "state" for the purpose of Article 12 of the Constitution of India ? Support your answer with case laws.

- (b) Write a short note on :

Marks : 6

i) Public utilities and Fundamental Rights.

OR

ii) Right to Strike in Public Utilities.

- Q. No. 5. (a) Discuss the governmental liability in contracts.

Marks : 10

OR

Examine the criminal liability of public utilities.

- (b) Write a short note on :

Marks : 6

Tortious Liability.

OR

Modes of entering into contract by public utilities.