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ML 899

LL.M. DEGREE (SEMESTER) EXAMINATIONS,
JANUARY 2023.

(For the candidates admitted from 2017 – 2018 onwards)

First Year – Second Semester

BRANCH II – CONSTITUTIONAL LAW AND HUMAN RIGHTS

PAPER VI : PUBLIC UTILITIES LAW	CODE :	PHT
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Time : Three hours

Maximum : 60 marks

PART A — (3 × 12 = 36 marks)

Answer **THREE** of the following.

1. “Public utility organisation is an undertaking that meets the needs or inconveniences of a considerable section of the public and that places the undertaking in a position justifying the imposition of the control or other special privileges”?

– Garuham Roper.

Evaluate this statement referring to the legal status, characteristics and immunities and privileges of public utility undertaking in India.

2. “The government of India or of a state may be sued for the tortious acts of its servant and the servants of the instrumentalities”. Evaluate this statement referring to sovereign and non-sovereign functions and the judicial decisions.
3. Define service and complaint referring to the Consumer Protection Act, 2019 and also evaluate the role and effectiveness of the State Consumer Disputes Redressal Commission in protecting the interests of consumers.
4. Define industrial disputes referring to the Industrial Disputes Act, 1947 and critically evaluate the impact of Labour Code on social security in public sector in India.

[P.T.O.]

5. "The Central Electricity Commission is conferred with power to regulate the inter-state transmission of electricity and to adjudicate upon issues involving transmission licence". Evaluate this statement referring to the power and functions of the Central Electricity Commission and also punishment for non-compliance of directions by appropriate Commission under the Electricity Act, 2003.

PART B — (4 × 6 = 24 marks)

Answer FOUR of the following in about 250 words each.

6. Explain the factors leading to the growth of delegated legislation in India.
7. Write a note on Doctrine of Pleasure and exceptions to the doctrine.
8. Analyse the powers of the Competition Commission of India in eliminating anti-competitive practices of enterprises under the Competition Act, 2002.
9. Explain the power of Lok Adalat in dealing with pendency of public utility service under the Legal Services Authorities Act, 1987.
10. Write a note on organisational structure of the Telecom Regulatory Authority of India (TRAI).
11. Analyse the immunities and privileges of the Instrumentalities.