

Ref. No. REFNO012015

Roll No :

B.A. LLB. (Hons.) Semester-I Examination 2018-19

Law

BLBH-111-GENERAL ENGLISH INCLUDING LEGAL LANGUAGE

Time: Three Hours

Max Marks: 70

(Write your Roll No. at the top immediately on the receipt of this question paper)

Note: Attempt all questions.

- 1. **Answer the question given below in NOT MORE than 500 words.** 10x1=10

What is the importance of legal language in our everyday life? Elucidate with suitable examples.

- 2. **Correct the following sentences:** 10x1=10

- a. I have many works to do this morning.
- b. Unless you do not work hard, you will fail.
- c. The lames and the blinds deserve our empathy.
- d. I have some milk, but I don't have some sugar.
- e. He asked me how did I know him?
- f. I am born in 2000.
- g. Either of you are responsible for this.
- h. When you wrote him a letter?
- i. I asked to him a question.
- j. I am a teacher in english.

- 3. **Make changes in the given sentences as instructed:** 10x1=10

- a. The coffee will be brought by the boy. (Active Voice)
- b. She helps the people. (Passive voice)
- c. Please forgive him. (Passive voice)
- d. Does the noise disturb you? (Passive voice)
- e. Maria says to me, 'You are dull.' (Indirect speech)
- f. She said, 'He came at dinner-time.' (Indirect speech)

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- g. He said, 'you were playing football'. (Indirect speech)
- h. 'How far is the station?' he inquired. (Indirect speech)
- i. He said to me, 'Is he your brother?' (Indirect speech)
- j. Tom says to Mary, 'Did she buy a pen?' (Indirect speech)

4. Explain the following legal terms: 5x2=10

Ex Post Facto, Ex Gratia, Sine Qua Non, Inter Alia, Modus Operandi

5. Translate the following passage from English to Hindi : 10x1=10

Born on Jan 12, 1863 in an affluent Bengali family, Narendra Natha Datta was a precocious child who was what we call nowadays, an all-rounder, excelling in music, studies and athletics. His father Vishwanatha Datta was a well-known attorney. However, he took the spiritual route instead and introduced Hinduism to the world in 1893 when he spoke at the World's Parliament of Religion (probably one of the most epic things any Indian has done abroad!).

The historic speech was given on September 11, 1893 by Swami Vivekananda. Here's the full text of his opening and closing address:

Sisters and Brothers of America,

It fills my heart with joy unspeakable to rise in response to the warm and cordial welcome which you have given us. I thank you in the name of the most ancient order of monks in the world; I thank you in the name of the mother of religions, and I thank you in the name of millions and millions of Hindu people of all classes and sects.

Or

Answer the question given below in NOT MORE than 500 words:

What do you understand by the concept "freedom of speech and expression"? Does it cover hate speech also? Why do the films in India stand on a slightly different plane from other forms of expression?

6. Write a *précis* of the following passage in not more than 160 words and suggest a title for it. 10x1=10

In the last half of the nineteenth century 'capital' and 'labour' were enlarging and perfecting their rival organisations on modern lines. Many an old family firm was replaced by a limited liability company with salaried managers. The change met the technological requirements of the new age by engaging a large professional element; and prevented the decline in efficiency that marred the fortunes of family firms in the second and third generation after the energetic founder. It was, moreover, a step away from individual initiative, towards collectivism and municipal and stage-managed business. The railway companies, though still private concerns managed for the benefit of

shareholders, were very unlike old family businesses. They existed by reasons of Acts of Parliament, that conferred on them power and privileges in return for state control. At the same time the great municipalities went into business to supply-lighting, trams and other services to the ratepayers. The growth of the limited liability company and municipal trading had important consequences. Such large, impersonal manipulation of capital and industry greatly increased the number and importance shareholders as a class, an element in the national life representing irresponsible wealth detached from the land and the duties of the land-owner; and almost equally detached from the responsible management of business. All through the nineteenth century, America, Africa, India, Australia and parts of Europe were thus being developed largely by British capital, and British shareholders were thus being enriched by the world's movement towards industrialisation. Towns like Bournemouth and Eastbourne sprang up to house large 'comfortable' classes who had retired on their incomes, and who had no relation to the rest of the community except that of drawing dividends and occasionally attending a shareholders' meeting to bully the management. On the other hand, "shareholding" meant leisure and freedom which was used by many of the Victorians for the highest purposes of a great civilisation.

The "shareholder" as such had no knowledge of the lives, thoughts or needs of the workmen employed by the company in which he held shares, and his influence on the relations of capital and labour was not good. The paid manager acting for the company was in more direct relation with the men and their demands, but even he had seldom that familiar personal knowledge of the workmen which the employer had often had under the more patriarchal system of the old family business. Indeed the mere size of operations and the numbers of workmen involved rendered such personal relations impossible. Fortunately, however, the increasing power and organisation of the trade unions, at least in all skilled trades, enabled the workmen to meet on more equal terms with the managers of the companies who employed them. The harsh discipline of the strike and lockout taught the two parties to respect each other's strength and understand the value of fair negotiation.

- 7. Write a letter to your parents describing your first visit to the university. 10x1=10

OR

Write a letter to the Vice-chancellor complaining the pathetic condition of your hostel and university.



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REFNO-008905

B.A.LL.B. (Hons.) (Semester-I) Examination, 2018-19

Law

Paper: BLBH-112

Political Science-I

Time: Three Hours

Full Marks: 70

(Write your Roll No. at the top immediately on the receipt of this question paper)

Note: Question paper is divided into three sections. All questions are compulsory.

Section-A

Note: Answer each question in about **50** words. Each question carries **2** marks.

1. (a) Post-Behaviouralism
- (b) Deductive and Inductive Method
- (c) Saptang Theory
- (d) Gandhi's concept of Trusteeship
- (e) Popular Sovereignty

Section - B

Note: Answer each question in about **250** words. Each question carries **10** marks.

2. Write a critical note on the Ideal State of Plato.

OR

Explain the theory of state espoused by Aristotle.

3. Critically examine the Marxist approach to the study of Politics.

OR

Compare and contrast the ideas of J.S Mill and T.H Green on Liberty.

P.T.O.

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4. Compare and contrast State, Nation and Civil Society as forms of human association.

OR

Critically examine the Divine Theory and Force Theory of the Origin of State.

Section-C

Note: Answer each question in about 500 words. Each question carries 15 marks.

5. Critically examine the Social Contract Theory of the Origin of State. Explain the significance of this theory.

OR

Write a note on the evolution of the idea of Sovereignty. Explain the characteristics of the concept of sovereignty.

6. Write a critical note on the Behavioural Approach to the study of Politics.

OR

Explain the System Approach to the study of Politics.

Roll No.

B.A.LL.B. (Hons.) SEMESTER I EXAMINATION 2018-19**LAW****BLBH - 113 : Sociology - I****Time : Three hours****Max. Marks : 70****(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)****Note- Answer five questions including question no.1 which is compulsory. The number of marks carried by each question is indicated at the end of the question.****1) Write Short notes on any seven:****(Marks 2x7=14)**

- a) Cooley's theory of development of self
- b) Contra Culture.
- c) Tecknonymy
- d) Lavirate
- e) Intragenerational Mobility
- f) Types of statuses
- g) Primary group
- h) Role conflict
- i) Psychoanalytical theory
- j) symbolic interactionism

2) In what sense man and society belong to each other? Discuss with theoretical orientations. What are the various stages of socialisation? (14 marks)

3) Define and discuss the features of the institution in which two or more person related by blood, marriage or adoption, resides together in a household. Discuss its typology.

(14 marks)

4) Critically examine the nature and scope of sociology. Discuss the role of functional and conflict perspectives in study of the discipline. (14 marks)

P.T.O.

- 5) Elucidate the meaning "every society has the system of rating and ranking its members." Discuss its various forms. (14 marks)
- 6) Evaluate the statement "culture is a total way of life of a social group, meaning every thing they are, they do, and they have." Discuss its types and functions. (14 marks)
- 7) "Social group is a mental phenomenon rather than a physical entity" discuss. Describe the distinctions of social group observed by W.G Sumner. (14 marks)
- 8) Define and discuss the concept of marriage. Describe its basic forms. (14 marks)

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Ref.No.REFNO008909

Roll No.....

B.A LL.B (Hons.) SEMESTER I EXAMINATION 2018-19

LAW

BLBH-114: Economics-I

Time : Three hours

Max.Marks:70

(WRITE YOUR ROLL NO.AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)

NOTE: THE QUESTION PAPER COMPRISES OF THREE SECTIONS. QUESTION NO. 1 IS COMPULSORY.

SECTION-A

1. Explain the following:

2x5=10

- a) Marshall scissors
- b) Wealth oriented definition of Economics
- c) Liquidity preference theory of Interest
- d) Oligopoly
- e) Distinguish between micro and macro economics

SECTION-B

NOTE: WRITE SHORT NOTES ON ANY FOUR OF THE FOLLOWING:

5x4=20

2. State and explain the law of Equi-Marginal Utility.
3. Discuss the nature of economic laws with the help of suitable example.
4. Graphically discuss various degrees of price elasticity of demand.
5. "Profit is a reward for Risk taking and un-certainty bearing". Explain.
6. Explain the law of variable proportion with the help of total and marginal product curve.
7. Briefly discuss how wages are determined in perfect competition.

P.T.O.

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SECTION-C

NOTE: ANSWER ANY FOUR QUESTIONS.

10x4=40

8. "Economics is the science which studies human behavior as a relationship between ends and scarce means which have alternative uses." Justify this statement and discuss how far this definition of Economics is different from those enunciated by Marshall and other Economists.
9. Explain the meaning and steps involved in the process of deduction. Also state the merits and demerits of deductive method.
10. Explain the law of demand with the help of suitable diagram. What are the exceptions to the law of demand?
11. What are indifference curves? Discuss their properties with the help of diagram.
12. What do you mean by monopolistic competition? Explain price and output determination under monopolistic competition.
13. Critically examine the Ricardian Theory of Rent.

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B.A.LL.B. (HONS.) SEMESTER-IX EXAMINATION 2018-19**LAW****BLBHE-515 : Competition Law****Time: Three Hours****Marks : 70**

(Write your Roll No. at the top immediately on the receipt of this question paper)

Note: Attempt any five including Q.No. 1 which is compulsory.

1. Explain the following in approx 40 words. 2x7=14
- (a) Antitrust legislation
- (b) Extraterritorial application of the competition Act.
- (c) Difference between Merger and Amalgamation.
- (d) Resale Price maintainance.
- (e) What do you mean by Exclusive distribution agreement?
- (f) Difference between Bid suppression and Bid rotation.
- (g) What is the meaning of term 'Group' under the Act.
2. i. What do you mean by appreciable adverse effect on competition? What factors are to be taken into consideration in determining whether an agreement has an appreciable adverse effect on competition? 10+4
- ii. Discuss the applicability of Rule of reason and Rule per se with suitable case law in relation to Anti Competitive Agreement.
3. In relation to Anti-competitive agreement discuss the following – 3.5x4=14
- (a) Meaning of Horizontal Agreement.
- (b) Types of horizontal agreement prohibited under Section 3 (3) of the Act.
- (c) Difference between Horizontal agreement and Vertical agreement.
- (d) Exceptions to agreement which have appreciable adverse effect on competition.
4. Competition Act provider strong enforcement mechanism to prevent practices that have adverse effect on competition and to promote competition in market. In this connection discus the following – 3.5x4=14
- (a) Power of CCI to issue interim order.
- (b) Duties of Director General (DG).
- (c) Power to impose lesser penalty.
- (d) Reference by Commission under the Act.

5. Mr. X who is a hockey fan, filed information against Hockey India to the CCI under sec. 19(1) (a) His allegation were pertaining to the irregularities in the organisation of Indian Hockey League conducted by Hockey India, a society registered under Society Registration Act 1980 with the primary objective to controlling promoting, and selecting teams to represent India and framing laws for the game of hockey in India.
- I. On the basis of above information Discuss - 5+5=10
- (a) Whether Hockey India is an enterprises as per the definition under the Act?
- (b) What would be the relevant market in said case?
- II. Whether the online market place would constitute the same relevant market or different relevant market? 4
6. CCI received a notice from ABC Ltd. relating to proposed combination with XYZ Ltd. ABC Ltd. was incorporated in 1990 in India and focuses upon computer manufacturing and XYZ Ltd was incorporated in 1988 in Japan as software manufacturer company. Discuss –
- I. The procedure for investigation in combination. 10
- II. Penalty for making false statement and penalty for offence in relation to furnishing of information. 4
7. I. Dominant position is a market controlling position, capable of driving competing business from the market. In the light of this statement discuss the meaning and scope of term "Dominant Position" and "Abuse of dominant position". Refer to statutory provisions and leading case law. 7
- II. Practice(s) which fore-close the market access to other market players or deter entry to new players shall be considered as abuse of dominant position. Discuss. 7
8. Explain any two of the following in approx 150 words – 7x2=14
- (a) Price cutting or underselling competition is not necessarily predatory pricing.
- (b) Tie-in Arrangement per se are not violative of section 3(4) of the Act.
- (c) Anti competitive agreements are intended to be prohibited by orders of commission whereas combinations are to be regulated by orders.

B.A.LL.B. (Hons.) SEMESTER I EXAMINATION 2018-19**LAW****BLBH - 116 : Law of Torts - I****Time : Three hours****Max. Marks : 70***(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)***NOTE : ANSWER FIVE QUESTIONS, QUESTION NO. 1 IS COMPULSORY. ALL QUESTIONS CARRY EQUAL MARKS.**

1. There are four essential conditions of liability in tort :
- On act or omission on the part of the defendant
 - Intention or negligence or breach of a strict duty on the part of the defendant
 - Negligence resulting in damage to the plaintiff which is not too remote a consequence of the defendant's conduct and
 - Action for unliquidated damages.
- Elaborate these with the help of examples and decided cases.
2. a) "A total restraint of liberty, for however short period, without lawful justification amounts to false imprisonment." Discuss.
- b) A found B lying unconscious on the pavement and brought him to his house for treatment. On regaining consciousness after three hours B expressed a desire to leave, but A did not permit him to leave for another twenty four hours as he felt that B was too weak to move about. B sued A for false imprisonment. How will you decide the case? Give reasons for your answer.
3. Define Nuisance. In what way does a public nuisance differ from private nuisance? How does nuisance differ from trespass? What are the remedies available to a person who is a victim of nuisance?
4. a) Describe a master's liability for the torts committed by his servant.
- b) A borrowed B's car and driver for his daughter's marriage. While A was going in the car if collided with a tanga by the negligence of the driver and the tangawala was injured. Discuss the liability of A, B and the driver for the injury.
5. 'Medical Negligence' has grown by leaps and bounds these days. Explain the main features of 'Medical Negligence' by means of cases. What are the duties of care of a Doctor?
6. a) "The test of a defamatory nature of a statement is its tendency to excite against the plaintiff the adverse opinion or feeling of the other person." Explain.
- b) A host works his guest about a servant about whom his friend asked him, as the servant had committed a theft on a previous occasion. As a matter of fact the servant had never committed a theft. The servant sues the host for defamation and asks for compensation. How will you decide the case? Give reasons for your answer.

7. a) The rule of 'Strict Liability' enunciated in "Ryland Fletcher" has not been followed in India in many cases. What is the reason for this? Your answer should be based on cases.
- b) A circus had come to a town and was performing there. It had many animals like lions, bears and other animals. After the test performance everyday these animals were locked in cages and a guard was stationed there to see that they did not escape. In the night one day there was a unusual heavy rain and lightening and the animals become restless and broke their cages and escaped and did damages in the city. In this case will the rule of 'Strict Liability' apply on the rule of 'absolute liability'? If you were the advocate for the circus, what will be your argument to save the circus owner?
8. Write explanatory notes on any two of the following :
- a) Damnum sine injuria,
b) Contributory negligence,
c) Volenti non fit injuria,
d) Defences to an action for defamation.

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Printed Pages : 3

Roll No.....

REFNO 008910

**B. A. LL. B. (Hons.) (Semester-I)
Examination, 2018-19**

Law

Paper : BLBH-115

**Development of Legal and Judicial System in
India**

Time : Three Hours

Full Marks : 70

*(Write your Roll No. at the top immediately on the
receipt of this question paper)*

Note: Attempt any **five** questions.

1. The charter Act of 1726 showed the seeds of English Law, English system of Justice and English system of adjudication in India. Discuss.
2. Describe the Judicial plans introduced by Warren Hassting in India ?
3. William Bentick was not a War-Monger rather a peace-Monger, critically examine the statement , explain the criminal reforms introduced by William Bentick.

P.T.O.

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4. "The Regulating Act of 1773 was a mile-stone in the legal and constitutional history of India" ? Explain the above statement, Critically examine the provisions of the Regulating Act of 1773.
5. The charter Act of 1833 was a stepping stone but not a halting place for the future codification of Law in India.
6. "The Government Act of 1935 may be considered the miny Constitution of India. Explaining the above statement, state the silent features of the Act of 1935.
7. Preamble is the key to open the mind of the makers of the Act. Do you agree if so state whether the preamble is part of Indian Constitution and can it be amended ?

8. Write short notes on any **two** of the following :
- (a) Act of settlement
 - (b) Lex loci Report
 - (c) Nandkumar trial
 - (d) High Court Act of 1661

B.A.LL.B (Hons.) (Semester-III) Examination, 2018-19

LAW

Paper: BLBH – 211

Political Science – IV

Time: Three Hours

Full Marks: 70

(Write your Roll No. at the top immediately on the receipt of this question paper)

Note: Question paper is divided into three sections. All questions are compulsory.

Section- A

Note: Answer each question in about 50 words. Each question carries 2 marks.

1. (a) Deliberative Democracy
- (b) Power Elite
- (c) Iron Law of Oligarchy
- (d) Procedural Justice
- (e) Equal Protection of Law

Section – B

Note: Answer each question in about 250 words. Each question carries 10 marks.

2. Explain the meaning and importance of Public Opinion in a democracy.
What are the hindrances to the formation of a sound Public Opinion?

OR

Explain the concept of equality. What are the various types of equality needed for a just society?

3. Write a critical note on the Elite theory of democracy.

OR

Explain the concept of Justice. Write a note on the John Rawls' theory of Justice.

4. What is Totalitarianism? Compare and contrast Fascism and Nazism as totalitarian ideologies.

OR

Write a note on Socialism as an ideology, tracing its evolution and explaining its characteristic elements.

Section C

Note: Answer each question in about 500 words. Each question carries 15 marks.

5. Write an essay on the various important models of democracy.

OR

Write an essay on Marxism.

6. Write an essay on the concept of Liberty, explaining its negative and positive dimensions in details.

OR

Write an essay on the concept and importance of Rights throwing a light on the various contending theories for the origin of Rights.

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B.A.LL.B. (Hons.) SEMESTER III EXAMINATION 2018-19

LAW

BLBH - 212 : Sociology - III

Time : Three hours

Max. Marks : 70

(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)

Note- Answer five questions including question no.1 which is compulsory. The number of marks carried by each question is indicated at the end of the question.

1) Write short notes on any seven:

(Marks 2x7=14)

- a) Community
- b) Hinduism
- c) Gender socialisation
- d) Misuse of Dowry Act
- e) Socio-Cultural Importance of Vedas
- f) Women Empowerment Movement
- g) Trends in sex ratio of India
- h) Jajmani System
- i) Honour Killing (social aspects)
- j) Constitutional safeguards to protect the rights of SCs, STs, BCs,

2) Draw brief outline of historical development of caste system in India. Discuss various theories of origin of caste.

(14 marks)

3) What is meant by the statement that, when firmly established, mores operate automatically? Discuss the role of mores as the effective means of social control?

(14 marks)

4) Why do backward or primitive societies have less crime and fewer violations of the norms than progressive societies? How would you interpret the high crime rate in the ghettos in terms of Merton's theory of cultural goals and institutionalised means?

(14 marks)

5) Defend each of these positions:

- a. Divorce is a necessary and useful institution for a society.
- b. Divorce is cause and evidence of family breakdown and should be made more difficult.

(14 marks)

6) What are the five basic social institutions found in all complex societies? How does an institution differ from an association?

(14 marks)

7) What are some recent social changes in our society which you consider undesirable? Some which you consider desirable? What values are you using in making these judgements?

(14 marks)

8) What is "cultural lag" theory? Evaluate this statement "the more successful we progress the fewer cultural lags and social problems we shall have"?

(14 marks)

Ref.No.REFNO008914

Roll No.....

B.A LL.B (Hons.) SEMESTER III EXAMINATION 2018-19

LAW

BLBH-213: Economics-III

Time : Three hours

Max.Marks:70

(WRITE YOUR ROLL NO.AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)

NOTE: ATTEMPT ALL QUESTIONS FROM SECTION A, B AND C

SECTION- A

Note: Write your answer in about 50 words. Each question carries 2 marks.

1. Explain the following:
 - (a) Inequalities of income and wealth
 - (b) Public Sector Enterprises
 - (c) Special Economic Zone(SEZ)
 - (d) Inclusive Growth
 - (e) Foreign Direct Investment(FDI)

SECTION- B

Note: Write your answer in about 250 words. Each question carries 10 marks.

2. Why are small scale Industries (SSIs) more suitable in developing countries like India? What are the main difficulties faced by these industries in recent times?

OR

“Rising prices eat away the fruits of economic development and effect adversely on per capita income.” Explain. How a monetary or a fiscal policy can bring a balance between the two?

3. Why were economic reforms needed in India in 1991? Briefly explain positive impact of economic reforms on the Indian economy.

OR

Define Sustainable development? What are the 17 Sustainable Development Goals (SDGs) for the period 2015-2030?

P.T.O.

4. What are the causes of adverse balance of payments? Briefly discuss the measures adopted to correct adverse balance of payments in India.

OR

What do you mean by industrial sickness? Discuss internal and external causes of industrial sickness in India.

SECTION- C

Note: Answer the following question in detail. Each question carries 15 marks.

5. Distinguish economic growth and economic development. Discuss the determinants of economic development of India.

OR

What is the importance of Agriculture in Economic development of India? Discuss various steps taken by government to solve the problem of Indian agriculture in recent times.

6. Explain causes of unemployment problem in India. Briefly discuss current government policies to control the problem of unemployment in India.

OR

Diagrammatically discuss demand and supply side vicious circle of poverty. Briefly discuss measures to break the vicious circle of poverty..

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Ref. No. REFNO008916

Roll No.

B.A. LL.B. (Hons.) Semester – III Examination 2018-19

LAW

BLBH-214 : Constitutional Law-I

Time : Three Hours

Marks : 70

(Write your Roll No. at the top immediately on the receipt of this question paper)

Note: Attempt any **Five questions** including question no. 1 as compulsory. All questions carry equal marks. Marks are indicated against each question.

1. Write short answers on **any seven** of the following : 7x2=14
- (a) Hung Parliament
 - (b) President's Act
 - (c) Oath or affirmation by the President.
 - (d) Delegated legislation
 - (e) Doctrine of Pleasure
 - (f) Checks and Balances
 - (g) Floor test
 - (h) Non-justiciability of advice tendered by Ministers to the President.
 - (i) Restoration of dissolved State Assembly
 - (j) Difference between Constitutional Amendment Bill and Ordinary Bill.
2. (a) The State of U.P. enacted a law whereunder the State Government had been given authority to establish private self-financing universities by issuing a nonfiction. In one year as many as 112 universities had been establish without ensuring that they had the minimum infrastructure and academic facilities. Some of these universities were operating even from outside the State. Some of these were meant only to provide consultancy services to the industries. In fact, It facilitated the establishment of money collecting and degree-distributing agencies. Entry on coordination and determination of standards in institutions of higher education being in the union list (entry 66, list I) for which the Parliament alone is competent to make law. In order to achieve the aforesaid objective, the Parliament has enacted the University Grants Commission Act. The law enacted by the State of U.P. makes it impossible or difficult for the Parliament to exercise its law making power. A Professor of Law has filed a writ petition before the Supreme Court under Article 32 of the Constitution of India. Decide. 10
- (b) Mr. Bhagwan was sentenced to death. But the sentence has not been executed for more than 15 years. He wants to move the Supreme Court for Commutation of his death sentence to life imprisonment. Advise him. 4
3. Discuss the powers of the President in following Cases : 3.5x4=14
- (a) To decide the age of a High Court Judge.
 - (b) The President declares Failure of Constitutional Machinery in a State on the advice of the Prime Minister though the matter has not been considered by the Cabinet.

P.T.O.

(c) To decide the disqualification of a member of the Parliament.

(d) To appoint a Prime Minister.

4. "A conspectus of the provisions of our Constitution will indicate that whatever appearance of a federal structure our constitution may have, its operations are certainly, judged by the contents of the power which a number of provisions carry with them and the use that has been made of them". 14
 In the light of the above statement, critically evaluate the concept of federalism in India.
5. Comment on **any two** of the following: 7+7=14
 (a) Proclamation of Emergency and its impact on Federal Structure.
 (b) Money Bill and Role of the Speaker.
 (c) Joint sitting of the both Houses of the Parliament.
 (d) Duties of the Prime Minister towards the President.
6. Discuss the Ordinance making power of the President. Can an Ordinance be kept alive indefinitely by the process of re-promulgation? Is the requirement of placing the ordinance before the legislature mandatory? 14
7. What is the meaning of the Failure of Constitutional Machinery in a State? To what extent, is the exercise of power by the President of India under Article 356, subject to judicial review? 14
8. Write short notes on any **two** of the following: 7+7=14
 (a) Doctrine of Territorial Nexus
 (b) Principle of Collective Responsibility
 (c) Power of Parliament to legislate in National Interest.
 (d) Codification of Parliamentary Privileges.

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Printed Pages : 4

Roll No.....

REFNO 008917

**B.A. LL.B. (Hons.) (Semester-III)
Examination, 2018-19**

Law

Paper : BLBH-215

Law of Crimes-I (General Principles)

Time : Three Hours

Full Marks : 70

*(Write your Roll No. at the top immediately on the
receipt of this question paper)*

Note: Answer any **five** questions. Marks are indicated against each question.

1. Explain the maxim '*actus non facit reum nisi mens sit rea*' with the help of suitable illustrations. Is motive relevant in the determination of criminal liability ?

10+4=14

2. (a) 'Necessity knows no law'. To what extent this principle has been enshrined in the Indian Penal Code, 1860 ? Discuss with the help of relevant provisions and refer to decided cases.

10

P.T.O.

REFNO 008917

- (b) 'A' a captain of the ship, was navigating in the river with utmost care. He directed the vessel against sand-bank, the existence of which was not known to him. The ship collided with the sand-bank and several passengers on board were killed. Discuss the liability of 'A'. 4
3. (a) The right of private defence under the Indian Penal Code is too wide. Substantiate the statement. 10
- (b) 'X' with a view to escape serious injury and illegal arrest by police, drove vehicle beyond the permitted speed limit. He was charged with reckless driving. What defence may be taken by him? 4
4. (a) When mistake is defence under the Indian Penal Code? Discuss 10
- (b) 'J' Was appointed as a Judicial Magistrate in Varanasi. He had some dispute with his wife. One day when she was quarrelling with 'J', he picked up a knife and killed her. Can 'J' successfully take the defense of section 77 of the Indian Penal Code? 4

5. (a) Discuss various theories evolved by the courts for distinguishing attempt and mere preparation to commit an offence. 10
- (b) 'P' instigates 'Q' to murder 'R'. 'Q' in Pursuance of the instigation stabbed 'R'. 'R' was hospitalized for treatment and ultimately, he recovered from the wound. Discuss the liability of 'P'. 4
6. (a) 'They also serve who only stand and wait'. Discuss the principle of joint liability contained in section 34 of the Indian penal Code. 10
- (b) With a view to cause miscarriage, 'M' administers a drug to 'W'. It was found that 'W' was never pregnant. Has 'M' attempted under the English law and Indian law. 4
7. (a) Discuss the law relating to intoxication provided in the Indian Penal Code, 1860. Refer to decided cases. 10
- (b) Some students were reading in the library peacefully. A senior police officer reached there along with subordinate officer. The senior police officer ordered to open fire on those students. 'Z', a subordinate Police officer, in deference to the order of senior police officer opened fire in which one student was killed. Is 'Z' liable? 4

(49)

REFNO 008917

8. Write short notes on any **two** of the following :

7×2=14

- (a) Infancy
- (b) Criminal Conspiracy
- (c) Public welfare offence
- (d) Mc Naughten Rule and the Indian penal Code.

(46)

Printed Pages : 3

Roll No.....

REFNO 008918

**B.A. LL.B. (Hons.) (Semester-III)
Examination, 2018-19**

Law

Paper : BLBH-216

Law of Contract

Time : Three Hours

Full Marks : 70

*(Write your Roll No. at the top immediately on the
receipt of this question paper)*

Note: Answer any **five** questions. **All** questions carry equal marks.

1. "All sort of obligations are not contract but legal obligations may be resulted to a contract even legal obligations are not contract unless they have their source from agreement" who said and why? Justify it.
2. Explaining the communications of proposal, acceptance and revocation state the following rules :
 - (i) Postal rule of communication.
 - (ii) Inter-presenti rule of communication.

P.T.O.

REFNO 008918

3. In defining consideration, section 2(d) of Indian contract Act of 1872 is not exhaustive by itself". But it is properly defined by several Jurists and Judicial decisions. Explaining the above statement, tell "quid proquo is sign qua non" otherwise the agreement will be "Nudum Pactum" Do you agree?
4. "Some persons are competent to contract and some Persons are not competent to contract and some persons are disqualified from contracting and some persons with whom you are making the contract must be careful. Explain.
5. "Public-policy is a unroly horse". Who said and why. Justifying the statement; write what are the Public policies considered by the Courts in India?
6. "Performonce of contract is only a positive mode of discharge of contract and tender of performance is part of it". Explaining the above statement, tell, can the third party give performance? If so what is its effects?
7. "Awarding damages it must be compensatory but not penal". Explaining the above statement, tell different kinds of damages provided by Indian contract Act 1872. Which damages is to be given in rarest rare case.

8. Write short notes on **two** of the following :
- (a) Absolute performance theory.
 - (b) Accord and Satisfaction rule
 - (c) Clenton's rule
 - (d) Mitigation of Loss Theory

B.A.LL.B. (Hons.) SEMESTER IX EXAMINATION 2018-19

LAW

BLBHC - 511 : Special Contract

Time : Three hours

Max. Marks : 70

(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)

NOTE : ANSWER ANY FIVE QUESTION INCLUDING QUESTION NO. 1 WHICH IS COMPULSORY. MARKS ARE INDICATED AGAINST THE QUESTIONS.

1. Explain the following in short. 2x7
 - (a) Definition of Unpaid Seller
 - (b) Definition of Goods
 - (c) Existing and future goods
 - (d) Specific and unascertained goods
 - (e) Goodwill of the firm
 - (f) Carry on business of the firm
 - (g) Particular Partnership

2. Answer Following: 7x2
 - i) Determine the partnership in following situation, referring the appropriate provision and case law.
A partnership firm was financially embarrassed and therefore made a compromise with their creditors B, C, D & E under the compromise the property of the firm was assigned to all the four creditors. They were empowered to carry on business to share the profit among them, till the debts have been discharged.
 - ii) The relation of partnership arises from contract not from status". Elaborate, how does Partnership differ from joint Hindu Family?

3. Discuss the situation in which a person who is not a partner in fact is liable as if he were partner referring the provisions under the Partnership Act. Discuss the relevant case laws. 14

4. Answer the following: 7x2
 - i) A and B entered into managing agency business of two mills, the terms of which were, inter alia, that the management shall be carried on in rotation once in four years, A to manage for the first four years and thereafter B to manage for the next four years and in the same way thereafter. Soon after disputes arose between the partners and A gave notice to the B terminating partnership treating it as a partnership at will, and the director of the mills in their turn terminated the managing agency on the ground that the quarrels between the partners were detrimental to the good management of the mills. Thereafter B brought a suit against A and the mills for dissolution of the partnership firm and damages alleging that dissolution of the partnership by the appellant by notice was fraudulent and connived at by the mills. Will B Succeed? Discuss with relevant Provisions and case laws.
 - ii) What are provisions as to the effect of Non registration of a partnership firm under the Indian Partnership Act 1932?

5. What do you understand by expression "caveat emptor"? What exceptions have been admitted to the scope of this principle? The rule has been converted into the rule "caveat venditor". Discuss with case laws. 14

6. Discuss the rule of "Nemo dat quod non habet" and its exceptions in the light of provisions of the Sale of Goods Act 1930. Discuss with case laws. 14

7. Answer the following: 7x2
 - i) Discuss in detail rights of lien and stoppage in transit of unpaid seller under the Sale of Goods Act 1930?
 - ii) What is the difference between Condition and Warranty? What are the options to buyer on breach of conditions?

8. Answer any 2 questions. 7x2
 - i) Implied condition as to title with relevant cases.
 - ii) Grounds of dissolution of the firm by court.
 - iii) Minor admitted to the benefit of partnership.
 - iv) Difference between sale and hire purchase agreement.

Roll No.

B.A.LL.B. (Hons.) IX SEMESTER EXAMINATION 2018-19**LAW****BLBHD - 511 : Direct Taxation**

Time : Three hours

Max. Marks : 70

*(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)*NOTE : ANSWER ANY FIVE QUESTIONS. ALL QUESTIONS CARRY EQUAL MARKS.

1. Agricultural income is exempted from tax liability. What are the essential conditions when an income is considered as Agricultural income? Discuss. (14)
2. Tax is imposed on the basis of residential status of a person. How is the residential status of an individual determined? Discuss. (14)
3. What is annual value of house property? How is the income from house property determined? Discuss. (14)
4. (a) discuss the essential element of capital gain.(07)
(b) Income from CAPITAL GAIN is deemed to be income of previous year in which transfer takes place. What are the exceptions given under the act? (07)
5. "An assessee is not liable in respect of his own income but also liable for income of other person".Comment.(14)
6. Who shall file return? Discuss various modes of filing return.(14)
7. With the help of judicial pronouncement explain the provisions relating to search and seizure.(14)
8. Write short notes on **any two** of following : (7+7)
 - (a) Assessee
 - (b) Income from salary
 - (c) Income deemed to be accrued or arise in India
 - (d) Income from other sources

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Roll No.....

BL/Sem IX/..8965..

B.A.LL.B. (Hons.) (Semester IX) Examination, 2018-19

Law

Paper: BLBHJ - 511

Copyright including Neighbouring Rights

Time: Three Hours

Full Marks: 70

(Write your Roll No. at the top immediately on the receipt of this question paper)

Note: Answer any **five** questions. All questions carry equal marks.

1. What are the methods suggested by the court to identify the expression and separate it from the idea so as to ensure that idea is not protected while protecting the expression of idea?
2. What are the standards followed by the court to find out originality? What is the level of originality required to attract copyright protection?
3. Discuss the finding of the court in *Najma Heptulla v. Orient Longman Ltd.* (AIR 1989 Del 63). Do you agree with the finding in the light of the definition of "work of joint author" in Section 2(z) of the Copyright Act?
4. Critically analyse the provision related to statutory licence for cover versions.
5. Discuss moral rights guaranteed to authors in the Copyright Act. Can court transfer the copyright to the plaintiff for violation of moral right?
6. What constitute fair dealing of works? Discuss the principles applied by the court to find out fair dealing of works.
7. Critically analyse the provisions related to Copyright Societies under the Copyright Act.
8. Write critical notes on any two of the following:
 - (a) Berne Convention for the protection of literary and artistic Works
 - (b) Meaning of Publication
 - (c) Exhaustion of copyright
 - (d) Anton Piller Order

(110)

REFNO-0680

Roll No.....

B.A. LL.B. (Hons.) IX SEMESTER EXAMINATION 2018-19

Subject: Law

BLBHE-512: Corporate Governance

Time: Three Hours

Max. Marks: 70

(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)

NOTE: ANSWER ANY FIVE QUESTIONS. MARKS ARE INDICATED AGAINST THE QUESTIONS.

1. What do you understand by the term 'corporate governance'? Discuss the golden rules which supplements best practices in good corporate governance. 14
2. "Absence of robust corporate governance mechanism in India has led to number of corporate failures and therefore legislature has introduced number of provisions in the Companies Act, 2013 relating to corporate governance." In the light of said observation critically analyze the effectiveness of those provisions. 14
3. What do you understand by transparency and disclosures in the functioning of organizations? Briefly explain its relevance in smooth functioning of organizations. 14
4. Discuss the code and guidelines for the protection of shareholders rights and responsibilities as issued by SEBI. 14
5. "Clause 49 of the Listing Agreement is applicable to the companies intending to be listed in the stock exchanges." Discuss. 14
6. Explain the Concept and scope of corporate social responsibility. What are the different approaches related to CSR? 14
7. What are the challenges which India is facing on corporate social responsibility in contemporary times? Discuss whether the mandatory CSR in India is serving the purpose for which it has been initiated or something else need to be done? 14
8. Write short notes on any two of the following: 7x2=14
 - (a) Recommendations of Narayan Murthy committee in matters of Corporate Governance.
 - (b) Audit committee, its composition and functions.
 - (c) Role of stakeholders and Board of directors.

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Total Printed Pages : 2]

[Roll No.

8930

**B. A. LLB. (Hons.) Semester V
Examination, 2018-19**

LAW

Paper : BLBH-311

(Interpretation of Statutes)

Time : Three Hours]

[Full Marks : 70

*[Write your Roll No. at the top immediately on the
receipt of this question paper.]*

Note : Answer any *five* questions. All questions carry equal marks.

1. (a) "The text and context are the basis for interpretation." Discuss with illustrations.
(b) "Interpretation is a process by which the court determines the authoritative meaning of statutory provisions." Explain.
2. "The first and most elementary rule of construction is that of there is nothing to modify, nothing to alter and nothing to qualify, the language, which the statute contains, it must be construed in the ordinary and natural meaning of the words and sentences."

In the light of above statement, explain and illustrate the literal rule of interpretation.

P. T. O.

8930

3. While referring to suitable examples and decided cases, narrate the conditions for application of 'Mischief rule'.
4. Discuss and illustrate the following :
 - (a) Preamble as an internal aid.
 - (b) Parliamentary history as an extrinsic aid.
5. Comment on the following :
 - (a) Rule of ejusdem generis.
 - (b) ut res magis valeat quam pereat.
6. Explain presumptions relating to operation of statutes. How far such presumption may apply to the amendment in the procedural statutes ? Discuss.
7. What do you mean by Strict Interpretation ? Discuss the various rules for construing a penal statute. Refer to decided cases.
8. Write short note on any *two* of the following :
 - (a) Golden rule of construction.
 - (b) Presumption relating to the jurisdictions of the court.
 - (c) Rules relating to interpretation of taxing statutes.
 - (d) Use and importance of dictionary meaning in Interpretation.

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Printed Pages : 4

Roll No.....

REFNO 008933

**B.A. LL.B. (Hons.) (Semester-V)
Examination, 2018-19**

Law

Paper : BLBH-314

Family Law-1 (Hindu Law)

Time : Three Hours

Full Marks : 70

*(Write your Roll No. at the top immediately on the
receipt of this question paper)*

Note: Answer any **five** questions. **All** questions
carry equal marks.

1. Discuss the following :
 - (a) 'Dharma sutras' as source of Hindu Law.
 - (b) 'Commentaries & Digest as source of Hindu law.
2. (a) Discuss minimum age for solemnization of a marriage under the Hindu marriage act, 1955 and examine consequences on violation of this condition.
 - (b) With help of decided cases, explain impotency as ground of voidable marriage.

P.T.O.

(74)

Printed Pages : 4

Roll No.....

REFNO 008935

**B.A. LL.B. (Hons.) (Semester-V)
Examination, 2018-19**

Law

Paper : BLBH-316

Law of Property - I

Time : Three Hours

Full Marks : 70

(Write your Roll No. at the top immediately on the receipt of this question paper)

Note: Question No.1 is compulsory. Attempt **five** question in **all**. Marks are indicated against each question.

1. Write short answers to any **seven** of the following : 7×2
- (a) A more right of re-entry
 - (b) A more right to sue
 - (c) Oral transfer
 - (d) Embedded in the earth
 - (e) Actual notice
 - (f) Standing timber
 - (g) A mortgages a property to B with condition that B will not sub-mortgages the same. Is the condition valid ?

P.T.O.

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REFNO 008935

- (h) A makes a gift of a farm to B with a condition that if B cuts down any tree of the farm, the gift shall cease to have any effect. Is the condition valid ?
- (i) A transfer a farm to B on condition that B shall walk a hundred miles in an hours. Is the transfer valid ?
2. (a) Explain meaning of the expression 'transfer of property' under the Transfer of Property Act, 1882. 10
- (b) Are the following transactions 'transfer of property within the meaning of the Act ? 2+2
- (i) Partition (ii) Lease of Property
3. (a) Explain and illustrate the doctrine "Feeding the estoppel by grant" as incorporated under the transfer of property Act. 10
- (b) What are the legal incidents of transfer of property under the Transfer of Property Act ? 4

4. (a) 'An absolute restraint on alienation is void but a partial restraint is not'. Comment.

10

- (b) 'A' gifts a house to 'B' subject to a condition that if 'B' becomes insolvent, the gift shall cease to have effect and the property shall revert back to 'A' or his successor. Is the gift valid ?

4

5. (a) What are the conditions to be fulfilled for applying the doctrine of election under the Transfer of Property Act, 1882 ?

10

- (b) 'A' makes a gift of B's house worth ₹ 8 Lakh in favour of 'C' and by the same instrument gives ₹ 10 Lakh to 'B'. Discuss the rights of 'B' and 'C' in case 'B' elects against the instrument.

4

6. (a) Explain the doctrine of 'lis pendens' as embodied in the Transfer of Property Act, 1882.

10

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(b) 'A' sells a plot of land to 'B' in respect of which 'C' has a right of pre-emption. C files a suit to pre-empt the land against 'A' and 'B'. A week after the institution of the suit, 'B' resells the land to 'A' and files a written statement that 'C' has no cause of action. How will you decide the suit ?

4

7. Discuss the law relating to transfer of Property for the benefit of an unborn person. 14

8. Write short notes on any two of the following : 7+7

- (a) Doctrine of Part Performance
- (b) Transfer by Ostensible Owner
- (c) Fraudulent Transfer
- (d) Express Notice

B.A. LL.B. (Hons) Semester V Examination 2018-19
BLBH-312: Information Technology Law

Time: Three hrs

Full Marks: 70

(Write your Roll No. at the top immediately on the receipt of this question paper)

Note: Attempt any Five questions. All questions carry equal marks.

1. UNCITRAL Model law has been the guiding force for the creation of Information Technology Act, 2000 in India; however, at the time of its inception it has clearly departed from some of the principles of Model Law. Discuss. 7

Discuss the definition of 'computer' under the Information Technology Act, 2000. Whether a smartphone can be termed as computer according to the definition of said Act? 7
2. The income tax department of the Government of India has outsourced the handling of sensitive personal data to an association of tech professionals. These professionals were negligent in implementing reasonable security practices prescribed by the Central Government and such negligence has resulted into wrongful loss of confidential information of many taxpayers. Discuss the liability of association, if any, under the Information Technology Act. 7

Discuss the process of authentication of electronic record by a digital signature in brief. 7
3. Discuss the provisions relating to intermediary liability under the Information Technology Act, 2000. What are the effects of Section 81 on intermediaries' liability for copyright infringement? 14
4. Write short notes on **any two** of the following: 2X7=14
 - a. Compounding of Contraventions
 - B. Time and Place of Despatch and Receipt of Electronic Record
 - C. Types of Domain Name Dispute
5. "State's duty to maintain sovereignty, security and defence of India extends to cyber surveillance of electronic data/information however this power is not absolute and has to exercised with extreme care." In the light of said observation discuss the surveillance power vested with the Central Government under the Information Technology Act, 2000. 14
6. An accused, arrested and prosecuted under sec. 66-F of the Information Technology Act, 2000 for causing cyber terrorism in India, wants to assail the constitutionality of the said provision before an appropriate court. Support his contention with your arguments. 14
7. What do you understand by personal jurisdiction with respect to e-commerce? Discuss various personal jurisdiction tests adopted by Indian courts in different cases. 14
8. Write short notes on the following: 2x7=14
 - a. Electronic Signature Certificate
 - b. Difference between electronic signature and digital signature

Roll No.

B.A.LL.B. (Hons.) SEMESTER V EXAMINATION 2018-19**LAW****BLBH - 313 : Civil Procedure Code and Limitation Act****Time : Three hours****Max. Marks : 70****(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)**

Note: Answer any **Five** questions including Question No.1 which is compulsory.
The marks carried by each question are indicated at the end of the question.

1. (a) Preliminary decree and final decree
- (b) Mesne profits
- (c) Foreign judgment
- (d) Indigent person
- (e) Cause of action
- (f) Formation of issues
- (g) Acknowledgement

(7x2=14)

2. "A suit in which the right to property or to an office is contested is a suit of a civil nature, notwithstanding that such right may depend entirely on the decision of question as to religious rites or ceremonies." Explain.

(14)

3. (a) Does the Code of Civil Procedure, 1908 make any provision for preventing Courts of concurrent jurisdiction from trying at the same time two parallel suits in respect of the same matter in issue?

(7)

- (b) Discuss the principle of constructive *res judicata* and its exception.

(7)

4. (a) Discuss the provisions of the Code of Civil Procedure, 1908 relating to suits for immoveable property.

(7)

(65)

(2)

(b) A resides at Shimla, B at Calcutta and C at Delhi. A, B and C being together at Varanasi, B and C make a joint promissory note payable on demand and deliver it to A. A wants to sue B and C on the basis of promissory note. Answer with reasons and relevant provisions that in which court a suit may be filed.

(7)

5. (a) Discuss the grounds on which the *First* and *Second* appeal may be preferred.

(8)

(b) State the powers of the First Appellate Court with reference to:

- (i) Remand
- (ii) Framing of additional issues
- (iii) Additional evidence

(6)

6. (a) Discuss the provisions in respect of attachment of property in execution of decree.

(7)

(b) Are the following properties liable to attachment and sale in execution of a decree?

- (i) A pumping set of a farmer
- (ii) The library of an advocate
- (iii) A tractor of an agriculturist
- (iv) The salary of a Government servant
- (v) The Mangalsutra of a Hindu married woman
- (vi) An instrument of a surgeon
- (vii) The house of a domestic servant

(7)

7. Discuss the grounds and powers of the High Court in relation to 'Reference' and 'Review'.

(14)

(3)

8. (a) Explain the statutory provisions relating to the effects of a legal disability on the institution of a suit or application by an applicant.

(7)

(b) *Rajesh* filed a suit for permanent injunction and also moved an application for stay against *Rahim*. The Court issued notice of the suit and received an application for stay on 27-03-1991. *Rahim* filed reply to the suit and stay application on 27-03-1991. The case was adjourned to 31-03-1991 for arguments on the stay application. The Court after hearing the parties allowed the stay application of *Rajesh* on 31-03-1991. *Rahim* filed an appeal on 15-05-1991 against the stay order of the trial Court along with application for condonation of delay on the ground that he was hospitalized from 27-04-1991 to 14-05-1991 due to heart attack. Decide *Rajesh*'s application for condonation of delay with case laws.

(7)

6. Determine the share of each heirs in following cases :

(a) A Hindu male dying intestate having self acquired property and left behind his one son 'S' one daughter 'D', one brother 'B' and one sister 'S' along with a widow 'W'.

(b) A Hindu male dying intestate having interest in Mitakshara co-pracenary property left behind him a mother 'M', a widow 'W', two sons 'S₁' & 'S₂' and two daughters 'D1' & D2

7. Explain the term "withdrawn" from society without reasonable excuse of Restitution of Conjugal Rights under section 9 of the Hindu Marriage Act 1955.

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8. Write short notes on any two of following :

- (a) Desertion as ground of divorcé.
- (b) Agnates and cognates
- (c) 'In furtherance of succession' under section 25 of the Hindu Succession Act 1956,
- (d) Divorce by Mutual Consent

(71)

Printed Pages : 3

Roll No.....

REFNO 008934

**B.A. LL.B. (Hons.) (Semester-V)
Examination, 2018-19**

Law

Paper : BLBH-315

Public International Law

Time : Three Hours

Full Marks : 70

*(Write your Roll No. at the top immediately on the
receipt of this question paper)*

Note: Answer any **five** questions including question No. 1, which is compulsory. **All** questions carry equal marks. Marks are indicated against each question.

1. Write short answers on any **seven** of the following : 2×7=14

(i) Discuss modern definition of International Law.

(ii) Explain the nature of State responsibility.

(iii) Discuss the basis of International Law.

P.T.O.

REFNO 008934

- (iv) What are the consequences of withdrawal of recognition ?
 - (v) What is the concept of Contiguous Zone ?
 - (vi) Distinguish between Exclusive Economic Zone and Continental Shelf.
 - (vii) What do you mean by state succession.
 - (viii) Distinguish between 'de jure' and defactos' Recognition'.
 - (ix) Define the term 'Treaty'.
 - (x) Discuss the nature of International Law.
2. Discuss critically the historical development of Public International Law. 14
 3. What do you mean sources of International Law? Explain International Convention as a source of Intervational Law. 14
 4. Discuss the main theories relating to relationship between International Law and Municipal law. Also discuss Indian practice in relation to the application of International Law in Indian Court. 14

5. Define Territorial Sea and Exclusive Economic Zone with reference to provisions of Law of Sea, 1982. 14
6. Discuss the peaceful settlement of International Disputes with the help of case law. 14
7. What do you mean by the term 'Extradition' Discuss the kinds of extradition and Indian law relating to the extradition. 14
8. What do you understand by Asylum? Is Asylum a right of a person? Explain in detail State practices of Asylum under International Law. 14

B.A.LL.B. (Hons.) SEMESTER VII EXAMINATION 2018-19

LAW

BLBH - 411 : Jurisprudence

Time : Three hours

Max. Marks : 70

(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)

NOTE : ATTEMPT ANY FIVE QUESTIONS IN ALL. QUESTION NO. 01 IS COMPULSORY. ALL QUESTIONS CARRY EQUAL MARKS. MARKS ARE INDICATED AGAINST THE QUESTIONS.

- 1. Write short answers on any seven of the following : 2×7=14
 - i) International law and John Austin.
 - ii) International law and Hans Kelsen.
 - iii) What is Lawyers' extraversion?
 - iv) Four examples of Social Interest.
 - v) Four examples of Jural Postulates.
 - vi) Meaning of "Ought" for Realists.
 - vii) Contribution of H.L.A. Hart.
 - viii) Contribution of L.L. Fuller.
 - ix) Romanticism and Historical School.
 - x) Examples of "Law not properly so called" in Austin's theory.

- 2. Write criticisms on the following : 7×2=14
 - a) Austin's Imperative Theory
 - b) Kelsen's theory of law

- 3. Explain the following : 7×2=14
 - a) Contribution John Locke in Jurisprudence
 - b) Contribution of Stammler in Natural Law

- 4. Critically analyse the following : 7×2=14
 - a) Law as Volksgeist
 - b) "Law as Status" in Henry Maine's theory

- 5. Explain the following : 7×2=14
 - a) Techniques of Social Engineering
 - b) Criticisms of the Theory of Social Engineering

- 6. In the light of Realist School explain the following : 3½×4=14
 - a) Fact Skeptics
 - b) Rule Skeptics
 - c) Father's Symbol theory
 - d) Law Job Theory

7. By choosing the examples of various schools in jurisprudence, explain the following : 3½×4=14
- a) Relationship between Philosophy and Jurisprudence
 - b) Relationship between Science and Jurisprudence
 - c) Relationship between Economics and Jurisprudence
 - d) Relationship between Psychology and Jurisprudence
8. Explain the following : 7×2=14
- a) Importance of "Legal Person" in Jurisprudence.
 - b) Various Theories of Legal Rights and their importance.

Roll No.

B.A.LL.B. (Hons.) SEMESTER VII EXAMINATION 2018-19

LAW

BLBH - 412 : Private International Law

Time : Three hours

Max. Marks : 70

(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)

NOTE: ANSWER ANY FIVE QUESTIONS INCLUDING QUESTION NO. 01, WHICH IS COMPULSORY. MARKS ARE INDICATED AGAINST THE QUESTIONS.

- 1. Answers the following: 2x7=14
 - (i) What do you mean by 'Lex Causae'?
 - (ii) What do you understand by 'Legitimate Child'?
 - (iii) What is the meaning of 'Lex Loci'?
 - (iv) What do you understand by 'Maritime torts'?
 - (v) What do you mean by 'Corporation Sole'?
 - (vi) What is the 'Foreign Elements'?
 - (vii) What do you mean by 'Aerial torts'?

- 2. Discuss the definition, nature and scope of the Private International Law. Also define the need for the Unification of Rules of Private International Law. 14

- 3. Define 'Domicile' and explain the domicile of an 'independent natural person' with the help of decided cases. 14

- 4. "The problem of 'Renvoi' arises in those cases where the rules of Private International Law either refer to the law of forum or refer to law of a Third Country". In the light of said observation, comment and discuss in detail the doctrine of 'Renvoi'. 14

- 5. Discuss the types of 'Person' and status of 'Corporation' under the Private International Law. 14

- 6. Examine the rules of choice of law in the context of the 'Divorce' in Private International Law. 14

- 7. Discuss the 'Theories relating to 'foreign torts' and also define the status of law relating to torts in Indian system. 14

- 8. Write short notes on any two of the following: 7x2=14
 - (a) Formation of contract and capacity to contract
 - (b) Domicile of Dependents (Married Women and Minor Children)
 - (c) Validity of marriage in Private International Law
 - (d) Nationality under Private International Law



B.A.LL.B. (Hons.) SEMESTER VII EXAMINATION 2018-19

LAW

BLBH - 413 : Human Rights Law and Practice

Time : Three hours

Max. Marks : 70

(WRITE YOUR ROLL NO. AT THE TOP IMMEDIATELY ON THE RECEIPT OF THIS QUESTION PAPER)

NOTE : ANSWER ANY FIVE QUESTION INCLUDING QUESTION NO. 1 WHICH IS COMPULSORY. MARKS ARE INDICATED AGAINST THE QUESTIONS.

1. Answer all the questions in short. 2x7
 - (i) What are Second Generation Human Rights?
 - (ii) What are objectives of United Nations Charter?
 - (iii) What does Article 23 of the Constitution of India provide for?
 - (iv) What are grounds of limitation upon 'freedom of association' under Indian Constitution?
 - (v) What is the meaning and provisions of maxim 'Nemo debet bis vexari pro et eadem causa'?
 - (vi) What is difference between Fundamental Right and Human Right?
 - (vii) What does the article 2(7) of United Nation Charter provide for?

2. Throw light on the contribution of Natural Law Theory in the Concept of Human Rights. 14

3. What is the enforcement mechanism provided in the American Convention on Human Rights? 14

4. Answer Following: 7x2
 - i) What is constitution and function of National Human Right Commission in India?
 - ii) What is jurisdiction and procedure prescribed for Permanent Court under European Convention on Human Rights?

5. Explain followings: 7x2
 - (a) Dignity is not defined in UDHR but repeatedly invoked as inherent feature of human rights.
 - (b) Human rights of 3rd generation are even more important, if they are not properly implemented, the earth planet become uninhabitable.

6. Explain followings: 7x2
 - i) 'Equals must be treated equally while unequals must be treated differently'.
 - ii) 'Right to life has been considered the supreme human right and the fountain from which all human rights spring'.

7. Hague Convention and Geneva Convention applicable in armed conflicts form international humanitarian law? 14

8. Short notes on any 2 questions. 7x2
 - i) Functions of Economic and Social Council.
 - ii) Social Contract Theory vis a vis concept of human rights
 - iii) Right to Education in ICESCR
 - iv) Right of Recognition

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REFNO 008952

**B.A.LLB. (Hons.) (Semester-VII)
Examination, 2018-19**

Law

Paper : BLBH-414

Company Law

Time : Three Hours

Full Marks : 70

(Write your Roll No. at the top immediately on the receipt of this question paper)

1. Answer any **seven** questions of the following (each answer should be in approximately **100** words). 2x7=14
 - (a) How can a company amend its registered Office Clause of Memorandum of Association ?
 - (b) What are the necessary conditions to become a director in any Public Limited company ?
 - (c) What do you understand by "Golden Rule of Prospectus ?
 - (d) In what way does the Company Act, 2013 regulated the appointment of Independent Directors ?

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- (e) Whether a Limited Liability Partnership may be appointed as a director of any company ?
 - (f) Distinguish between a Company and a Partnership ?
 - (g) In what circumstance Rights share can be issued by a company ?
 - (h) Whether companies can enjoy fundamental rights guaranteed under Part III of Indian Constitution ?
2. "The fundamental attribute of corporate personality is that company is a legal entity and it is distinct person from the member". Elucidate this statement with support of decided cases. 14
3. "Promoters have been described to be in a fiduciary relationship is not only a contractual relation but the relationship of trust and confidence, which imposes a bundle of obligations on Promoters." Do you agree with the above statement ? Comment 14
4. With the help of Statutory provisions and decided case discuss the legality of the following actions of the companies : 3.5×4=14
- (a) Where the issued capital of a company is exceeding the limits of authorized capital.

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- (b) Where a public company is continentally running its business for more than 6 months with five members and contending that two different companies are also member of this company.
 - (c) Company has appointed a person as a director who was already director of 12 different public companies.
 - (d) Company has not paid dividend to its preferential share holders for two continues years.
5. "Veil of any Corporation should not be lifted merely on the ground of single economic entity, unless the factual agency is also proved "Do you agree with the above statement ? Discuss.

14

6. Decide the liability under following cases.

7×2=14

- (a) Annapurna Hunger Removal Limited was incorporated on 1st November 2018. The certificate of incorporation was issued by the Registrar on 9th November, 2018 due to Deepawali vacation. The company on 5th November, 2018 on the occasion of Dhanteras entered into a contract for supply of Rice and other food grains, which created its contractual liability. The company denies the said liability on the ground that company is not bound by the contract entered into prior to issuing certificate of incorporation.

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- (b) An allottee of share in the company has brought an action against a director in the company in respect of false statement in the prospectus. The director contended that statements were prepared by the promoters and after some reasonable enquiry he had relied on them. Who will be liable under the above circumstance ?
7. Do you agree with this statement that 'share is nothing but it is a part of share capital' ? What are the different kinds of shares which can be issued under companies Act, 2013 ?
14
8. "The memorandum of associations is a document of great importance in relation to the proposed company, which defines as well as confines the power of a company" Discuss and also distinguish it with article of Association of company.
14

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REFNO 008956

**B.A.LL.B. (Hons.) (Semester-VII)
Examination, 2018-19**

Law

Paper : BLBH-416

Labour and Industrial Law-I

Time : Three Hours

Full Marks : 70

*(Write your Roll No. at the top immediately on the
receipt of this question paper)*

Note: Answer any **five** questions including questions no. **1** which is compulsory. Marks are indicated against the questions.

1. Answer the following questions briefly :

2×7=14

- (a) Describe the qualifications prescribed in the Industrial Disputes Act, 1947 to become a presiding officer of a labour court.
- (b) Explain the amendment made in 1964 to section 10-A of the Industrial Disputes Act 1947.
- (c) What are the conditions precedent to refreshment as given in Section 25-F of the Industrial Disputes Act 1947.

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- (d) Explain the significance of the amendment made in 2010 to section 2-A of the Industrial Disputes Act 1947.
 - (e) Explain the significance of the expression Industrial establishment as given in section 2 3 of the Industrial Disputes Act 1947.
 - (f) Explain the distinction between the definition of "Workman" as given in the Trade Unions Act 1926 and the Industrial Disputes Act 1947
 - (g) Section 4 of the trade unions act has undergone a significant amendment in the year 2001. Explain the amendment.
2. The interpretation of the definition of industry as given by the Supreme Court in the famous Bangalore water supply case is being reconsidered by larger bench of the Supreme Court. What are the grounds of reconsideration as enunciated by five member bench of the Supreme Court in the Jaibeer Singh Case. ?
- 4
3. (a) Define the term "Award" as given in the industrial Disputes Act 1947 and discuss the law relating to publication of the award with the help of relevant case law. 7

- (b) Discuss the law relating to the operation enforcement, and termination of the award as given in the various provisions of the Industrial Disputes Act 1947. 7
4. (a) Do you agree with the view that section 2 A of the Industrial Disputes Act is a substantial departure from the basic scheme of the Act ? Give reasons for your answer. 7
- (b) Discuss the law relating to "approval" as given in section 33 of the Industrial Disputers Act and explain whether approval always relates back ? 7
5. (a) Whether an arbitrator appointed by the consent of the parties is a "Tribunal" with in the meaning of Article 136 of the Indian Constitution ? Refer to relevant case law. 7
- (b) "A strike or lockout may be illegal at its commencement or in its continuation". What is the laws pertaining to the above statement. 7

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6. (a) Discuss whether section 23 (b) of the Industrial Disputes Act will get attracted, when an individual dispute which has become a deemed industrial dispute by virtue of section 2-A is pending before the adjudication body. Refer to the appropriate case law. 4
- (b) Explain the meaning of the expression "for any reason what soever" as given in the definition of retrenchment. Give your answer with the help of relevant case law. 10
7. (a) Discuss the immunities granted to registered Trade union under the Trade Unions Act, 1926. 10
- (b) Can an employer raise an industrial dispute for recovering damages from the Trade Union on the ground of their having gone on an illegal strike. 4
8. Write short notes on any **two** of the following :
7×2=14
- (a) Definition of Trade Union
- (b) Appeals from the orders of registrar as given in the Trade Union Act.
- (c) Definition and meaning of collective bargaining.
- (d) Definition and meaning of closure.