

2011  
(June)

LAW  
(Jurisprudence)

Course No. : LLB - 6

**Full Marks : 100**

**Time : 3 hours**

*The figures in the margin indicate full marks for the questions*

*Answer any six questions including question No. 1 which is compulsory*

1. Write short notes on **any four** : 5x4=20
  - (a) Utility of jurisprudence
  - (b) Secondary functions of Courts of law
  - (c) Analytical Legal reasoning
  - (d) Right *in rem* and Right *in Personam*
  - (e) Characteristics of legal rights.
  - (f) Principle of penal liability
2. Discuss the nature and kinds of Legislation as a source of law. 5+11=16
3. Explain : 8+8=16
  - (a) *Ratio decidendi* of a case
  - (b) Circumstances destroying the binding force of precedent

(Turn Over)

4. What is legal positivism? Explain briefly Hans Kelsen's Pure Theory of law. Can his theory be fitted to Indian Legal System? 4+9+3=16
5. Critically comment on *any two* : 8+8=16
  - (a) Basic tenets of Natural Law.
  - (b) American Legal Realism
  - (c) *Volksgeist*
6. How does Roscoe Pound classify interests and balancing them in case of conflict to achieve "maximisation of human wants and minimisation of friction and wastes". Discuss briefly. 10+6=16
7. What do you mean by Property in law? Explain the different modes of acquisition of Property. 6+10=16
8. Explain in detail the different theories of Corporate Personality. 16
9. Explain (*any two*) : 8+8=16
  - (a) Hohfeldian analysis of legal rights.
  - (b) Dicey's concept of Rule of law.
  - (c) Possession in fact and Possession in law
10. Distinguish between Possession and Ownership. Mention and explain the different kinds Ownership. 8+8=16



II/LLB/VII

2011  
(June)

LAW  
(Constitutional Law II)

Course No. : LLB - 7

**Full Marks : 100**

**Time : 3 hours**

*The figures in the margin indicate full marks for the questions*

*Answer any six questions including question No. 1 which is compulsory*

1. Write brief notes on *any four* of the following : 5x4=20  
(a) Village Council/Court (b) Finance Commission  
(c) The Fifth Schedule (d) The Sixth Schedule  
(e) Money Bill (f) The Minorities  
(g) Municipality
2. Critically examine the Centre-State relations in India. 16  
*or*  
"Indian Federation is Quasi-Federal." Explain. 16
3. What is meant by "Failure of Constitutional Machinery in a state."?. How far a proclamation made by the President under Article 356 is Justifiable? 4+12=16

*or*

( Turn Over )

When and how is National Emergency proclaimed? Discuss its effects in detail. 4+12=16

4. Discuss the constitutional provisions for protection of Government Servants in India. 16
  5. Who are the Scheduled Tribe and Scheduled Castes? Discuss the Special provisions for the Scheduled Tribes as provided in the Indian Constitution. 4+12=16
  6. Article 368 does not enable the Parliament to alter the basic structures or frameworks of the Indian Constitution. Give your comments on the statement. 16
  7. Discuss the Constitutional Provisions to ensure free, fair and impartial Elections. 16
- or*
- Discuss the Principal Provisions of the Model Code of Conduct. 16
8. Indian Constitution provides the provisions for Freedom of Trade, Commerce and Inter Course. Discuss. 16
  9. Discuss the restrictions imposed by the Constitution upon the Freedom of Trade, Commerce and Inter Course. 16
  10. Write short notes on : 8+8=16
    - (a) Doctrine of Severability
    - (b) Doctrine of pith and substance.

**II / LLB / VIII**

**2011  
(June)**

**LAW  
(Law of Contract II)**

**Course No. : LLB - 8**

***Full Marks : 100***

***Time : 3 hours***

***The figures in the margin indicate full marks for the questions***

***Answer any six questions including question No. 1 which is compulsory***

1. Write short notes on ***any four*** : 5x4=20
  - (a) Right of bailee
  - (b) Discharge of surety from liability.
  - (c) Doctrine of caveat emptor
  - (d) Sale of good will
  - (e) Rights of surety
  - (f) Formation of partnership
2. Discuss essential elements of agency. Explain the mode for creating principal and agent relationship. 8+8=16
3. Define bailment. Discuss essential features of bailment and duties of bailor and bailee in detail. 4+4+8=16

*( Turn Over )*



4. Define sale. Discuss main points of distinction between a sale and an agreement to sell. Also explain provisions concerning transfer of ownership by non-owner under Indian Contract Act.  $4+4+8=16$
5. Discuss the provisions for registration of firms under the India Partnership Act. What are the consequences of non-registration of a firm? Explain with leading decided cases.  $10+6=16$
6. Comment -  $8+8=16$   
(a) Partnership by holding out  
(b) Minor admitted as a partner
7. State and explain rights and liabilities of buyer and seller under the Sale of Good Act.  $8+8=16$
8. Distinguish between 'Indemnity' and 'Guarantee'. What is 'continuing guarantee'? Explain when can it be revoked?  $6+4+6=16$
9. How is agency determined under the Indian Contract Act? Discuss relation of Principal with Third parties.  $6+10=16$
10. Comment on *any two* :  $8+8=16$   
(a) Bailments by pledge  
(b) Agent's duty to principal  
(c) Grounds for dissolution on a firm.

2011  
(June)

**LAW**  
**(Property Law)**

Course No. : LLB - 9

**Full Marks : 100**

**Time : 3 hours**

*The figures in the margin indicate full marks for the questions*

*Answer any six questions including question No. 1 which is compulsory*

1. Write short notes on **any four** of the following: 5x4=20  
(a) Distinction between vested and contingent interest.  
(b) Lease and License (c) Actionable Claim  
(d) Customary Easement (e) *Donatis mortis causa*  
(f) Easement of Necessity
2. What do you understand by the "rule against perpetuity"?  
Explain with the help of relevant provisions of law with illustrations. 16
3. A sues B to recover a house. After the filing of the suit but before the service of summon, B transfers the property to C. The suit is decreed against B. Is C bound by the decree? Explain the above illustration in the light of the doctrines of *lis pendens*.

( Turn Over )



4. How is a sale of immovable property affected according to the Transfer of Property Act, 1892? Explain with illustrations? 16
5. What do you mean by the term 'mortgage'? Write down the kinds of mortgages as given in the Transfer of Property Act. 16
6. Define a gift. Write down the essentials and different kinds of a valid gift. 16
7. Discuss in detail the different kinds of easement. 16
8. Explain the terms : 8+8=16
  - (a) Easementary Rights
  - (b) Quasi easement
9. What do you mean by easement by prescription? Write down the conditions for acquisition by prescription with illustrations. 16
10. Discuss the mode of extinction, suspension and revival of easement. 16



2011  
(June)

LAW  
(Labour and Industrial Law)

Course No. : LLB - 10

Full Marks : 100

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer any six questions including question No. 1 which is compulsory

1. Write short notes on any four of the following: 5x4=20

- (a) Industry
- (b) Workman in Industrial Disputes Act, 1947
- (c) Industrial Dispute
- (d) Strikes
- (e) Lock-out
- (f) Lay-off and Retrenchment.

2.

"In Bangalore Water Supply & Sewerage Board, V.A. Rajappa, the Supreme Court has reviewed the earlier dicta of court on the definition of 'industry' in the spirit of crusaders. It went haywire and far beyond the confines of the case in the name of judicial activism to bring every conceivable activity in the sweep of 'industry.' Critically examine the above statement.

16

(Turn Over)

3. Examine whether the following fall within the definition of 'Industry' of the Industries Disputes Act, 1947: 4x4=16
  - (1) A public/Government Senior Secondary School.
  - (2) A charitable educational institute where retired teachers work on voluntary basis.
  - (3) Central Jail Mizoram.
  - (4) Northern Railway.
4. What are the essential requirements that need to be complied with before a Trade Union can be registered under the Trade Union Act, 1926? 16
5. Can the following be registered as trade unions under the Trade Union Act, 1926? Give reasons. 8+8=16
  - (a) Trainee Advocate's Association, formed primarily to oppose the scheme of Apprenticeship introduced by the BAR Council of India.
  - (b) Mizoram Traders' Association formed primarily to oppose the proposed amendment to Rent Control Act.
6. Narrates the provisions for Health and Safety of the workers given under the Factories Act, 1948? 16
7. Critically analyse the provisions for the employment regarding young persons and women under the Factories Act, 1948? 16
8. To what extent the employer is liable to pay compensation

9. A workman was employed at a railway workshop which was about a mile away from railway station from where he, along with other workmen, used to catch the train to go to his village daily. The workman is provided with special permits for travelling free of charge between his workstations and his village. One day, after the completion of work, the workman was returning as he was run over by a shunting engine while crossing the line to reach the platform. Decide whether the accident arose out of and in the course of employment? 16
10. Discuss the procedure for determination of minimum wages under the Minimum Wages Act, 1948. 16

\*\*\*11b-10\*\*\*