

9. a) In what manner are women treated differently in the matter of arrest ? Discuss in the light of relevant provisions of the Cr. P.C. and case laws. **8**
- b) Explain the circumstances in which an arrest without a warrant can be made. **8**
10. (a) When is a charge altered? Explain the procedure that should be followed after altering the charge. **8**
- (b) What is effect of errors in charge? **4**
- (c) What are probable consequences of non-compliance with the provisions relating to arrest. **4**

*****LLB/VI/33/4*****

2016
(JUNE-JULY)
BACHELOR OF LAW
(Criminal Law – II (Cr. P.C))
Paper - 33
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following: **4x5=20**
- (a) Compounding of offences
 - (b) Local jurisdiction of criminal court
 - (c) Search - warrants
 - (d) Removal of public nuisance
 - (e) Irregular proceedings
 - (f) Appeal against inadequacy of sentence

2. a) How is information of commission of cognizable offence is registered as a case by the police ? Is there any remedy to the person aggrieved by the refusal on the part of the police to record the information?. 8
- b) How are confessional statements recorded by a Magistrate? Discuss. 8

3. What remedies are available to Hindu women thrown out of matrimonial home by her husband under Sec. 125, Cr.P.C. ? What conditions must she satisfy before available of Sec. 125, Cr.P.C. ? If she satisfied all the preconditions required as above, would her remedies differ, if she was a Muslim ? Discuss. 8+4+4=16

4. a) Write a short note on the language and content of the judgment of a criminal court. 8
- b) In what cases can a judgment be recorded in an abridged form ? Can a judgment be altered after its pronouncement ? 8

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5. Briefly explain the circumstances in which a criminal case is disposed of without full trial. 16
6. a) Give a brief procedure for trial of warrant – cases by Magistrates in cases instituted on a police report. 12
- b) Sessions Judge finding a person guilty of murder and sentencing him to death by hanging the same to be carried out forthwith. Comment with reasons on the legality or otherwise of the sentence imposed in the above. 4
7. State and explain circumstances in which release on bail is mandatory. Under what circumstances can ‘anticipatory bail’ be granted and by which court can such bail be granted. 8+8=16
8. a) Discuss the procedure to be followed when investigation cannot be completed within twenty four hours. 8
- b) Write a short note on the final report of the police on completion of investigation. 8

LLB/VI/33/3

2016
(JUNE - JULY)
BACHELOR OF LAW
(Code of Civil Procedure, 1908)
Paper - 34
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

8. a) Explain the meaning, nature and scope of Revision.
b) What is 'Reference' and 'Review'. Distinguish between the two.
c) Explain the provisions relating to appeals from every decree passed by any court exercising original jurisdiction.
d) A second appeal lies to the High Court only if the High Court is satisfied that the case involves a substantial question of law. Discuss. (4x4=16)

9. Describe the various classes of Civil Courts in Mizoram and explain their jurisdiction 16

10. Explain: 8+8=16

- a) The object, reason and application of the Mizoram Civil Courts Act, 2005.
b) Constitution of Committees and power to make rules by High Court under the Mizoram Civil Courts Act, 2005.

1. Write short notes on *any four* of the following: 4x5=20

- (a) Preliminary Decree
(b) Mesne Profit.
(c) Judgement Debtor
(d) Written Statement
(e) Cause of action.

2. a) Explain the distinction between 'a decree' and an 'order' 8
- b) State if the following orders are decrees within the meaning of Section 2(2) of the CPC ? 8
- i) Rejection of a plaint on the ground that the plaint does not disclose any cause of action.
 - ii) Order of abatement of suit.
 - iii) Dismissal of appeal for default.
 - iv) Dismissal of appeal as time – barred.
3. Define pleadings. What are the powers of the court to allow amendment of pleadings ? Explain when the leave to amend be referred by the court along with relevant case laws. 3+5+8=16
4. What is the difference between 'set-off' and 'counter claim'. When can an ex-parte decree be passed? How can such decree be set aside ? 8+4+4=16

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5. Explain 'Res-Judicata'. Discuss its objects and leading principles. Is the doctrine applicable between co-defendants 6+6+4=16
6. What do you understand by Temporary Injunction? Can temporary injunction be granted under the inherent power of the court ? Explain. 8+8=16
7. a) Section 38 of the CPC enacts that 'a decree may be executed either by the court which passed it or by the court to which it is sent for execution ? In light of this, explain the powers and duties of Executing Courts. 8+8=16
- b) Analyse whether the following can be attached in execution of a decree:
- i) Jewellery worn by a bride
 - ii) A bank account in the name of the husband of the Judgement Debtor?
 - iii) Sacks of rice lying in the godown of a merchant.
 - iv) A rice transplanter used for agricultural purposes.

LLB/VI/34/3

2016
(JUNE - JULY)
BACHELOR OF LAW
(Law Relating to Right to Information)
Paper - 38
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* (6) questions including *Question No.1* which is compulsory.

1. Write short notes on *any four* of the following: **5x4=20**
- (a) Third Party Information.
 - (b) Article 163 of the Indian Constitution.
 - (c) Appeals under RTI Act, 2005
 - (d) Objectives of RTI Act, 2005.
 - (e) Public Authority
 - (f) State Information Commission.

2. The Constitution of India under Article 19 has already provided the provisions of Right to Information even before the enactment of RTI Act, 2005. Give reasons. 16
3. Discuss the role played by MazdoorKisan Shakti Sangathan towards the enactment of Right to Information Act, 2005. 16
4. Who can claim information under the RTI Act, 2005? Can such a person claim any information she / he desires from non-Government Organizations ? Enumerate the limitations in seeking information under the Act, if any. 3+3+10=16
5. Discuss the improvements over the Freedom of Information Act, 2002 for enactment of the RTI Act, 2005. 16
6. Discuss the relevant provisions of the Indian Evidence Act, 1872 with reference to the Right to Information Act, 2005. 16

7. Discuss the provisions of furnishing information that a candidate in a General Election has to submit to the Returning Officer and after being elected as provided by the Representation of People's Act, 1951. 8+8=16
8. What is meant by "Prohibited Place" under the Official Secrets Act, 1923? Discuss 'Spying' and its penal provisions under the Act. 8+8=16
9. What do you mean by Information? Give the detailed procedures for seeking information and the time frame within which the information for the same are to be given. 5+5+6=16
10. Who is a Public Information Officer? Discuss the duties and responsibilities as well as the penal provisions for such a Public Information Officer for misconduct. 4+6+6=16