

2014
(JUNE)
BACHELOR OF LAW
(Company Law)
Paper - 19
Full Marks : 100
Pass Mark : 40
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 two*: **10x2=20**
 - (a) Requisites of a valid meeting.
 - (b) Investigation by the Central Government.
 - (c) Golden Rule for framing of Prospectus.
 - (d) Distinction between Debenture holder and Shareholder.

2. "The 'Company' under the Companies Act, 1956 is an artificial person in the eyes of law but not a citizen of the country". Comment. **16**

3. "The Articles of Association play a subordinate role to the Memorandum of Association". Comment. 16

4. (a) Define Directors. What is his legal position in a company?

(b) How are the Directors of a Company appointed? What are the disqualifications or grounds of removal of a Director? 8+8=16

5. To what extent can the Directors of a company be considered his trustees, agents or managing partner of the company? 16

6. Point out the difference between the following: 8+8=16

(a) Adjournment, postponement and dissolution of a meeting.

(b) Special resolution and resolution requiring special notice.

7. Comment on the following statement. 16

"A mere dissatisfaction of the minority does not constitute oppression"

8. (a) What are the powers of the Central Government to order amalgamation of two or more companies? 8+8=16

(b) What are the powers of the High Court to enforce its orders relating to compromise and arrangement?

9. (a) The auditor of a company wanted to see the minute book of the Director's Meetings. The chairman of the company refused on the ground that matters of confidential nature were contained therein. Advise the auditor. 4x4=16

(b) The object clause of the Memorandum of a company empowers it to carry on distillery business and any other business that is allied to it. The company wants to alter its Memorandum so as to include the cinema business in its objects clause. Advise the company.

(c) Can a director enter into any contract with his company? Is he under any legal obligation with regard to contracts entered into by the company in which he is interested?

(d) XYZ Co. Ltd. ceased to operate business in the field to its activities for 14 months. The company did not do any business as stated in its objects clause. Some members of XYZ Co. Ltd. want to move the Court for winding up of the company on the ground that the company has suspended its business for a whole year. Advise the members.

10. Under what circumstances may a company be wound up by the court? State the powers and duties of a liquidator in case of compulsory winding up of a company.

16

***** IV/LLB/19 *****

2014
(JUNE)
BACHELOR OF LAW
(Administrative Law)
Paper - 20
Full Marks : 100
Pass Mark : 40
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**
- (1) Administrative Tribunal Act, 1985.
 - (2) Commission of Inquiry.
 - (3) Ombudsman.
 - (4) Droit Administrative.
 - (5) Central Vigilance Commission
 - (6) Third stage delegation (sub-sub-delegation)
2. The doctrine of 'Rule of Law' is a powerful instrument that controls the administrative authority within their limits. Analyse the statement with the help of interpretation of the doctrine. **16**

3. Explain the doctrine of 'Separation of Powers' and critically examine to what extent the doctrine has been incorporated in the Constitution of India? 16
4. What does the doctrine '*Delegatus non Potest Delegare*' signify? Has the non-delegation rule served any purpose in the context of permissibility of delegated legislation? 16
5. The dividing line between an administrative power and a quasi judicial power is quite thin and is being gradually obliterated. If the purpose of the rules of natural justice is to prevent miscarriage of justice, then why does one fails to see why those rules should be made inapplicable to administrative inquiries? 16
6. Critically analyse the concept of Lokayukta. 16
7. The effective control of delegated legislation has been through judiciary and not through the legislature. Discuss and illustrate the technique of procedural ultra vires what the help of case law. 16

8. The underlying object of legislature control is to keep a watch over the rule making authorities and also to provide an opportunity to criticize them, if there is absolute power on their part. Examine and state in what manners legislative control is exercised on the rule making authorities by the legislature? 16
9. Explain right to cross-examination? 16
10. What are the consequences of non-supply of an inquiry committee report to an employee before he is dismissed from service? 16

*****IV/LLB/20*****

2014
(JUNE)
BACHELOR OF LAW
Alternate Dispute Resolution Systems (ADRS)
Paper - 21
Full Marks : 60
Pass Mark : 24
Time : 2 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* questions.

1. Mention the objects of Alternative Dispute Resolution Systems as laid down by the International Centre for Alternative Dispute Resolution. **10**

2. List and explain the various alternative means of dispute redressal available under the Alternative Dispute Resolution System. **10**

3. • “The field of a mediator is very much restricted as he does not derive any power by any statute”. Who is a mediator? Explain the limitations of his power as a mediator. **10**

4. "Every award made by Lok Adalat shall be final and binding". Explain the workings of the Lok Adalat with special reference to the Award made by it. 10

5. Critically analyse the position of Alternate Means of Dispute Resolution in India. 10

6. Write short notes on : (*any two*) 5+5=10

(a) Conciliation Skills.

(b) Negotiation Skills

(c) Arbitration

7. Explain the principle of law laid down in the following cases: (*any two*) 5x2=10

(a) Rudul Sah-vs-State of Bihar

AIR 1983 SC 1086

(b) DK Basu-vs-State of West Bengal AIR 1997

SC610

(c) Olga Tellis-vs-Bombay Municipal Corporation
AIR 1986 SC 180

(d) Sheela Barse-vs-State of Maharashtra AIR 1983
SC 378

8. "Arbitral Award must be based on evidence" Explain the Arbitration proceedings citing relevant case laws. 10

9. Explain: (*any two*) 5x2=10

(a) Foreign Award and Domestic Award.

(b) Commercial Relationship

(c) Time limit for enforcement of Foreign Awards

10. Define Sole Conciliator. Explain how settlement between the parties through the process of conciliation can have the same status as an Arbitral Award. 10

**** IV/LLB/21****

2014
(JUNE)
BACHELOR OF LAW
(Criminology And Penology)
Paper - 23
Full Marks : 100
Pass Mark : 40
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* from the following.
4x5=20
- (a) Victimology
 - (b) Case Investigation officer
 - (c) Probation
 - (d) Custodial Crime
 - (e) Mob Rule
 - (f) Child in Conflict with law

2. Who is a criminal? Discuss the Rights of an arrested person? 4+12=16

OR

Who is an under Trial Prisoner? Discuss the Rights of such a Prisoner. 4+12=16

3. 'Imprisonment is not simply to punish the criminal but for care and rehabilitation of the criminal'. Do you agree with the statement? Give your reasons from the light of the theories of punishment. 16

4. Relate and examine the major causes of crimes in India with those of the theories of Crimes. 16

5. Critically examine and justify with suitable illustration on the statement, 'Criminology is a distinct science'. 16

6. What are the various causes attributable to Juvenile Delinquency in Mizo Community? Discuss the suitability and the problems faced by Juvenile Courts in discharging its functions. 8+8=16

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7. Critically examine the penal provisions for rape as provided by Criminal Amendment Act, 2013. 16

8. 'Death Sentence is still a good penal provision for prevention of crimes today'. Give your comments in support or against the statement. 16

9. What is parole? Discuss the powers of a court to release an accused person on probation of good conduct instead of sentencing as provided by the Probation of Offenders Act, 1958. 2+14=16

10. Suggest concrete measures for eradication of crimes in the Mizo society. 16

***** IV/LLB/23*****

2014
(JUNE)
BACHELOR OF LAW
(Land Laws)
Paper - 24
Full Marks : 100
Pass Mark : 40
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* from the following.

5x4=20

- (a) 'Fair rent' as per the Mizoram Urban Areas Rent Control Act, 1974.
- (b) 'Vacant Land' as per Mizo District (Agricultural Land) Act, 1963
- (c) 'Tribal' as per the Mizo District (Transfer of Land) Act, 1963.
- (d) 'Public Premises' as per the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.
- (e) 'Lease' as per Transfer of Property Act, 1882.

- (f) 'License' as per Indian Easement Act, 1882.
 - (g) 'Settlement holder' as per the Mizoram District (Land and Revenue) Act, 1956.
2. Give critical analysis on the 'Principle of Adverse Possession' in the content of Mizoram in the light of Chalthiangi vs State of Mizoram & Ors. 2005 (1) GLT 547. 16
3. How is it possible to have a valid transfer of land from a non-tribal to a non-tribal. Explain with the help of Mizoram District Transfer of Land Act, 1963. 16
4. Describe the eviction procedure of the unauthorized occupants as given in the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. 16
5. Give your critical analysis on Section 6 and 7 of Mizo District (Transfer of Land) Act, 1963. 16
6. Describe the manner for execution of eviction procedure as per the Mizoram (Prevention of Government Land Encroachment) Act, 2001. 16
7. What are the matters to be considered in determining compensation as per Land Acquisition Act, 1894. Is there any matter to be neglected in determining compensation? Mention. 16
8. What are the duration of certain leases in absence of written contract on local usages. Describe how leases of immovable ~~the~~ property can be made. 16
9. Are there any exemption clause in the Mizoram(Taxes on Land, Building and Assessment of Revenue) Act, 2004. If so, mention. 16
10. A new hydel-project which will generate 100 MW of power is proposed by the Government of Mizoram. The government approach you for your advice in order to have a valid land acquisition for proposed project. Narrate the proper procedure as per the Land Acquisition Act, 1894. 16

*****IV/LLB/24*****