

Professional Course Examination, May 2019

(4th Semester)

BACHELOR OF LAW

Paper : 19

(Company Law)

Full Marks : 100

Pass Mark : 40

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer **six** questions including Question No. 1 which is compulsory

1. Write notes on any *four* of the following : 5×4=20
 - (a) Dividend
 - (b) Allotment of Shares
 - (c) Object of the SEBI Act, 1992
 - (d) Promoter of Company
 - (e) Prospectus of Company
 - (f) Consumer under the Competition Act, 2002
2. Explain the doctrine of ultra vires. What are the effects of ultra vires agreement? Discuss with decided leading cases. 16
3. Briefly discuss the circumstances under which a company may be wound up by the court. 16

4. Notice and Quorum are the requisites of valid meeting. Discuss with decided leading cases. 16
5. What is debenture? Explain its characteristics. What are various kinds of debentures? 16
6. Define the terms 'stock exchange' and 'recognized stock exchange'. Is there any prohibition on formation of an 'unrecognised stock exchange'? Discuss. 16
7. Discuss briefly the advantages of incorporating a company. 16
8. Discuss the provisions of the Companies Act, 1956 for the prevention of oppression and mismanagement. 16
9. Explain the doctrine of 'Lifting the Corporate Veil'. 16
10. Define the terms 'persons' and 'person resident in India' under the Foreign Exchange Management Act (FEMA). Elaborate the terms in the light of leading decided cases. 16

Professional Course Examination, May 2019

(4th Semester)

BACHELOR OF LAW

Paper : 20

(**Administrative Law**)Full Marks : 100Pass Mark : 40

Time : 3 hours

*The figures in the margin indicate full marks for the questions*Answer **six** questions including Question No. **1** which is compulsory**1.** Write short commentaries on any *four* of the following : 5×4=20

- (a) Nature and Scope of Administrative Law
- (b) Parliamentary Control of Delegated Legislation in India
- (c) Functions and Powers of the Central Vigilance Commission
- (d) Appointment and Powers of Commission of Inquiry
- (e) Dicey's concept of Rule of Law
- (f) Exclusion of Natural Justice Principles

2. State and explain Montesquieu's doctrine of 'separation of powers'. Critically examine the doctrine in practice in India by referring Constitutional provisions and leading decisional laws of the apex court. 16

3. "It is well settled law that essential legislative functions must be performed by the legislature itself and they cannot be delegated to the executive." What do you mean by 'essential legislative functions'? What are those functions which can be delegated and which cannot be delegated? Discuss. 4+6+6=16
4. Explain any *two* of the following with relevant Constitutional and decisional laws of India : 8×2=16
- (a) *Nemo debet esse judex in propria causa*
- (b) *Audi alteram partem*
- (c) Speaking orders
5. Examine relevant provisions of jurisdiction, powers and authority of the administrative tribunals under the Administrative Tribunal Act, 1985. Is administrative tribunals bound by decisions of the Supreme Court and the High Courts? Discuss in the light of *L. Chandra Kumar v. Union of India*, AIR 1997 SC 1125. 12+4=16
6. Write short critical commentaries on the following : 8+8=16
- (a) Judicial control of administrative actions
- (b) Powers and working of Lokpal in India
7. So far as Indian law is concerned, the maxim 'the King can do no wrong' was never fully accepted. In the light of the above legal position, discuss the principle of State liability in India by referring relevant Constitutional provisions and leading decisional laws in the field. 16
8. Explain briefly nature, scope and grounds for issuing various kinds of writs under the Articles 32 and 226 of the Constitution of India in order to correct administrative actions in India. 16
9. Write critical commentaries on the following : 8+8=16
- (a) Doctrine of legitimate expectations
- (b) *Droit administratif*
10. State and explain those circumstances where the Court can strike down a piece of delegated legislation on the ground of substantive ultra vires and procedural ultra vires in India. 16

LLB/IV/21

Professional Course Examination, May 2019

(4th Semester)

BACHELOR OF LAW

Paper : 21

[Alternative Dispute Resolution System (Clinical-II)]

Full Marks : 60

Pass Marks : 24

Time : 2 hours

The figures in the margin indicate full marks for the questions

Answer *any* **six** questions

1. Discuss the difference between judicial settlement and alternative dispute resolution system. Explain which system is more effective in the judicial process. 10
2. The conciliator is the key for the success of conciliation. Discuss. 10
3. State and explain the salient features of the Arbitration and Conciliation Act, 1996. 10
4. What is mediation? State the different modes of mediation. 10

5. Write notes on any *two* of the following :

5×2=10

- (a) Advantages of alternative dispute resolution system
- (b) Client counselling
- (c) Negotiation skills

6. Examine the role of NGOs in dispute resolution.

10

7. Discuss the role of Lok Adalat in the alternative dispute resolution system. 10

8. Explain the following :

5×2=10

- (a) New York Convention Award
- (b) Arbitral Tribunal

LLB/IV/23

Professional Course Examination, May 2019

(4th Semester)

BACHELOR OF LAW

Paper : 23

(Criminology and Penology)

Full Marks : 100

Pass Marks : 40

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer **six** questions including Question No. **1** which is compulsory

1. Write short notes on any *four* of the following : 5×4=20

- (a) Concept of crime
- (b) Nature of criminal law
- (c) Penology
- (d) Under-trial prisoners
- (e) Parole
- (f) Women police

2. Discuss the positive school of criminology with special reference to the contribution made by Cesare Lombroso.

16

3. Explain the role of police in the 'Administration of Justice'. Also highlight the role of Mizoram Police in 'Administration of Justice' in Mizoram. 16
4. "It is necessary to consider the impact of various social and environmental conditions within which crimes generate." Explain the sociological theory of crime. 16
5. Discuss the 'multiple factor approach' to the causation of crime. 16
6. Write short notes on any *two* of the following : 8×2=16
 - (a) Relationship between Economic Factors and Crime
 - (b) Differential Association Theory of Crime
 - (c) Salient features of the Juvenile Justice (Care and Protection of Children) Act, 2015
7. "The risk of penalty is the cost of crime which the offender has to pay." Explain the arguments for the retention and abolishment of capital punishment in India. 16
8. Explain the prison problem and prison reforms in India. 16
9. Explain the following : 8+8=16
 - (a) Solitary confinement
 - (b) Imprisonment as a punishment
10. Write notes on any *two* of the following : 8×2=16
 - (a) Probation in UK in comparison with probation in India
 - (b) Comparison between the procedure and scope of probation under the Code of Criminal Procedure (Cr.P.C.), 1973 and the Probation of Offenders Act, 1958
 - (c) Juvenile Justice Board

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(4th Semester)

BACHELOR OF LAW

Paper : 24

(Land Laws)

Full Marks : 100

Pass Marks : 40

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer **six** questions including Question No. **1** which is compulsory

1. Write short notes on any *four* of the following : 5×4=20

- (a) Fair rent under the Mizoram Urban Areas Rent Control Act, 1974
- (b) Land under the Mizo District (Agricultural Land) Act, 1963
- (c) Essential elements of lease under the Transfer of Property Act, 1882
- (d) Appointment of estate officer under Public Premises (Eviction of Unauthorised Occupants) Act, 1971
- (e) Owner under the Mizoram (Taxes on Land, Building and Assessment of Revenue) Act, 2004
- (f) Estate Officer

2. (a) State and explain the manner in which unauthorised occupants under the Mizoram (Prevention of Government Land Encroachment) Act, 2001 be evicted.

- (b) Give in detail the manner in which Social Impact Assessment Report is prepared under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. 8
3. (a) Discuss the classification of landholders under the Mizoram (Land Revenue) Act, 2013. 8
- (b) Give the procedures of Revenue Courts under the Mizoram (Land Revenue) Act, 2013. 8
4. (a) Who may grant license under the Indian Easements Act, 1882? Also state the distinction between an easement and a license. 8
- (b) Give in detail the meaning of 'lease', 'lessor' and 'lessee' under the Indian Easements Act, 1882. 8
5. Define 'unauthorised occupants' under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. Also state the procedures of appeal under the Act. 8+8=16
6. Discuss the power of Revenue Officer under the Mizoram (Prevention of Government Land Encroachment) Act, 2001. Also describe the manner of eviction under the Act. 8+8=16
7. State the grounds for eviction of tenant by the landlord under the Mizoram Urban Areas Rent Control Act, 1974. Also state the duties of landlord towards tenant under the Act. 8+8=16
8. Define public premises. Also state the powers and functions of Estate Officer under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. 4+12=16
9. Who is landowner under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013? Discuss the importance and significance of Social Impact Assessment Study under the Act. 6+10=16
10. Discuss the process of allotment of house site under the Mizoram (Land Revenue) Act, 2013. 16

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(4th Semester)

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