

2013
(JUNE)
BACHELOR OF LAW
(Jurisprudence)
Course No - 06
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

Answer *any six* 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
 - (c) Local Custom
 - (d) Analytical legal reasoning
 - (e) Dicey's Concept of Rule of Law
 - (f) Characteristics of legal right

2. (a) What are the two kinds of legislation? Explain with special reference to India and England. **8**
- (b) Explain how Doctrine of Precedent operates in India. **8**
3. What is meant by "Possession is nine points in law"? What are legal consequences of possession? Discuss the kinds of possession. **4+4+8=16**
4. Write short essay on *any two*: **8+8=16**
- (a) Legal status of unborn persons
- (b) Corporate Personality
- (c) Kinds of property
5. State fundamental features of legal positivism. Discuss Kelsen's Pure Theory of Law in detail. **5+11=16**
6. Define 'Sociological Jurisprudence'. Explain the philosophy of Roscoe Pound's 'Social Engineering Theory'. **4+12=16**

7. Explain the theories of remedial, penal and strict liabilities. **5+5+6=16**
8. Analyse Hohfeld's concept of legal right in wider sense. What are the kinds of legal rights? Explain any two of them. **8+8=16**
9. Explain the idea of Ownership. Discuss the kinds of Ownership in detail. **4+12=16**
10. Write short commentary on *any two*: **8+8=16**
- (a) Savigny Theory of Law
- (b) American Legal Realism
- (c) Imperative Theory of Law

*****II/LLB/06*****

**2013
(JUNE)
BACHELOR OF LAW
(Constitutional Law - II)**

Course No - 07

Full Marks : 100

Pass Mark : 40

Time : 3 Hours

The figures in the margin indicate full marks for the questions

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

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

- a) Scheduled Tribes
- b) Anglo Indian Community
- c) Local Council
- d) Article 301
- e) Money Bill
- f) Panchayats/Village Council
- g) Defection

2. Discuss the detail procedures for passing an ordinary Bill in the State Legislative Assembly.
2+14=16
3. Discuss the composition and functions of the National Commission for Scheduled Tribes.
4+12=16
4. Clearly mention and discuss the different categories as contemplated for amendment of the Constitution of India.
3+13=16
5. 'Establishment of Public Service Commission at the State Level is mandatory for the successful functioning of the States'. Comment. 16
6. Can a permanent Government servant be dismissed or removed from the service or reduced in rank while in service? Support your answer with relevant case laws.
4+12=16
7. Examine the provisions for Constitutional safeguards to the Civil Servants under the Union or the State.
16

8. Discuss the provisions for imposing taxes and the manners of collecting funds by the Municipalities.
16
9. What is meant by 'Breakdown of Constitutional Machinery'? Discuss its consequences.
4+12=16
10. Discuss the detailed procedures for dissolution of a District Council or Regional Council. 16

Or

Discuss the grounds for disqualification from membership of a Municipality. 16

*****II/LLB/07*****

2013

(JUNE)

BACHELOR OF LAW**(Law of Contract - II)****Course No - 08****Full Marks : 100****Pass Mark : 40****Time : 3 Hours**

The figures in the margin indicate full marks for the questions

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

1. Write short notes on *any four*: **5x4=20**
 - a) Sale by Sample
 - b) Doctrine of Holding Out
 - c) Rights of Surety
 - d) Warranties
 - e) Rights of Bailee

2. Define the term 'Agency' and explain the different kinds of Agency. **4+12=16**

"Caveat Emptor is the defence always available to a seller". Comment. **16**

Define "Partnership" as defined in the Indian Partnership Act, 1923 and explain the rights and liabilities of incoming and outgoing partners. **16**

What is Bailment. Write down its essential features. **3+13=16**

Explain the maxim "Nemo dat quod non habet" and discuss the exceptions under this rule. **16**

With the help of illustrations distinguish between 'contract of indemnity' and 'contract of guarantee'. **16**

State whether registration of a firm is compulsory and explain the effects of non-registration of a firm. **2+14=16**

Who is an Unpaid Seller? Discuss the rights of an Unpaid Seller. **4+12=16**

10. Write notes on:

8+8=16

- a) Continuing Guarantee
- b) Contract of sale and Agreement to sale

*****II/LLB/08*****

2013
(JUNE)
BACHELOR OF LAW
(Property Law)
Course No - 09
Full Marks : 100
Pass Mark : 40
Time : 3 Hours

The figures in the margin indicate full marks for the questions

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

1. Write short notes on **any four** of the following:
5x4=20
- i) Distinguish between Vested and Contingent Interest
 - ii) Actionable claim
 - iii) Absolute and partial restraints
 - iv) Rights and Liabilities of buyer and seller
 - v) Doctrine of Estoppel
 - vi) Difference between lease and license

2. Section-6 of the Transfer of Property Act 1882 enumerates nine kinds of property which cannot be transferred. Elaborate this statement with examples. **16**

3. Explain and illustrate with examples the doctrine of "*Lis pendens*" **16**

4. Distinguish whether the following are movable or immovable property. Give explanation for your answer. **4x5=20**

- a) A right to pluck mango from mango tree for 2 years.
- b) A right to collect leaves from forest for 10 years.
- c) Blocks of stones placed on top of one another.
- d) Anchor of a ship.
- e) Tied-up seats in Cinema Hall.

5. What do you mean by the term 'Mortgage' as given in the Transfer of Property Act, 1882? Write down and explain the different kinds of mortgage. **16**

6. Define Gift. Discuss the different kinds of gift. **4+12=16**

7. Write short note on the following with examples. **8+8=16**

- a) Dominant and Servient Heritage and Dominant and Servient Owners.
- b) Easement of necessity.

8. Can easement be extinguished? If so, how? **16**

9. Explain and illustrate with example the mode of acquisition of easement by prescription. **16**

10. Write down the different types of easement with examples. **16**

*****II/LLB/09*****

2013

(JUNE)

BACHELOR OF LAW**(Labour & Industrial Laws)****Course No - 10****Full Marks : 100****Pass Mark : 40****Time : 3 Hours**

The figures in the margin indicate full marks for the questions

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

1. Write short notes on **any four** of the following:
5x4=20
- a) Strike
 - b) Lay-off and Retrenchment
 - c) Industry
 - d) Trade Union
 - e) Minimum wage
 - f) Safety of Workers

2. 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
3. Critically examine Industrial Dispute in the light of *Bangalore water supply and Sewerage Board v/s A. Rajappa*.
16
4. Discuss the modes and modalities followed in fixing and revising Minimum Wages under the Act of 1948?
16
5. What remedy is available to a workman who has been paid less than the minimum rate of wage?
16
6. Critically analyse the provision for the employment regarding young persons and women under the Factories Act, 1948.
16
7. To what extent is the employer liable to pay compensation to the employee under Employee's Compensation Act, 1923?
16

8. Discuss the immunities provided to the registered trade unions, their officials and members under Section 17 and 18 of the Trade Union Act, 1926.
16
9. A and B established a legal consultant Firm. They employed two law graduates, a stenographer and a peon to assist them. After 3 years, the service of the stenographer was terminated without assigning any reason. Is the termination justifiable? Decide.
16
10. Define the term "workman" under the Industrial Dispute Act 1947. Can the following be considered "workman" for the purposes of the Industrial Dispute Act, 1947? Give answers with justification.
16
- a) A University Professor
 - b) A Pilot working at Air India
 - c) A Jail Superintendent.

*****II/LLB/10*****