

LLB/II/06

2017
(JUNE)
BACHELOR OF LAW
(Jurisprudence)
Paper - 6
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) Law as a system of rules.
 - (b) Secondary Functions of Courts of Law.
 - (c) Kinds of Custom.
 - (d) Dialectical Reasoning.
 - (e) Principal and accessory rights
 - (f) Rule of Law in India.

2. Discuss the law of precedent in India in the light of Article 141 of the Constitution of India. What are the circumstances destroying the binding force of precedent. **6+10=16**
3. Critically examine any two theories of the following: **8+8=16**
- a) Bentham's Utilitarianism.
 - b) Austrian's Imperative Theory of Law.
 - c) Kelsen's Pure Theory of Law.
4. State and explain the characteristics of a legal right. Discuss briefly legal rights in a wider sense of the term. Where can you fit the Fundamental Rights and Fundamental Duties of the Constitution of India in that Hohfeldian analysis of legal rights. **6+10=16**
5. Discuss the nature, scope and value of jurisprudence. **6+4=6= 16**
6. Critically comment on any two : **8+8=16**
- a) Legal status of dead man.
 - b) Corporate personality.
 - c) Possessory Remedies.
7. What is social engineering? Discuss Roscoe Pound thesis of Social Engineering theory of law and also explain its applicability in India legal system. . **16**
8. Explain the meanings of the term 'property'. Discuss any two of the concepts – **6+5+5=16**
- a) Movable and immovable property.
 - b) Rights in re - propria in immaterial things.
 - c) Real and Personal Property.
9. Discuss any two of the following concepts: **8+8=16**
- a) Trust and beneficial ownership.
 - b) Legal and equitable ownership.
 - c) Vested and contingent ownership.
10. "Liability is the bond of necessity that exists between the wrongdoer and the remedy of the wrong". In the light of above statement discuss any two of the following concepts : **8+8=16**
- (a) the theory of penal liability.
 - (b) negligence under civil and criminal laws.
 - (c) theory of strict liability.

LLB/II/07

2017
(JUNE)
BACHELOR OF LAW
(Constitutional Law - II)
Paper - 7
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) Election Commission of India.
- (b) Powers and functions of Village Councils.
- (c) Doctrine of Pleasure.
- (d) Money Bill
- (e) Sixth Schedule of the Constitution of India.
- (f) Panchayati Raj.

2. Examine the Law relating to 'Emergency'. What is the impact of emergency on the Fundamental Rights of an individual. **6+10=16**
3. Explain the provisions relating to Freedom of Inter – State Trade and Commerce. **16**
4. Discuss the Financial relationship between the Central and State Governments. **16**
5. Examine the limitations on the power of the Parliament to amend the constitution under Article 368 by citing decided cases. **16**
6. Explain in detail the procedure for passing an ordinary Bill in the State Legislature. **16**
7. Write detail note on any two of the following: **8X2=16**
- a) Powers and functions of Municipal Corporation.
 - b) Union Public Service Commission (UPSC).
 - c) Constitutional provisions relating to Municipality.

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8. Write short notes on any two: **8x2=16**
- (a) Finance Commission.
 - (b) Special provisions relating to Schedule Caste and Schedule Tribe.
 - (c) Administrative Tribunals.
9. Explain the various grounds for disqualification of elected members on ground of defection given under the Tenth Schedule of the Indian Constitution. **16**
10. Discuss the legislative relationship between the Union and the State. **16**

*******LLB/II/07/3*******

LLB/II/08

2017
(JUNE)
BACHELOR OF LAW
(Law of Contract - II)
Paper - 8
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) Termination of Agency.
- (b) Discharge of surety from liability.
- (c) Particular lien and General lien.
- (d) Partnership arises from contract not status.
- (e) Nemo dat quod non habet.
- (f) Goodwill of a Firm.

2. What are the different kinds of Agent? Explain in detail the duties of an Agent with relevant sections provided under the Indian Contract Act 1872. 6+10=16

3. Define Bailment. What are the important duties of a 'Bailor' and a 'Bailee'. 4+12=16

4. Explain Contract of Guarantee. Differentiate between a contract of indemnity and contract of guarantee. 4+12=16

5. Define the contract of Partnership and discuss the law relating to dissolution of firm under the Indian Partnership Act, 1932. 16

6. Explain : (any two) 8+8=16

- a) Partnership at will vs Particular Partnership.
- b) Position of a minor in a Partnership firm.
- c) Rights of Bailee.

7. Explain fully the 'Doctrine of Holding Out' as applied in the law of partnership under the Indian Partnership Act 1932. 16

8. Define 'Contract of Sale'. Explain the essential elements of a valid contract of sale under the sale of Goods Act 1930. 2+14=16

9. Who is an 'Unpaid Seller'? Explain the provisions under the Sale of Goods Act 1930 regarding the rights of an unpaid seller. 2+14=16

10. Explain the following : *(any two)* 8+8=16

- a) Doctrine of Caveat Emptor.
- b) Kinds of Goods.
- c) Conditions vs Warranty.
- d) Contract of Sale vs Gift of Exchange.

*****LLB/II/08/3*****

LLB/II/09

2017
(JUNE)
BACHELOR OF LAW
(Property Law)
Paper - 9
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) Apportionment
 - b) Marshalling.
 - c) "Donation Mortis Causa"
 - d) Public Trust.
 - e) Clog on redemption.
 - f) Sale by co – owner.

2. "The general rule is that property of any kind may be transferred". Explain the statement with exceptions. 16
3. Define Sale? Distinguish between sale and contract for sale. 16
4. "Once a mortgage is always a mortgage". Discuss. 16
5. "The foundation of doctrine of election is that a person taking the benefit of an instrument must also bear the burden". Elucidate. 10+6=16
6. Define Lease? State in brief the right and liabilities of a leasee. 16
7. Discuss the Doctrine of Election. Are there any difference between Indian Doctrine of Election and English doctrine of election? 16
8. Define Gift? Explain the essential elements of valid gift. 16
9. Define the term "immovable property". State the properties

which are judicially recognised as immovable properties.

16

10. a) 'A' lets a farm to 'B' for life of 'C'. 'C' dies but 'B' continues in possession with A's consent. What is the effect of continuance of 'B' with A's consent? Decide. 8
- b) 'A' execute a simple mortgage in favour of 'Y' and usufructuary mortgage in favour of 'Z'. 'Z' takes possession of property. 'Y' brings the property for sale. In execution, purchaser evicts 'Z'. What is the remedy of 'Z'? 8

*****LLB/II/09/3*****

LLB/II/10

2017
(JUNE)
BACHELOR OF LAW
(Labour and Industrial Laws)
Paper - 10
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) Workman – Trade Union Act, 1926.
 - (b) Minimum wage.
 - (c) Closure
 - (d) Retrenchment.
 - (e) Living wage
 - (f) Lock – out.

2. Examine whether the following fall within the definition of 'Industry' in Sec. 2(f) of the Industrial Disputes Act, 1947?

- i) A public/Government senior secondary school.
- ii) A charitable educational institute where retired teachers work on voluntary basis.
- iii) Central Jail, Delhi.
- iv) A canteen run by the Bar Association of Aizawl.

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3. What are the means of settlement of the Industrial disputes.

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4. Explain the definition of 'Strike' under Sec.2(g) of the Industrial Dispute Act, 1947? Mention the different type of strikes?

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5. Can the following be registered as Trade Union under the Trade Unions Act, 1926? Give reasons.

16

- i) The All India Bank Employees' Association.
- ii) Doordharshan News – readers' Association.
- iii) Domestic Servants' Association.
- iv) Mizoram Judicial Officer's Association.

6. What are the special provisions for women and children given under the Factories Act, 1948?

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7. Explain the law 'Injury arising out of and in the course of employment' with the help of decided cases?

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8. What do you understand by minimum wage? How would you distinguish it from fair wage?

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9. What are the essential requirements needed before a Trade Union can be registered under the Trade Unions Act, 1926?

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10. Delineate the distinction between Partial and Total disablement under the Workmen's Compensation Act, 1923.

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*****LLB/II/10/3*****