

Total No. of Questions : 9]

SEAT No. :

**P1060**

[Total No. of Pages : 2

**[4740] - 101**

**I - LL.B. (Semester - I)**

**FAMILY LAW - I**

**(2003 Pattern)**

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Question No. 9 is compulsory. Out of the remaining attempt any five questions.*
- 2) *Question No. 9 carries 20 marks & all other questions carry 16 marks each.*

*Q1)* The basis for grounds of divorce has changed from fault and no fault to consent and irretrievable break down of marriage - comment.

*Q2)* Maher is a debt but an unsecured debt - explain.

*Q3)* Discuss the sources of Hindu Law.

*Q4)* Write short notes on (any two):

- a) Degrees of prohibited relationships.
- b) Option of Puberty.
- c) Capacity to give and to take a child in adoption under the Hindu Adoption and Maintenance Act, 1956.

*Q5)* What is judicial separation? How is it different from divorce? Narrate the grounds on which judicial separation can be claimed under various personal laws.

**P.T.O.**

**Q6)** State and explain different kinds of talaq.

**Q7)** Discuss the provisions of law pertaining to age of marriage under the Prohibition of Child Marriage Act, 2006. What is the effect of breach of conditions relating to age?

**Q8)** Explain and distinguish between void and voidable marriage. Explain the grounds on which a marriage may be declared as voidable under the Hindu Marriage Act, 1955.

**Q9)** Answer **any four** of the following, giving reasons -

- a) Anil, a Hindu, wants to marry his maternal uncle's son's daughter. Can he marry?
- b) Zubeda, a Muslim girl, is married to Anwar, a Muslim boy, under the Special Marriage Act, 1954. Anwar wants to marry Zarina, another Muslim girl in *nikah* form. Can he marry?
- c) 'A' - a Muslim man marries a Christian woman in *nikah* form. 'A' also marries a Parsi woman in *nikah* form. State validity of both the marriages.
- d) Neeta is an Hindu illegitimate daughter of Shirish and Devika. Neeta is very well settled as a businesswoman. Shirish and Devika are poor and old. They have filed an application for maintenance against Neeta under Section 125 of the Code of Criminal Procedure. Will they succeed?
- e) A Hindu mother through her will gave her house to her son. When she died, the son was minor. His father sold the house without obtaining permission from the Court. Is the sale valid? Discuss.



Total No. of Questions : 9]

SEAT No. :

**P1061**

[Total No. of Pages : 2

[4740] - 102

**I - LL.B. (Semester - I)**

**LAW OF CRIMES**

**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Question No. 9 is compulsory. Attempt any five questions out of the remaining.*
- 2) *Question No. 9 carries 20 marks. All other questions carry 16 marks each.*

*Q1)* Explain the right of Private defense of Property.

*Q2)* Explain the difference between force, criminal force and assault. Refer statutory provisions and decided cases.

*Q3)* Define conspiracy and state the provisions relating to conspiracy as provided under the Indian Penal Code.

*Q4)* Discuss the difference between section 84, 85 and 86 of the IPC. Illustrate your answer with the help of cases.

*Q5)* Define 'Common intention' and 'Common object'. What is the difference between section 34 and section 149 of the Code? Illustrate your answer with the help of few leading cases.

*Q6)* Distinguish between murder and culpable homicide not amounting to murder. Refer leading cases.

**P.T.O.**

**Q7)** What is robbery? When does theft and extortion amount to robbery?

**Q8)** What is rape? When is a man said to commit rape? What is statutory rape?

**Q9)** Answer any four by giving reasons.

- a) 'A' a citizen of India, kills B at London. He is arrested at Nasik. Whether court at Nasik has jurisdiction to try him?
- b) 'A' instigates 'B' to give false evidence. However, 'B' does not give false evidence. Discuss 'A's liability.
- c) A, causes Z to go within a walled space, and locks Z, in. Discuss A's liability.
- d) A, is the paramour of Z's wife. She gives a wrist watch to A, which A knows to belong to Z, A accepts the watch. Discuss A's liability.
- e) A, finds a ring on the road while going to the college. A picks it and sells for Rs 500. Discuss A's liability.
- f) A, who is not enrolled in any State Bar council, falsely represented himself as an Advocate in a court of Law. Appears in many cases and argues cases. Discuss A's liability.



Total No. of Questions : 6]

SEAT No. :

**P1062**

[Total No. of Pages : 2

[4740] - 103

**I - LL.B. (Semester - I)**  
**(103) LABOUR LAWS**  
**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All Questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** State and explain provisions relating to 'Health and Welfare of workers under the Factories Act, 1948. **[20]**

OR

Discuss the provisions relating to 'Hazardous Process' under the Factories Act, 1948.

**Q2)** Discuss the provisions under Minimum Wages Act, 1948 relating to- **[20]**

- a) Fixing hours for normal working day
- b) Inspector

OR

Discuss the provisions under Payment of Wages Act, 1936 relating to-

- a) Procedure in trial of offences
- b) Payment of undisbursed wages in case of death of employed person.

**Q3)** Discuss the provisions relating to commencement of award, period of operation of settlements and awards and persons on whom settlements and awards are binding under the Industrial Disputes Act, 1947. **[15]**

OR

**P.T.O.**

What are the various authorities constituted under the Industrial Disputes Act, 1947? Briefly explain the powers and duties of these authorities under the Act.

**Q4)** Define the term 'Industry' and describe the attributes of Industry under Industrial Disputes Act. **[15]**

OR

Discuss the provision relating to 'Reference of dispute to Boards, Courts or Tribunals' under the Industrial Disputes Act, 1947.

**Q5)** Explain the provisions of Workmen's Compensation Act, 1923 relating to distribution of compensation. **[15]**

OR

Explain the followings with reference to Workmen's Compensation Act, 1923.

**Q6)** Discuss the constitution and powers of 'Standing Committee' under the Employees State Insurance Act, 1948. When the Central Government supersedes the 'Standing Committee' under the Act? **[15]**

OR

How does the Employees State Insurance Act, 1948 provide for adjudication of disputes and claims?



Total No. of Questions : 7]

SEAT No. :

**P1063**

[Total No. of Pages : 2

[4740] - 104

**I - LL.B. (Semester - I)**

**TRUST, EQUITY & FIDUCIARY RELATIONSHIPS**

**(2003 Pattern) (Optional Paper 4(a))**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Explain Liabilities & Non-Liabilities of trustee under the Indian Trust Act, 1882. **[15]**

OR

Explain in detail breach of trust under the Indian Trust Act, 1882.

**Q2)** Explain in detail Rights & liabilities of Beneficiary. **[15]**

OR

Explain how trust is extinguished.

**Q3)** Explain any one of the following : **[10]**

- a) Trust & bailment
- b) Appointment of trustee
- c) Kinds of trust

**Q4)** What are the provisions of Bombay Public Trust Act, 1950 relating to Budget, Account & Audit? **[15]**

OR

**P.T.O.**

What is charitable purpose under the provisions of Bombay Public Trust Act, 1950.

**Q5)** Explain any Two of the following : **[20]**

- a) Registration of public trust.
- b) Offences & penalties.
- c) Wakf.
- d) Doctrine of cypress.

**Q6)** “Fiduciary relationship is a creation of morality”. Discuss this statement with examples. **[10]**

OR

Discuss the principles of fiduciary relationships.

**Q7)** Write a short notes on any three : **[15]**

- a) Equity follow the law.
- b) He who comes in to equity must come with clean hands.
- c) Equity looks to the Intention rather than to the forms.
- d) Equality is equity.





Total No. of Questions : 9]

SEAT No. :

**P1064**

[Total No. of Pages : 2

**[4740] - 105**

**I - LL.B. (Semester - I)**

**CRIMINOLOGY AND PENOLOGY**

**(Optional) (2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) Question No. 9 is compulsory. Out of the remaining questions any Five.*
- 2) Figures to the right indicate full marks.*

*Q1) Discuss the interrelationship between Criminology Penology and Criminal Law. [16]*

*Q2) Discuss in detail and evaluate the contribution of the typological school of criminology. [16]*

*Q3) Discuss the contribution of the supreme court in developing the rights of prisoners with the help of relevant cases. [16]*

*Q4) "A White Collar Criminal is a person of the upper socio-economic class who violates the criminal law in the course of his occupational or professional activities". Comment. [16]*

*Q5) Trace the evolution of the open prison system. Discuss the merits and demerits of the system in India. [16]*

*Q6) What is recidivism? Discuss its causes and measures to control it. [16]*

*P.T.O.*

**Q7)** Explain fully the Role of Police in ‘administration of justice’. Discuss the interrelationship between criminology penology and criminal Law. **[16]**

**Q8)** Analyze the various theories of punishment and their applicability in modern administration of criminal justice. **[16]**

**Q9)** Write Short Notes on (Any Two) : **[20]**

- a) Psychological School of Criminology.
- b) Probation of Offenders.
- c) Juvenile Justice.
- d) Rights of Victims.



Total No. of Questions : 6]

SEAT No. :

**P1065**

[Total No. of Pages : 2

**[4740] - 106**

**I - LL.B. (Semester - I)**

**WOMEN & LAW & LAW RELATING TO THE CHILD**

**(2003 Pattern) (Optional Paper (3))**

*Time : 3 Hours]*

*[Max. Marks : 100*

*Instructions to the candidates:-*

- 1) *All Questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**SECTION - I**

**(Women and Law)**

**Q1) Write a detailed note on Reservation of seats for women in India. [15]**

OR

Discuss the Constitutional provisions protecting women under various Articles.

**Q2) Explain in detail a scheme of Maternity Benefit Act, 1961. [15]**

OR

Discuss the Indian laws giving protection to women against domestic violence.

**Q3) Write a note on any two. [20]**

- a) 'Dowry prohibition' and the Law.
- b) Medical Termination of Pregnancy.
- c) Immoral Traffic (Prevention) Act, 1956.

**P.T.O.**

**SECTION - II**  
**(Child and Law)**

**Q4)** Discuss the object and important features of the Juvenile Justice (Care and Protection of Children) Act,2000. **[15]**

OR

State the protective provisions for children under all personal laws.

**Q5)** Enumerate the provisions of C.P.C.,1908 dealing with the child under litigation. **[15]**

OR

Critically examine the social and legal status of child in India.

**Q6)** Write a note on **any two**: **[20]**

- a) National Commission for Child.
- b) Rights of children to free education.
- c) 'Restraint on child marriage' and The Law.



Total No. of Questions : 9]

SEAT No. :

**P1066**

[Total No. of Pages : 2

[4740] - 107

**I - LL.B. (Semester - I)**

**INTERNATIONAL ECONOMIC LAW**

**(Optional Paper - (d)) (2003 Pattern)**

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) Question No. 9 is compulsory. Attempt any five out of the remaining questions.*
- 2) Figures to the right indicate full marks.*

*Q1)* Explain the objectives and main principles of GATT. **[16]**

*Q2)* Discuss the various sources of International Economic Law. **[16]**

*Q3)* Explain the convention for enforcement of Arbitration Award. **[16]**

*Q4)* Discuss the features of UNCITRAL Model Law on International Commercial Arbitration 1985. **[16]**

*Q5)* Discuss the Unification of the Law of International sale of goods. **[16]**

*Q6)* What are the functions of World Trade Organisation? **[16]**

*Q7)* What are the objectives and functions of I.M.F.? **[16]**

*Q8)* Explain the objectives and functions of International Bank for Reconstruction and Development. **[16]**

**P.T.O.**

**Q9)** Write Notes on any four of the following :

**[20]**

- a) Bill of lading.
- b) Theories of International Law.
- c) New International Economic Order.
- d) Anglo-Iranian oil comp. case.
- e) The World Intellectual Property Organisation (WIPO).



Total No. of Questions : 6]

SEAT No. :

**P1067**

[Total No. of Pages : 2

**[4740] - 108**

**I - LL.B. (Semester - I)**

**LAW OF CONTRACT - I**

**General Principles Contract & Specific Relief Act**

**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) All questions are compulsory.*
- 2) Question 6 carries 20 marks. All other questions carry 16 marks each.*

**Q1)** Define consideration. Discuss the essential elements of valid consideration.

OR

Define contingent contract. Explain the rules regarding the enforcement of these contract.

**Q2)** Define contract. Explain what are the essential elements of a valid contract.

OR

Define offer. Explain the rules of valid offer. Can an offer be revoked?

**Q3)** What is Misrepresentation? Distinguish it from Fraud.

OR

What are void Agreements? Is party who has received benefit under the void contract bound to restore it to other party?

**P.T.O.**

**Q4)** Explain the principles laid down in the following Two cases.

- a) Harvey V. Facie.
- b) Rangnayyakamma v. Alwarshetty.
- c) Powell v. Lee.

**Q5)** Write a short notes on any Two of the following :

- a) Lawful Object.
- b) Minor's Agreement.
- c) Remedies for breach of contract.

**Q6)** Write any two of the following with reference to specific Relief Act.

- a) Rescission.
- b) Rectification.
- c) Injunction.





Total No. of Questions : 6]

SEAT No. :

**P1068**

[Total No. of Pages : 2

[4740] - 201

**I - LL.B. (Semester - II)**

**FAMILY LAW - II**

**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Explain void bequests under the Indian Succession Act, 1925. **[16]**

OR

Illustrate and explain the differences in the rules of Inheritance under Sunni and Shia Law.

**Q2)** Discuss the requisites of valid will under The Indian Succession Act, 1925. **[16]**

OR

What constitute the property of a Hindu undivided family? What are the incidents of such property?

**Q3)** Define 'Wakf'. Describe the Role, powers and duties of Mutawali. **[16]**

OR

Explain the changes brought about by the Hindu Succession (Amendment) Act, 2005.

**P.T.O.**

**Q4)** Discuss the rules relating to specific legacies and demonstrative legacies.

[16]

OR

Compare the position of a son, a daughter, a father, a mother and a widow as heirs to a deceased male under personal laws applicable to Hindus, Muslims, Parsis and Christians with reference to preference to other heirs and quantum of the share.

**Q5)** Write short notes on any two :

[18]

- a) Kinds of Pre-emptors.
- b) Reunion and Reopening of Partition.
- c) Revocation of gift (Hiba).
- d) Alternative Bequest.
- e) Domicile.

**Q6)** Answer **any three** giving reasons:

[18]

- a) X by his will bequeaths to Y Rs.25,000/- & by a codicil to his will, bequeaths 2500/-. Y is entitled to receive Rs..... Why?
- b) A bequeaths to B certain bales of goods. A takes the goods with him on voyage. The ship and the goods are lost at sea and A is drowned. State effect of this legacy.
- c) Johansa a Christian female dies intestate. She left no child, but left five grand children and two children of the predeceased grandchild. State how her property would devolve.
- d) An estate is bequeathed to A for life and, if she does not desert her husband, to B. State the nature and effect of the condition on legacy.



Total No. of Questions : 9]

SEAT No. :

**P1069**

[Total No. of Pages : 2

[4740] - 202

**I - LL.B. (Semester - II)**  
**CONSTITUTIONAL LAW**  
**(2003 Pattern)**

*Time: 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Question No. 9 is compulsory and carries 20 marks.*
- 2) *Out of remaining, answer any 5. Each carries 16 marks.*

*Q1)* Preamble is an integral part of the Constitution. Do you agree with this proposition? Discuss in the light of Kesavananda Bharti's Case.

*Q2)* Explain fully the salient features of the Indian Constitution.

*Q3)* Article 13 provides teeth to the entire provisions in Part III. Discuss in the light of Doctrine of Judicial Review.

*Q4)* Explain the Expressions 'equality before law' and 'equal protection of law' under Article 14 of the Indian Constitution.

*Q5)* Explain the judicial trend visible in ascertaining the agency or instrumentality of State under Article 12 of the Indian Constitution.

*Q6)* Discuss fully the provisions under Part IV of the Indian Constitution.

***P.T.O.***

**Q7)** Political Parties are an essential concomitant of election in a representative democracy. Explain with reference to Tenth (X) Schedule of the Indian Constitution.

**Q8)** Discuss at length the Powers & Jurisdiction of High Courts in India.

**Q9)** Write Short Notes on (any two) :

- a) Centre State Legislative Relations.
- b) Financial Emergency.
- c) Mandal Commission's Case.
- d) Article 23, 24 of Indian Constitution.



Total No. of Questions : 9]

SEAT No. :

**P1070**

[Total No. of Pages : 2

[4740] - 203

**I - LL.B. (Semester - II)**

**LAW OF TORTS AND CONSUMER PROTECTION ACT**

**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Question No. 9 is compulsory. Out of the remaining attempt any five questions.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Explain in brief the general exceptions to liability in torts. Give suitable illustrations. **[16]**

**Q2)** “It is the act, not the motive for the act that must be regarded”, in fixing tortious liability. Discuss the statement and mention the exceptions to it. **[16]**

**Q3)** Critically evaluate the liability of state for the acts of it’s servants, in the light of recent judgments. **[16]**

**Q4)** What is trespass? State and explain defences available in an action of trespass. **[16]**

**Q5)** What are the various judicial and extra judicial remedies? **[16]**

**Q6)** What is contributory negligence? What are the basic principles that determine the existence of contributory negligence? **[16]**

**P.T.O.**

**Q7)** What is nuisance? Distinguish between private nuisance and public nuisance. **[16]**

**Q8)** What is defamation? What are its kinds? Discuss the various defences available against it. **[16]**

**Q9)** Attempt the following with the help of examples: **[20]**

- a) Restrictive trade practices
- b) Consumer Council

OR

State and explain the important provisions of the Consumer Protection Act, 1986.



Total No. of Questions : 6]

SEAT No. :

**P1071**

[Total No. of Pages : 2

[4740] - 204

**I - LL.B. (Semester - I & II)**

**PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS &  
BAR BENCH RELATIONS  
PRACTICAL TRAINING - III  
(2003 Pattern) (Paper - IX)**

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Discuss any two of the following : **[16]**

- a) Recent development of Legal Profession in India.
- b) Admission and Enrolment of Advocates, under the Advocates Act 1961.
- c) Should the advocates be allowed to go on strike? Comments.
- d) Duty of Senior Advocate towards the Fresh Law graduates.

**Q2)** Explain the Instances of Professional Misconduct? What Punishment can the State Bar Council of India pass against an advocate if guilty of Professional Misconduct? **[18]**

OR

Explain in detailed the duties of Advocate towards the Court and Opponent?

**Q3)** Explain in detail the term “Administration of Justice” State the important role played by the Bar and Bench with the help of Judicial Pronouncement. **[18]**

OR

Define Contempt, Civil and Criminal According to Contempt of Court, Act 1971 with the help of cases decided by High Court and Supreme Court.

**P.T.O.**

**Q4) State the facts, Issues, Principle and the decision of the Court on Any Two:** [18]

- a) Prahlad Saran Gupta Vs. Bar Council of India (1997) 3 SCC 585.
- b) Radha Mohan Lal Vs. Rajasthan High Court (2003) 3 SCC 556.
- c) Harish Chandra Tiwari Vs. Baiju AIR 2002 SC 548.
- d) Shambhu Ram Yadav V s. HanumandasKhatry AIR 2001 SC 2509.

**Q5) Journalise the following transactions in the books of Shri Ekbote for the month of January 2014** [15]

- 1 Ekbote started business with Cash Rs. 20,000 and borrowed Rs. 10,000 from his friend Madan.
- 2 Purchased goods from Mahesh & Co. for Rs. 7,000 subject to trade discount of 5%.
- 3 Cash Purchases of Rs. 5,000
- 4 Cash Sales of Rs. 2,000
- 5 Sold Goods to Suresh on credit for Rs. 10,000
- 6 Cash deposited into Bank Rs. 2,000
- 7 Returned goods of Rs. 100 to Mahesh & Co.
- 8 Purchased stationery for Rs. 500
- 9 Received cash of Rs. 9,000 from Suresh in full settlement.
- 10 Paid salary to a clerk by cheque Rs. 2,500.
- 11 Withdraw cash Rs. 1,000 from office for personal use.
- 12 Received Commission of Rs. 500 from Nitin & Co.

**Q6) Write Short Notes on any two :** [15]

- a) Discuss importance and utility of Book-Keeping.
- b) Subsidiary Books.
- c) Types of Errors.





Total No. of Questions : 6]

SEAT No. :

**P1072**

[Total No. of Pages : 3

[4740] - 301

**II - LL.B. (Semester - III)**

**LAW OF EVIDENCE**

**(2003 Pattern)**

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** What is a public document? What are the special provisions in the Evidence Act concerning proof of public documents? On what grounds do you justify these provisions? **[16]**

OR

What is meant by “conclusive proof”? Enumerate and explain all such presumptions under the Evidence Act.

**Q2)** Hearsay evidence is inadmissible. Discuss. Which are the provisions in the Evidence Act providing exceptions to this rule? **[16]**

OR

All facts must be proved. Explain.

**Q3)** Summarize the law relating to admissions in civil cases. **[16]**

OR

A witness may be compelled to testify. But he may not, and in certain cases, cannot, state certain facts. Explain.

**P.T.O.**

**Q4)** Discuss the circumstances in which judgments of courts are relevant. How are they proved? **[16]**

OR

Discuss in what manner matters in writing can be used in the examination of a witness.

**Q5)** Explain the presumptions in the Evidence Act meant for the benefit of women. **[16]**

OR

Discuss the various the grounds of objections to the admissibility of evidence. Who decides such objections?

**Q6)** Write notes on (any four): **[20]**

- a) Thirty-year old documents.
- b) Presumption as to powers-of-attorney.
- c) Relevancy of character in criminal cases.
- d) Circumstantial evidence.
- e) Opinion as to handwriting.

OR

Answer with reasons on any four: **[20]**

- a) Totaram is a tenant of Lachman. Lachman dies. Totaram pays rent to Lachman's son Pushkar. Pushkar files a suit for eviction against Totaram. Totaram alleges that not Pushkar, but Damodar (an adopted son of Lachman) is the owner and hence landlord, and hence Pushkar has no right to file the suit. Argue for Pushkar.

- b) A doctor claims to possess qualifications for practicing the medical profession. Prosecution has been started against him that he does not in fact possess such qualifications. On whom lies the burden of proving that he possesses/does not possess the qualifications?
- c) Chander is accused of having stolen a unique necklace of Sita. At the trial, Sita identifies the necklace, specially with the help of her photograph wearing that necklace. Is the photograph of Sita relevant? Is the photograph primary or secondary evidence? How can the photograph be proved?
- d) On March 20, K told his wife that he was going to Behrampore, as P's wife had written and asked him to come and receive payments due to him. On March 21, K left his house in time to catch a train to Behrampore, where P lived with his wife. On March 23, K's dead body was found in a trunk which had been purchased by P. At the trial of P for the murder of K, is the statement made by K to his wife on March 20 admissible?
- e) Gaju and Suresh are being tried jointly respectively for theft and for receiving stolen property knowing it to be stolen. Gaju gives a confession in the presence of a Magistrate, which is duly recorded, that he stole the property and sold it to Suresh for half its value. Examine the admissibility of this statement against Gaju and against Suresh ?



Total No. of Questions : 9]

SEAT No. :

**P1073**

[Total No. of Pages : 2

[4740] - 302

**II - LL.B. (Semester - III)**

**(302) ENVIRONMENTAL LAW**

**(Including Laws for Protection of Wild Life and Other Living  
Creatures and Animal Welfare)**

**(2003 Pattern) (Paper - 11)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) Q.No. 9 is compulsory. Out of the remaining questions attempt any five questions.*
- 2) Q.No. 9 carries 20 marks and all other questions carry 16 marks each.*

**Q1)** Define sustainable development. Explain it's salient features with the help of cases.

**Q2)** Explain nature, scope, need and application of environmental law.

**Q3)** Discuss the powers and functions of State Pollution Control Board under Air Act, 1981.

**Q4)** Explain any twelve principles agreed upon at Stockholm Conference on Human Environment and it's contribution in developing environmental jurisprudence in India.

**Q5)** Define biological diversity. Explain regulation of access to biological diversity and the functions & powers of National Biodiversity Authority under Biological Diversity Act, 2002.

**Q6)** Explain different types of forests as recognized under Indian Forest Act, 1927.

**P.T.O.**

**Q7)** Explain the declaration of an area as sanctuary and the activities prohibited in a sanctuary.

**Q8)** What is an EIA? What are the two models of EIA? Explain stages involved in an EIA.

**Q9)** Write Notes On: (Any two)

- a) Silent Valley case
- b) Right to clean environment
- c) National Environmental Tribunal
- d) Offences and penalties under Water Act.



Total No. of Questions : 7]

SEAT No. :

**P1074**

[Total No. of Pages : 2

[4740] - 303

**II - LL.B. (Semester - III)**

**HUMAN RIGHTS AND INTERNATIONAL LAW**

**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks : 100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Discuss “Universal Declaration of Human Rights is a Common standard of achievement for all peoples and for all nations.” Explain how far the UDHR influenced the Indian Constitution? **[15]**

OR

Examine in detail the relationship between the International Covenant on Economic, Social and Cultural Rights and the Indian Constitution?

**Q2)** Discuss the Civil and Political Rights incorporated under the Constitution of India. How these are enforced? **[15]**

OR

Discuss how the rights of women are protected in India. Explain in the light of recent legislative and judicial advancements?

**Q3)** Write notes on any two : **[10]**

- a) NHRC
- b) Concept of Human Rights and their Importance
- c) Rights of Minorities
- d) The UN Charter

**P.T.O.**

**Q4)** Critically summarize the various definitions of International law. Which definition is more appropriate according to you? Give reasons. **[15]**

OR

Examine the various sources of International Law.

**Q5)** Write a detailed note on International Court of Justice. How the judgments of ICJ are enforced? **[15]**

OR

Attempt the following :

- a) State Recognition
- b) Diplomatic Immunity and Privileges
- c) Indian practice in relation to application of International Law.

**Q6)** State and Explain general principles of Treaties in detail. **[15]**

OR

Explain:

- a) Coercive means of settlement
- b) Individuals as Subject of International Law
- c) State Responsibility.

**Q7)** Write notes on any three of the following : **[15]**

- a) Weapons of mass destruction and International Law
- b) General Assembly
- c) Nationality
- d) International Humanitarian Law
- e) Vienna Convention on Law of Treaties



Total No. of Questions : 6]

SEAT No. :

P1075

[Total No. of Pages : 2

[4740] - 304

II - LL.B. (Semester - III)

Second Year of Three Year Law Course

**ARBITRATION, CONCILIATION AND ALTERNATIVE  
DISPUTE RESOLUTION SYSTEM**

**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Question No. 6 carries 20 marks and all other questions carry 16 marks each.*

**Q1)** Explain the salient features of Alternative Dispute Resolution System and Judicial Dispute Resolution System.

OR

Discuss the salient feature of the Arbitration and Conciliation Act 1996.

**Q2)** Describe the concept of Arbitration agreement under the Arbitration and Conciliation Act 1996.

OR

Narrate the provisions relating to finality and enforcement of Arbitration Award.

**Q3)** Explain the provision relating to Jurisdiction of Arbitral Tribunal.

OR

Who is Conciliator? Discuss the role of conciliator under Arbitration and Conciliation Act 1996.

**P.T.O.**



**Q4)** Consumer Protection Act envisages three tier grievance redressal system, explain.

OR

Explain the advantages and disadvantages of Alternative Dispute Resolution System

**Q5)** Explain the role of Lok Adalat for the settlement of dispute under the Legal Services Authorities Act 1987.

OR

Examine the provision relating to appointment of Arbitrator and ground for challenge to an Arbitrator.

**Q6)** Write a note on any two :

- a) Family Court
- b) Interim measures by Arbitral Tribunal
- c) Panchayat system
- d) Mediation.



Total No. of Questions : 9]

SEAT No. :

**P1076**

[Total No. of Pages : 2

**[4740] - 401**  
**II - LL.B. (Semester - IV)**  
**JURISPRUDENCE**  
**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Q.No. 9 is compulsory. It carries 20 marks.*
- 2) *Attempt any 5 out of the remaining. Each question carries 16 marks.*

*Q1)* Discuss the Nature, scope and utility of jurisprudence.

*Q2)* Examine in detail, legislation as a source of law. What is its relation with other sources of law?

*Q3)* Elucidate Austin's definition of law with explanation of the two elements

- a) Command
- b) Sovereignty.

*Q4)* Discuss the classical tradition of natural law thinking in western legal philosophy.

*Q5)* "Social Engineering means creating a structure of society that would satisfy maximum wants with minimum friction and waste". Elucidate the proposition with the help of Roscoe Pounds theory of law.

*Q6)* Elucidate different meanings of Rights along with the extended meaning envisaged by Hohfeld in his analysis of rights.

***P.T.O.***

**Q7)** Describe kinds of Possessions and various modes of acquisition of possession.

**Q8)** Elucidate the concept of “Standard of care”. Trace its application in civil and criminal law.

**Q9)** Write short note on any two of the following:

- a) Legal status of unborn child.
- b) Essentials of valid customs.
- c) Ratio decidendi.
- d) Kinds of ownership.



Total No. of Questions : 9]

SEAT No. :

P1077

[Total No. of Pages : 2

[4740] - 402

II - LL.B. (Semester - IV)

**PROPERTY LAW INCLUDING TRANSFER OF PROPERTY  
ACT AND EASEMENT ACT  
(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) Q.No. 9 is compulsory and carries 20 marks.*
- 2) The remaining questions carry 16 marks each and out of them attempt any five.*

*Q1)* Define the term 'Transfer' of Property and State the nature, scope and application of the Transfer of Property Act,1882.

*Q2)* Define and distinguish between 'Vested Interest' and 'Contingent Interest'.

*Q3)* Explain the Doctrine of 'Election'.

*Q4)* State the essentials of valid sale. Define and distinguish between 'Sale' and 'Exchange'.

*Q5)* Define 'Mortgage'. What are the rights and liabilities of the Mortgagor?

*Q6)* Define 'Lease'. Distinguish between Lease and Licence.

*Q7)* State the essentials of valid Gift. Discuss the different kinds of the Gift.

**P.T.O.**

**Q8)** Write a note on 'Subrogation' and 'Charge'.

**Q9)** Write notes on **any two**:

- a) Grant of Easement.
- b) Easement by Necessity.
- c) Extinction of Easement.
- d) Distinction between Easement and Licence.



Total No. of Questions : 9]

SEAT No. :

**P1078**

[Total No. of Pages : 2

[4740] - 403

**II - LL.B. (Semester - IV)**

**PUBLIC INTEREST LAWYERING, LEGAL AID AND  
PARA-LEGAL SERVICES  
(Practical Training - IV)  
(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) Q.No. 9 is compulsory. Out of the remaining attempt any Five questions.*
- 2) Q.No. 9 carries 20 marks and all other questions carry 16 marks each.*

*Q1) Discuss the History, Origin and Development of Public Interest Litigation.*

*Q2) Discuss the provisions of Permanent Lok-Adalat under Legal Services Authorities Act, 1987.*

*Q3) Discuss and Comment on the recommendation of Malimath Committee Report on Criminal Justice System.*

*Q4) State and explain the Relevance of Computers in Legal Profession.*

*Q5) State the Objects of legal Literacy with the Measures to attain those.*

*Q6) Elucidate Art 21 with reference to Judicial precedents ensuring Speedy Justice in India.*

*Q7) Write a Detailed note on: 'Amicus Curie'.*

***P.T.O.***

**Q8)** What are the Advantages of Para-Legal Training?

**Q9)** Write Notes on Any Two :

- a) Role of NGO in Legal literacy.
- b) Duty of an Advocate to render Legal Aid.
- c) Pre-Litigation Conciliation and Settlement.



Total No. of Questions : 6]

SEAT No. :

**P1079**

[Total No. of Pages : 2

[4740] - 404

**II - LL.B. (Semester - IV)**  
**LAW OF CONTRACT - II**  
**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Define Contract of Sale? Discuss its essentials? Distinguish between sale and agreement to sale. **[16]**

OR

Discuss the conditions and warranties in the Contract of Sale. Which conditions are implied conditions?

**Q2)** Write short notes on any three : **[18]**

- a) Contract of indemnity.
- b) Revocation of Guarantee.
- c) Hire purchase agreement.
- d) Unpaid seller.
- e) Suit for breach of Contract.

**Q3)** What do you mean by partnership firm? Explain the rights & duties of partners. **[15]**

OR

Describe the various modes of dissolution of partnership firm.

**P.T.O.**



**Q4) Attempt the following : (Any three) [18]**

- a) Liability of firm for partners acts.
- b) Registration of firm.
- c) Modes of determining existence of partnership.
- d) Rights of finder of goods.
- e) Pledge.

**Q5) Discuss the liability of principal for acts of agent. Support your answer with appropriate illustrations. [15]**

OR

Discuss in detail the rights and duties of agent.

**Q6) Write short notes on - any three : [18]**

- a) Doctrine of Caveat Emptor.
- b) Duties of seller and buyer.
- c) Stoppage-in-transit.
- d) Sale by Auction.
- e) Nemo dat quod non habet.



Total No. of Questions : 9]

SEAT No. :

**P1080**

[Total No. of Pages : 2

[4740] - 405

**II - LL.B. (Semester - IV)**

**COMPARATIVE LAW**

**(2003 Pattern) (Optional Paper (a))**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Q.No. 9 is compulsory. Out of the remaining attempt any five.*
- 2) *Q.No. 9 carries 20 marks and all other questions carry 16 marks each.*

**Q1)** Discuss the key features of Corpus Juris Civilis enacted by Emperor Justinian.

**Q2)** Discuss the comparative dimensions of Strict liability under the German and French Legal system.

**Q3)** The studies of comparative law have been useful to the Indian judiciary to bring acceptable changes within the legal system. Discuss with the help of case laws.

**Q4)** Discuss the origin and development of comparative law, in the civil law and the common law system.

**Q5)** Write a Note on how the study of comparative law will be useful in study of :

- a) Jurisprudence.
- b) Private International Law.

**Q6)** What is comparative law? Discuss the nature and scope of comparative law.

**P.T.O.**

*Q7)* Elucidate the importance given to statute law and judge made law in civil and common law jurisdictions.

*Q8)* Discuss the essential features of the Civil Law System.

*Q9)* Write Shorts Notes on :

- a) Descriptive comparative law.
- b) Juristic Style for classification of legal systems.
- c) Public International Law and Comparative Law.
- d) Precedent in the French Legal system.



Total No. of Questions : 6]

SEAT No. :

**P1081**

[Total No. of Pages : 2

[4740] - 406

**II - LL.B. (Semester - IV)**

**LAW OF INSURANCE**

**(2003 Pattern) (Optional Paper (b))**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** “A contract of insurance is a contract of Uberrimae Fidei”. Explain. **[20]**

OR

What is Insurable Interest? What is the importance of insurable interest in life and nonlife insurance?

**Q2)** Explain any two of the following : **[20]**

- a) Proximate Cause.
- b) Risk.
- c) Return of Premium.
- d) Policy.

**Q3)** Discuss the provisions related to assignment and nomination under Insurance Act 1938. **[15]**

OR

Explain fully the provisions relating to “No Fault Liability” and “Insurance” under Public Liability Insurance Act, 1991.

**P.T.O.**

**Q4)** Explain the provisions relating to “Compensation Payable” under Personal Injuries (Compensation Insurance )Act, 1963. **[15]**

OR

Discuss the duties, powers and functions of Authority under the Insurance Regulatory and Development Authority Act, 1999.

**Q5)** Explain the following with respect to General Insurance (Nationalisation of Business)Act, 1972 **[15]**

- a) General Insurance Corporation of India.
- b) Transfer to GIC of shares vested in Central Government.

OR

Define the term “Controlled Business” and explain the provisions relating to “Composite Insurers” under the Life Insurance Corporation Act, 1956.

**Q6)** Discuss the importance and necessity for insurance against third party risk under Motor Vehicles Act 1988. **[15]**

OR

Define the term, “Policy of Insurance” and discuss the provisions relating to requirement of policies and limits of liability under Motor Vehicles Act, 1988.



Total No. of Questions : 9]

SEAT No. :

**P1082**

[Total No. of Pages : 2

[4740] - 407

**II - LL.B. (Semester - IV)**

**CONFLICT OF LAWS**

**(2003 Pattern) (Optional Paper (c))**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Q.No. 9 is compulsory. Out of the remaining attempt any five questions.*
- 2) *Q.No. 9 carries 20 Marks and remaining questions carry 16 Marks each.*

*Q1)* Discuss the origin & development of conflict of Laws.

*Q2)* Discuss the concept of 'Doctrine of Renovi'. Give suitable illustrations.

*Q3)* How Domicile of Dependents are decided under Private International Law?  
Explain.

*Q4)* Discuss the rules of choice of law regarding the formal validity of a marriage.

*Q5)* Explain the conditions in which a foreign tort is actionable.

*Q6)* How jurisdiction is determined under Private International Law?

*Q7)* What are the conditions to be fulfilled for enforcement of Foreign Judgements?

*Q8)* Explain the principles followed under English & Indian Private International Law regarding succession to immovable property.

***P.T.O.***

**Q9)** Write Short Notes on any four of the following :

- a) Phillips V. Eyre.
- b) Recognition of Foreign Adoption.
- c) Application or exclusion of foreign law.
- d) Situs of property.
- e) Functions of Proper Law of Contract.



Total No. of Questions : 5]

SEAT No. :

**P1083**

[Total No. of Pages : 2

[4740] - 408

**II - LL.B. (Semester - IV)**

**2nd Year of the Three Year Law Course**

**INTELLECTUAL PROPERTY**

**(Optional Paper 17(d)) (2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures in brackets to the right indicate marks.*

**Q1)** What is an invention? Discuss which inventions will not granted patents in the Indian law. **[20]**

OR

Explain the procedure for grant of patent of a product patent.

**Q2)** When is a trade-mark infringed? **[20]**

OR

Explain how 'deceptive similarity' and 'distinctiveness' are the most important concepts in trade-mark law.

**Q3)** Copyright is a bundle of rights that can be exploited independently. These also depend upon the category of work. Discuss. **[20]**

OR

Explain the civil and criminal remedies for infringement of copyright.

**Q4)** What is a design? Which designs can be registered. **[20]**

OR

Intellectual property rights are essential national. Discuss with reference to copyright, patents, designs and trade marks.

**P.T.O.**



**Q5)** Write short notes on **any four** :

**[20]**

- a) Term of patent.
- b) Patent agents.
- c) Performer's rights.
- d) Author's rights in copyright law.
- e) Honest concurrent user of trade mark.
- f) Certification marks.
- g) Remedies against threat of legal proceedings.



Total No. of Questions : 9]

SEAT No. :

**P1084**

[Total No. of Pages : 2

[4740] - 501

**III - LL.B. (Semester - V)**

**THE CODE OF CIVIL PROCEDURE AND LIMITATION ACT  
(2003 Pattern)**

*Time : 3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:*

- 1) Q.No. 9 is compulsory. Out of remaining questions attempt any five.*
- 2) Q.No. 9 is for 20 marks and remaining questions are for 16 marks each.*

*Q1) State and explain the rules relating to 'suits' against government.*

*Q2) Discuss the provisions relating to place of suing under the code of civil procedure.*

*Q3) Explain the following :*

- a) Garnishee Order.
- b) Misjoinder and non-joinder of parties.

*Q4) Explain the provisions relating to suit by or against minor and a person of unsound mind.*

*Q5) What are the rules laid down under the Code of Civil Procedure regarding service of summons?*

*Q6) Discuss the various stages of civil suit from institution to final conclusion.*

**P.T.O.**

**Q7)** How the Jurisdiction of Court is determined? Explain various kinds of jurisdiction.

**Q8)** What is decree? What is the procedure for execution of decree? When it can be stayed?

**Q9)** Write notes on any two :

- a) Bar of limitation.
- b) Acquisition of property by possession.
- c) Legal disability.
- d) Effect of acknowledgement.



Total No. of Questions : 7]

SEAT No. :

**P1085**

[Total No. of Pages : 2

[4740] - 502

**III - LL.B. (Semester - V)**

**LAND LAWS; INCLUDING CEILING & OTHER LOCAL LAWS  
(2003 Pattern)**

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**SECTION - I**

**The Maharashtra Rent Control Act, 1999**

**Q1)** What are different premises which are exempted from the application of The Maharashtra Rent Control Act, 1999? **[15]**

OR

Write a detail note on the provisions regarding jurisdiction of courts and appeals under sec. 33 and 34 of the Maharashtra Rent Control Act, 1999?

**Q2)** Defines 'Standard Rent' when the court can fix the standard rent and the permitted increases? **[15]**

OR

Write short notes on any two of the following :

- a) Relief against forfeiture.
- b) Landlord not to cut-off or withhold essential supply or services.
- c) Definition of tenant.

**SECTION - II**

**The Maharashtra Land Revenue Code, 1966**

**Q3)** Explains the procedure when a person wants to convert the use of agricultural land for any other non-agricultural purpose? **[15]**

OR

Write short notes on any two of the following :

- a) Boundary and boundary marks.
- b) Construction of water course.
- c) Record of rights.

**P.T.O**

**Q4)** Discuss the power and duties of survey officers under the Maharashtra Land Revenue Code, 1966. **[15]**

OR

Define land and land revenue what are the consequences of non- payment of land revenue?

### **SECTION - III**

#### **The Bombay Tenancy and Agricultural Lands Act, 1948**

**Q5)** Define the term 'Tenant' and what are the types of tenant under The Bombay Tenancy and Agricultural Lands Act, 1948? **[15]**

OR

State the provisions relating to landlords right to terminate tenancy for personal cultivation and non-agricultural purpose under the Bombay Tenancy and Agricultural Lands Act, 1948

**Q6)** Discuss powers of state government to assume management of estates held by landholders under The Bombay Tenancy and Agricultural Lands Act, 1948. **[15]**

OR

Write short notes on any two of the following :

- a) Surrender of tenancy by tenant.
- b) Duties of *mamlatdar* under the Act.
- c) Revisional powers of collector.

### **SECTION - IV**

#### **The Maharashtra Agricultural Lands (Ceiling On Holding) Act, 1961**

**Q7)** Write short notes on any two of the following : **[10]**

- a) Distribution of surplus land.
- b) Family unit.
- c) Failure to submit land returns to collectors.
- d) object of ceiling act.



Total No. of Questions : 9]

SEAT No. :

**P1086**

[Total No. of Pages : 2

**[4740] - 503**

**III - LL.B. (Semester - V)**

**INTERPRETATION OF STATUTES**

**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:*

- 1) *Q.9 is compulsory. Out of the remaining attempt any five questions.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Discuss the rules relating to commencement and operation of statutes. **[16]**

**Q2)** What do you mean by interpretation of statutes? Explain the rule of harmonious construction with the help of decided cases. **[16]**

**Q3)** Discuss the principles of interpreting fiscal statutes with the help of decided cases. **[16]**

**Q4)** Explain the use of dictionary, parliamentary history, later scientific developments and text books in interpretation. **[16]**

**Q5)** What do you mean by internal aids? Discuss the use of explanations, punctuations preamble and title in interpretation with the help of decided cases. **[16]**

**Q6)** Distinguish between penal and remedial statutes. Explain the rules of interpreting penal statutes. **[16]**

**Q7)** Explain the rules of interpreting consolidating and codifying statutes. **[16]**

**P.T.O.**

**Q8)** Discuss the rules of noscitur a sociis and ejusdem generis with the help of decided cases. What is the distinction between them? **[16]**

**Q9)** Write short notes (Any four) : **[20]**

- a) Central Government.
- b) Collector.
- c) Document.
- d) Union territory.
- e) British India.
- f) Colony.



Total No. of Questions : 6]

SEAT No. :

**P1087**

[Total No. of Pages : 3

[4740] - 504

III - LL.B. (Semester - V)

LEGAL WRITING

(2003 Pattern)

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Explain the following legal terms: (Any Eight) : **[16]**

- a) Mutatis mutandis.
- b) Res judicata.
- c) Caveat emptor.
- d) Tort feisor.
- e) Animus deserendi.
- f) Lex non scripta
- g) Jus in rem .
- h) Escrow.
- i) Donatio mortis causa.
- j) Ratio decidendi.

**Q2)** Discuss the importance and the scope of the 'Doctrine of Precedent' in India. **[16]**

OR

What are the merits and demerits of the Doctrine of Precedent?

**Q3)** Write an Essay on the following topic: (Any One) **[16]**

- a) Present prison system in India.
- b) Empowerment of Women.
- c) Juvenile Delinquency - a socio legal problem.

**Q4)** Draft a notice to a builder for compliance of all the matters as per the agreement. **[16]**

OR

Draft a notice of dissolution of a registered partnership firm.

**P.T.O**



**Q5)** Read the following passage carefully and answer the questions given below. **[16]**  
Having a Constitution itself is not Constitutionalism. Even a dictator could create a rulebook calling it Constitution, which never meant that such a dictator had any faith in Constitutionalism. Recognizing the need for governance, the Constitutionalism equally emphasizes the necessity of restricting those powers. The Constitutional law means the rule, which regulates the structure of the principal organs of the Government and their relationship to each other, and determines their principal functions. The rules consist both of legal rules enacted or accepted as binding by all who are concerned in Government. All the Constitutions are the heirs of the past as well as the testators of the future. Constitution of Indian Republic is not the product of a political revolution but of the research and deliberations of a body of eminent representatives of the people who sought to improve the existing system of administration.

Thus the Constitutionalism, in brief, is specific limitations on general governmental powers to prevent exercise of arbitrary decision-making. Unlimited powers concentrated in a few hands at the helm of affairs and their exercise would jeopardize the freedom of the people. These powers have to be checked and balanced with equally powerful alternatives in a system, where it will be nearly impossible for dictators to emerge. In one word 'Limited Governance' is the Constitutionalism, which is supposed to reflect in the Constitutional Law of a democratic state. Constitution of India is the Constitutional Law incorporating the Constitutionalism. The listed fundamental rights and guaranteed remedies, creation of judiciary as an impartial arbiter with all independent powers besides broad based legislative check on the executive are the reflections of such constitutionalism. From these essential characters the doctrines of judicial review, rule of law, separation of powers, universal franchise, transparent executive, fundamental right to equality and quality of life emerged and consolidated.

At the same time, the rulebook has a responsibility to check anarchy and possibility of people misusing freedom to resort to violent means of overturning the constitutionally governing institutions. That responsibility is under current in the reasonable restrictions placed on the exercise of fundamental rights of the people. The founding fathers of the Constitution made restrictions specific while the rights appear in general terms, paving the way for independent judiciary to expand the scope of freedoms and reading emerging rights into the sacred statements of rights under fundamental rights chapter. At the same time specification of restrictions operate as powerful restraints on the powers of the rulers.

The right as the individual power in the hands of people and authority as the ruling power in the hands of institutions cannot go arbitrary and anarchic undermining the democratic peace. The democratic constitutionalism is three pronged in Indian Constitution, one-guaranteeing freedoms, two-restricting governing institutions, three-empowering the independent arbiter of judiciary with power to review the executive and legislative orders affecting the interests of people in general or afflicting basic norms of rule of law.

- i) How do the Constitution and Constitutionalism differ from each other? [4]
- ii) How is the Constitutionalism reflected in Indian Constitution? [3]
- iii) What kinds of doctrines have emerged from the Constitutionalism in the Indian Constitution? [3]
- iv) How does the Constitution check the possible misuse of freedoms by people? [2]
- v) What are the three aspects of the constitutionalism implied in Indian Constitution? [2]
- vi) Suggest a suitable title to the given passage. [2]

**Q6)** Write a critical analysis of **Any Two** cases : [20]

- a) Daniel Latifi V Union of India. [AIR 2001 S 3958].
- b) Gautam Paul V Debi Rani Paul [AIR 2001 SC 61].
- c) R.D. Saxena V Balaram Prasad Sharma. [AIR 2000 SC 2912].
- d) Baniben V State of Gujrat. [AIR 1992 SC 1817].



Total No. of Questions : 9]

SEAT No. :

**P1088**

[Total No. of Pages : 2

**[4740] - 505**

**III - LL.B. (Semester - V)**

**ADMINISTRATIVE LAW**

**(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Q.No. 9 is compulsory. Out of the remaining attempt any Five Questions.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Discuss the role of Administrative Law in modern democracies. **[16]**

**Q2)** Explain the extent to which the Doctrine of Separation of powers is incorporated in the Constitution of India. **[16]**

**Q3)** What is delegated legislation? Discuss parliamentary control of delegated legislations. **[16]**

**Q4)** What is an Administrative Tribunal? Discuss nature, need and growth of Administrative tribunals in India. **[16]**

**Q5)** Explain the powers of 'Commission' under the Commissions of Inquiry Act, 1952. **[16]**

**Q6)** The distinction between sovereign and non-sovereign functions of the state has undergone a change in the recent past to hold the state liable in tort. Discuss. **[16]**

**Q7)** Explain the nature, function and scope of Lokpal in India. **[16]**

**P.T.O.**

**Q8)** Discuss in detail the nature and scope of the right to information conferred by the Right to Information Act, 2005. **[16]**

**Q9)** Write short notes on any two: **[20]**

- a) Audi Alteram Partem.
- b) Administrative discretion.
- c) Contractual liability of the Government.
- d) Writ of Habeas Corpus.



Total No. of Questions : 9]

SEAT No. :

**P1089**

[Total No. of Pages : 2

[4740] - 601

**III - LL.B. (Semester - VI)**

**CODE OF CRIMINAL PROCEDURE, JUVENILE JUSTICE  
[CARE AND PROTECTION OF CHILDREN] ACT AND  
PROBATION OF OFFENDERS ACT  
(2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:*

- 1) *Attempt any 5 questions from question no. 1 to 7.*
- 2) *Question no. 8 and 9 are compulsory.*
- 3) *Figures to the right indicate full marks.*

**Q1)** Explain and distinguish between : **[16]**

- a) The procedure in trial of warrant case by Magistrate and
- b) The trial procedure in a summons case.

**Q2)** Discuss the meaning and importance of the 'First Information Report'. Discuss the evidentiary value of FIR in the course of a trial. **[16]**

**Q3)** Discuss the circumstances in which a search of a place can be made without a warrant under the Code of Criminal Procedure 1973. **[16]**

**Q4)** Discuss provisions relating to order for maintenance of wives, children and parents under the Code of Criminal Procedure 1973. **[16]**

**Q5)** Examine provisions relating to grant of Bail in a non-bailable case in light of the considerations that a court has to keep in view while such grant is made. **[16]**

**Q6)** Explain in detail the law relating to tender of pardon under the Code of Criminal Procedure 1973. **[16]**

**P.T.O.**

**Q7)** Write note on any two of the following : **[16]**

- a) Legal aid to an accused person.
- b) Charge.
- c) Rights of arrested person.
- d) Dispute as to immovable property.

**Q8)** With specific reference to recent amendments discuss the concept of “Juvenile in conflict with law” under the Juvenile Justice (Care and Protection of Children Act) 2000. **[10]**

OR

Discuss specific offence created by the Juvenile Justice (Care and Protection of Children Act) 2000 for protection of children from exploitation.

**Q9)** Explain the provisions relating to variation of conditions of Probation and Confidential Report of the Probation Officer under the Probation of Offenders Act 1958. **[10]**

OR

Write short note on the following.

- a) Power of Court to release certain offenders after admonition.
- b) Power of court to require released offenders to pay compensation and cost.



Total No. of Questions : 9]

SEAT No. :

**P1091**

[Total No. of Pages : 2

[4740] - 602

**III - LL.B. (Semester - VI)**

**COMPANY LAW**

**(Paper - 25) (2003 Pattern)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Questions No 9 is compulsory. It carries 20 marks.*
- 2) *Answer any five out of the remaining. Each question carries 16 marks.*

**Q1)** Define a Company. How it differs from a Partnership?

**Q2)** Whether a company can ratify the contracts of promoters who acted on behalf of the Company before its incorporation? What is the remedy available to the third party in such contracts?

**Q3)** “The Memorandum of Association is the fundamental law or charter defining the objects and limiting the powers of a Company.” Explain. When does it may be altered?

**Q4)** Define “Prospectus”. When a Company is not required to issue a prospectus? Who is liable for mis-statement in Prospectus?

**Q5)** In what circumstances can a Company reduce it’s share capital? Discuss the formalities to be complied with and the procedure to be followed in case of reduction of share capital.

**Q6)** What is the statutory meeting? What is a statutory report and what are it’s contents?

**P.T.O.**

**Q7)** Discuss the provisions for the prevention of oppression of minority shareholders and mismanagement of a Company?

**Q8)** Under what circumstances will the NCLT order a compulsory winding up of a company? What is the effect of winding up order?

**Q9)** Write notes on any two :

- a) Doctrine of Indoor Management.
- b) Fixed and floating charges.
- c) Liabilities of directors.
- d) Reconstruction and Amalgamation.





Total No. of Questions : 6]

SEAT No. :

**P1092**

[Total No. of Pages : 2

[4740] - 603

III - LL.B. (Semester - VI)

LABOUR LAW

(2003 Pattern) (Optional (a))

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**Q1)** Discuss the provision relating to Hazardous process and Specific responsibility of the occupiers in relation to it as per the Factories Act. **[20]**

OR

What are the provisions relating to annual leave with wages under the Factories Act 1948.

**Q2)** Explain with reference to Employees State Insurance Act, 1948. **[16]**

- a) Matters to be decided by Employees Insurance Court.
- b) Powers and functions of E.S.I Corporation.

OR

State the provisions relating to notice and claim of the accident and medical examination under Workmen's Compensation Act 1923.

**Q3)** Explain with reference to Minimum Wages Act 1948. **[16]**

- a) Fixing hours of work in a normal working day.
- b) Wages in kind and overtime.

OR

Explain the powers of Inspector under the Payment of Wages Act.

**P.T.O.**

**Q4)** Explain with reference to Industrial Dispute Act. **[16]**

- a) Industrial Dispute.
- b) Public Utility Service.

OR

State and explain various benefits assured to the insured person and their depends under Employees State Insurance Act 1948.

**Q5)** Define the term scheduled employment and discuss the provisions relating to payment of minimum wages under the minimum wages act 1948. **[16]**

OR

What are the various authorities under the Industrial Dispute Act 1948.

**Q6)** Write short notes on (any two) : **[16]**

- a) Medical examination under Workmen's Compensation Act.
- b) Health and Welfare provisions under the Factories Act 1948.
- c) Safety provisions under the Factories Act 1948.
- d) Strike and Lock Out.



Total No. of Questions : 8]

SEAT No. :

P1093

[Total No. of Pages : 2

[4740] - 604

III - LL.B. (Semester - VI)

**ARBITRATION, CONCILIATION & ALTERNATIVE  
DISPUTES RESOLUTION SYSTEMS  
(2003 Pattern) (Optional)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Question No. 8 is compulsory and carries 20 marks.*
- 2) *The remaining questions carry 16 marks each and out of them attempt any five.*

*Q1)* Enumerate the salient features of the Arbitration and Conciliation Act, 1996.

*Q2)* Discuss the provisions regarding “conduct of arbitral proceedings”.

*Q3)* Examine the provisions regarding Administrative Tribunals under Article 323(A) and 323(B) of the Indian Constitution.

*Q4)* What are the advantages of alternative dispute resolution systems over the conventional method.

*Q5)* State the grounds for challenging the appointment of Arbitrator.

*Q6)* Define and distinguish between ‘Mediation’ and ‘Negotiation’.

*Q7)* Describe the provisions of ‘Lok Adalat’ as given under the Legal Services Authorities Act 1987.

**P.T.O.**

**Q8)** Write notes on **any two**.

- a) Form and contents of Arbitral Award.
- b) 'Family Courts'.
- c) Distinction between Arbitration and Conciliation.
- d) Deposits & Lien on Arbitral Award.



Total No. of Questions : 9]

SEAT No. :

**P1094**

[Total No. of Pages : 2

**[4740] - 605**

**III - LL.B. (Semester - VI)**

**LAW OF EVIDENCE**

**(2003 Pattern)**

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) Question 9 is compulsory. Of the remaining, answer any five questions.*
- 2) Figures to the right indicate full marks.*

**Q1)** What is 'evidence'? Discuss different kinds of evidence. **[16]**

**Q2)** What is an identification parade? What is its importance as a piece of evidence? **[16]**

**Q3)** Explain the law concerning confessions to police officers and confessions in police custody. **[16]**

**Q4)** Evidence given by a witness in an earlier judicial proceeding can be proved in a subsequent proceeding without calling him in certain cases. Explain. **[16]**

**Q5)** All facts must be proved. True or False. Explain. **[16]**

**Q6)** When can secondary evidence of documents be given. **[16]**

**Q7)** Explain the provisions in the Evidence Act about proof of electronic record. **[16]**

**P.T.O.**

**Q8)** Who must bring evidence?

**[16]**

**Q9)** Write short notes on any four :

**[20]**

- a) Estoppel of tenant.
- b) Conclusive proof
- c) Affidavits.
- d) Relevancy of previous convictions.
- e) Evidence of Alibi.
- f) Relevancy of entries in books of accounts.
- g) Opinion as to handwriting.



Total No. of Questions : 10]

SEAT No. :

**P1095**

[Total No. of Pages : 2

[4740] - 606

**III - LL.B. (Semester - VI)**

**DRAFTING, PLEADING AND CONVEYANCING**

**(2003 Pattern) (Paper - 27)**

*Time : 3 Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Question No. 10 is compulsory, out of the remaining, attempt Any Five.*
- 2) *Question No. 10 carries 20 marks and all other questions carry 16 marks each.*

**Q1)** Draft an plaint on behalf of plaintiff for the Recovery of money given as a hand loan for the performance of daughter's marriage.

**Q2)** Draft a Counter Claim on behalf of the Defendant in the suit filed by the plaintiff in the suit for recovery of Money.

**Q3)** Draft a private Criminal Complaint for the offence of fraud and Cheating.

**Q4)** Draft a Divorce Petition on behalf of the wife residing in Nasik on the ground of Mental Cruelty by the Husband.

**Q5)** Draft a Special Leave petition under Article 136 of the Constitution of India against the Judgment delivered by District Court.

**Q6)** Draft a Gift Deed on behalf of Mr. Sureshchandra who is a businessman, having self-acquired as well as ancestral property.

**Q7)** Draft a Leave and License Agreement in respect of Residential flat situated at Pune.

**P.T.O.**

**Q8)** Draft a Special Power of Attorney in favour of grandson for the execution of Agreement to Sale on behalf of Grandfather.

**Q9)** Draft a Partnership Deed for the Development of Immovable Property.

**Q10)** Draft an application for (Any two) :

- a) Application for bail in bailable Offence.
- b) Appointment of Receiver.
- c) Appointment of Court Commission.





Total No. of Questions : 8]

SEAT No. :

**P1096**

[Total No. of Pages : 2

[4740] - 607

III - LL.B. (Semester - VI)

**INVESTMENT AND SECURITIES LAWS**

**(Paper - 28) (2003 Pattern) (Optional (a))**

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *Question No. 8 is compulsory. Answer any five of the remaining.*
- 2) *Figures to the write indicate full marks.*

**Q1)** Discuss the evolution and growth of the capital Market in India. What are the factors leading to the growth of the capital Markets? **[16]**

**Q2)** Define 'securities'. What are the various securities that can be traded in the Securities market. **[16]**

**Q3)** What do you understand by credit rating? What is its importance? What are the advantages of rating the securities? **[16]**

**Q4)** What are mutual funds? What are the advantages of investing in Mutual funds? **[16]**

**Q5)** What is a prospectus? What are SEBI requirements regarding the disclosures in the prospectus? **[16]**

**Q6)** What are the provisions of the Companies Act and the Securities Contracts (Regulation) Act regarding listing of securities? **[16]**

**P.T.O**

**Q7)** How are stock exchanges regulated by the central government? **[16]**

**Q8)** Write short notes on **any four** : **[20]**

- a) Capital markets in Pre independence era.
- b) Derivatives.
- c) Corporate Governance.
- d) Primary markets.
- e) Brokers.



Total No. of Questions : 6]

SEAT No. :

P1097

[Total No. of Pages : 2

[4740] - 608

III - LL.B. (Semester - VI)

LAW OF TAXATION

(2003 Pattern) (Optional Paper - 28 (b))

Time : 3 Hours]

[Max. Marks :100

Instructions to the candidates:-

- 1) Please read the instructions carefully before answering the questions.
- 2) Figures to the right indicates full marks.
- 3) All questions are compulsory.

**Q1)** Define Annual value of house property. What deductions are allowed from annual value in computing the taxable income from the House property under the Income Tax Act, 1961. [15]

OR

Explain the provision relating to deductions under section 80C of the Income Tax Act, 1961.

**Q2)** Discuss the provisions relating to determination of residential status of company under the Income Tax Act, 1961. [15]

OR

Explain the provisions of filing of returns under the Income Tax Act, 1961.

**Q3)** State the provision relating to deductions permissible in the computation of Income from other sources under the Income Tax Act, 1961. [15]

OR

State the provisions regarding exemptions in computation of Capital Gains under the Income Tax Act, 1961.

**P.T.O.**

**Q4)** Explain any three of the following : **[15]**

- a) Agriculture Income.
- b) Best Judgment Assessment.
- c) Entertainment Allowance.
- d) Unexplained Investments.
- e) Income of minor child.

**Q5)** Explain 'Assessment' under the Wealth Tax Act, 1957. **[15]**

OR

Discuss the provisions regarding 'Deemed Assets' under the Wealth Tax Act, 1957.

**Q6)** Explain any three with reference to the Central Excise Act, 1944. **[25]**

- a) Meaning of manufacture.
- b) Powers & Duties of central excise officers.
- c) Non-reversal of cenvat credit.
- d) Excisable goods.
- e) Valuation of excisable goods for the purpose of charging of excise duty.



Total No. of Questions : 6]

SEAT No. :

P1098

[Total No. of Pages : 2

[4740] - 609

III - LL.B. (Semester - VI)

**BANKING LAWS INCLUDING NEGOTIABLE**

**INSTRUMENTS ACT (Optional paper (C))**

**(2003 Pattern) (Paper - 28)**

*Time :3Hours]*

*[Max. Marks :100*

*Instructions to the candidates:-*

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

**SECTION-I**

**(Negotiable Instruments Act, 1881)**

**Q1)** Discuss Provisions relating to “Penalties in case of Dishonour of certain Cheques for Insufficiency of Funds in the Accounts”. **[15]**

OR

Define a Promissory Note. Discuss various Essentials Features of a Promissory Note with the help of appropriate Illustration.

**Q2)** Write Short Note on the Following : **(Any Four)** **[20]**

- a) Drawee in case of need
- b) Noting and Protest
- c) Crossed Cheques
- d) Inland & Foreign Instruments
- e) Negotiation

**SECTION-II**

**(Reserve Bank of India Act, 1934)**

**Q3)** State and Explain Provisions relating to Collection and Furnishing of Credit Information. **[15]**

OR

Discuss the Central Banking Functions of Reserve Bank of India (RBI).

**P.T.O.**

**Q4) Write Short Note on the Following: (Any Four)**

**[20]**

- a) Business which the Bank may transact
- b) Penalties
- c) Reserve Fund
- d) Powers and Duties of Auditors
- e) Management

**SECTION-III**

**(Banking Regulation Act, 1949)**

**Q5) Discuss the 'Forms and Business in which Banking Company may engage'. [15]**

OR

State and Explain Provisions relating to "Acquisition of the Undertakings of Banking Companies in Certain Cases".

**Q6) Write Short Note on the Following: (Any Three)**

**[15]**

- a) Control over Management
- b) Prohibition of Certain Activities in relation to Banking Companies
- c) Cash Reserve
- d) Licensing of Banking Companies



Total No. of Questions : 9]

SEAT No. :

**P1099**

[Total No. of Pages : 2

**[4740] - 610**

**III - LL.B. (Semester - VI)**

**CO-OPERATIVE LAW**

**(2003 Pattern) (Optional Paper (d)) (Paper - 28)**

*Time : 3 Hours]*

*[Max. Marks : 100*

*Instructions to the candidates:-*

- 1) *Question No. 9 is compulsory. Attempt any five out of the remaining questions.*
- 2) *Figures to the right indicate full marks.*

**Q1)** State and explain the fundamental principles of co-operation. **[16]**

**Q2)** Discuss the provisions under the Maharashtra Co-operative societies Act, 1960 regarding amalgamation, transfer, division or conversion of societies. **[16]**

**Q3)** What do you mean by 'bye-laws' of a society? Explain the procedure of the amendment of bye laws. **[16]**

**Q4)** Who can be admitted as a member of a society? What are the duties and rights of the different kinds of members? **[16]**

**Q5)** Explain the salient features of Maharashtra ownership flats Act, 1963. **[16]**

**Q6)** "The Registrar has wide powers of supervision, guidance and control over the societies". Discuss. **[16]**

**Q7)** Explain the provisions under the Maharashtra Co-operative societies Act, 1960 regarding offences and penalties. **[16]**

**P.T.O**

**Q8)** Explain the procedure for dealing with contempt of court of the co-operative court and co-operative appellate court. **[16]**

**Q9)** Write notes on any four of the following : **[20]**

- a) Deed of Declaration under the Maharashtra Apartment ownership Act 1970.
- b) Object of Maharashtra Apartment ownership Act, 1970.
- c) Common expenses and common profits under MAO Act, 1970.
- d) Appeals.
- e) Registration of societies.

