

BEAS - IV/CHENAB - VIII : APRIL/MAY 2012 (Old Course),
SUBJECT : TRUSTS, EQUITY AND FIDUCIARY RELATIONSHIPS

Day : Thursday
Date : 17.05.2012

Time : 10.00 A.M. To 1.00 P.M.
Max. Marks : 100

N.B.

- 1) Attempt ANY SIX questions including Q. No. 1 which is **COMPULSORY**.
- 2) Question No. 1 carries 20 marks and all other questions carry 16 marks.

Q. 1 Write short notes ANY FOUR of the following :

- a) Common law
- b) Jurisdiction of equity
- c) Equity acts in personam
- d) Equity follows the law
- e) Equity looks to the intent rather than to the form
- f) Fiduciary relations

Q. 2 Define 'Trust' and distinguish between Public Trust and Private Trust.

Q. 3 State and explain the Rights and Power of trustees under Indian Trusts Acts, 1882.

Q. 4 What is breach of trust? Discuss the liabilities of a trustees for breach of trust.

Q. 5 Write notes on :

- a) Revocation of trust
- b) Three certainties of trust

Q. 6 Discuss the various obligations in the nature of trust (any four)

Q. 7 "A public trust does not fail even its purpose cannot be carried out or the beneficiaries cannot be ascertained". Discuss.

Q. 8 Discuss the provision relating to Registration of public trust under the Bombay Public Trust Act, 1950.

Q. 9 Discuss the powers of Charity Commissioner to act for the protections of charities.

Q. 10 Write notes on :

- a) Charitable purpose
- b) Change report

BEAS-IV / CHENAB-VIII : APRIL/ MAY - 2012 Cold Course.
SUBJECT : AIR AND SPACE LAW

Day : Thursday
Date : 17.05.2012

Time : 10.00 AM to 1.00 PM
Max. Marks : 100.

N.B.:

- 1) Attempt any **SIX** questions in all including Q. No. 1 which is **COMPULSORY**.
 - 2) Q. No. 1 carries 20 marks and all other questions carry 16 marks each.
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Q.1 Write short notes on any **FOUR** of the following:

- a) Objectives of Moon Treaty 1969
- b) Exploitation of outer space
- c) Non-contractual liability
- d) Hijacking
- e) Right of transit
- f) ICAO

Q.2 "The Outer Space Treaty, 1967 limits the military activity in outer space." Comment.

Q.3 Evaluate the principles of the freedom of the air.

Q.4 Write a critical note on IATA.

Q.5 What is aerial intrusion? Examine the provisions relating to aerial intrusion.

Q.6 "Sabotage is any means of deliberately wasting or damaging the tools, machinery or production of an employer or government." Comment.

Q.7 Critically evaluate the commercial rights of air communication with case laws.

Q.8 What is outer space? Discuss the freedom regarding outer space.

Q.9 Discuss as to how International law regulates militarization of outer space?

Q.10 Examine the provisions relating to the cooperation in International space law.

CHENAB - VIII / BEAS -IV (OLD COURSE): APRIL/MAY-2012
SUBJECT: TAXATION LAW

Day: Thursday
Date: 17-05-2012

Time: 10:00AM TO 1:00PM.
Max. Marks: 80

N.B.:

- 1) Attempt any FOUR questions from Section I including Q.No1 which is compulsory.
- 2) Attempt any TWO questions from Section II.
- 3) Q.No 1 carries 20 marks and all other questions carry 12 marks each.

SECTION-I

- Q.1** Write short notes on any FOUR of the following
- a. Person
 - b. Agricultural Income
 - c. Donations under section 80 G of Income Tax Act 1961
 - d. Capital Assets
 - e. Revised Return
 - f. Permanent Account Number (PAN) under Income Tax Act 1961.
- Q.2** Explain the provisions regarding residential status of different assesses under Income Tax Act 1961.
- Q.3** State the conditions and limits laid down under section 80 L in respect of deductions on interest, dividend etc.
- Q.4** Explain the deductions to be made from annual value of the house property under the "Income from House Property".
- Q.5** Define "Assessment ". State various types of assessment under Income Tax Act 1961.
- Q.6** Discuss the powers and functions of Commissioner of Income Tax.

SECTION II

- Q.7** Explain the provisions regarding exempted assets under section 5 of Wealth Tax Act 1957.
- Q.8** State briefly the object and main features of Central Sales Tax Act 1956.
- Q.9** Explain the penalty provisions u/s 63 of the Bombay Sales Tax 1959.
- Q.10** Discuss in brief the following
- a. Manufacture (Bombay Sales Tax 1959)
 - b. Appropriate State (Central Sales Tax Act 1956)
 - c. Valuation Date (Wealth Tax Act 1957)

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BEAS - IV / CHENAB - VIII (OLD COURSE) : APRIL/MAY 2012
SUBJECT : ENVIRONMENTAL LAW & PROTECTION OF WILD LIFE

Day : **Thursday**
Date : **03-05-2012**

Time : **10:00 AM To 1:00 PM**
Max. Marks : **80**

N.B.

- 1) **Q.No. 1 is COMPULSORY** which carries 20 marks.
- 2) Out of the remaining attempt any **FIVE** questions. Each question carries 12 marks.

Q.1 Write short notes on any **FOUR**:

- a) Meaning of Pollution
- b) Polluters pay principle
- c) Concept of strict liability
- d) Traditional remedies under law of torts for negligence
- e) Prevention and detection of offences under the Wildlife Protection Act
- f) Meaning of forest produce-under the Indian Forest Protection Act

Q.2 There are a wide range of physical, biological and man-made components that interact in building up environment. Explain the meaning of the term 'environment'.

Q.3 Discuss the features of Stockholm Conference on Environment (1974).

Q.4 Discuss the provisions related to prevention, control and abatement of environmental pollution as incorporated in the Environment (Protection) Act, 1986.

Q.5 Explain in detail the constitution of the Central Boards as constituted under the Air (Prevention and Control of Pollution) Act 1981.

Q.6 Explain the provisions related to prevention and control of water pollution as enumerated under the Water (Prevention and Control of Pollution) Act 1974.

Q.7 Discuss the provisions related to reserved forests, village forest, and protected forest, as incorporated in the Indian Forest Act, 1972.

Q.8 Explain the provisions related to sanctuaries and national parks as enshrined in the Wild Life (Protection Act, 1972)

Q.9 Discuss the role of the Supreme Court in the protection of environment.

BEAS-IV/ CHENAB-VIII: (OLD COURSE) APRIL/ MAY-2012
SUBJECT: COMPANY LAW

Day: Saturday
Date: 05.05.2012

Time: 10.00 A.M. To 1.00 P.M.
Max marks: 80

N.B:

- 1) Attempt any **SIX** questions including Q.No1 which is **COMPULSORY**.
 - 2) Q.No.1 carries **20** marks and all other question carry **12** marks each.
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Q.1 Write short notes on any four:

- a) Statutory Report
- b) Proxies
- c) Share Certificate
- d) Duties of directors
- e) Annual General Meeting
- f) Private Company

Q.2 Define 'Company'. What are the advantages of incorporation of a company?

Q.3 Who is a promoter? Discuss his legal position in relation to a company which he promotes.

Q.4 Discuss the relationship between the Articles and the Memorandum of Association of a company.

Q.5 Discuss the doctrine of Indoor Management? What are the exceptions to this rule?

Q.6 What is Prospectus? What are the consequences that follow in case of issue of a prospectus containing false statements on the strength of which share are subscribed for?

Q.7 Who are Members of a company? Discuss their rights and liabilities.

Q.8 Define share and explain surrender and forfeiture of shares.

Q.9 What is Debenture? Explain floating charge and fixed charge.

Q.10 What are the provisions of the Companies Act 1956 for the prevention of oppression of the minority shareholders and mismanagement of a company?

BRAS-IV/ CHENAB-VIII (OLD COURSE): APRIL/ MAY-2012
SUBJECT: PRACTICAL PAPER-II: DRAFTING, PLEADING AND CONVEYANCING

Day: Tuesday
Date: 15-05-2012

Time: 10:00 A.M. TO 1:00 P.M.
Max. Marks: 90

N.B:

- 1) Attempt ANY SIX questions by choosing at least THREE questions from each Section.
- 2) All question carry EQUAL marks.

SECTION-I

- Q.1 Explain the following:
- a) Fundamental Rules of Drafting and Pleading
 - b) Alternative and Inconsistent Pleadings
- Q.2 Draft a Petition for Divorce on behalf of a Wife on the ground of Cruelty and Desertion Under Hindu Law.
- Q.3 Draft an Application for Anticipatory bail U/S 438 of Cr. P.C.
- Q.4 Draft a Writ Petition on behalf of a NGO regarding nuisance of noise by Ganesh Mandals in the Ganpati Festival.
- Q.5 Draft a plaint on behalf of a Landlord for the eviction of a tenant on the ground of bonafide requirement.

SECTION-II

- Q.6 Draft a Leave and License Agreement for eleventh months for a flat in a Co-operative housing society.
- Q.7 Draft a Special Power of Attorney for Mr. X who is residing abroad in favour of his Mother for registration of Sale Deed.
- Q.8 Mr. Anil wants to gift his house to his daughter. Draft a Gift Deed.
- Q.9 Draft a Mortgage Deed for Mr. Y Owher of a house who intends to mortgage his house to Nationalize Bank.
- Q.10 a) Draft a Promissory Note.
- b) Draft an Affidavit for a person who has lost his original degree Certificates.

BEAS-IV/ CHENAB-VIII: APRIL/MAY 2012 (Old Course),
SUBJECT: COMPARATIVE LAWS

Day: Thursday
Date: 17.05.2012

Time: 10.00 A.M. TO 1.00 P.M.
Max Marks: 100

N.B.

- 1 Attempt any **SIX** questions in all including Questions No. 1, which is **COMPULSORY**.
- 2 Question No.1 carries 20 marks and all other questions carry 16 marks each

Q.1 Write Short notes on **ANY FOUR**

- a) Utility of comparative law
- b) Muslim law
- c) Customs
- d) Influence of comparative law in Indian constitutional.
- e) Cannon Law
- f) General principles of law recognized by continental legal system.

Q.2 Discuss the origin and development of comparative law.

Q.3 Explain the effect of comparative law on the Indian administrative law.

Q.4 Elaborate the important features of the civil law legal system.

Q.5 Discuss the historical background and the nature of the Hindu legal system.

Q.6 It is a fundamental principle of Anglo American legal system to attach weight to the doctrine of judicial precedents. Discuss the concept of precedent and its importance in the Anglo American legal system.

Q.7 Elaborate the various sources of law.

Q.8 Explain the sources of civil law legal system.

Q.9 Discuss the utility of comparative law in the field of public international law.

Q.10 Discuss the term "Unification of Law".

BHUPALGAD – VIII (2008 COURSE) APRIL MAY 2012
SUBJECT: - ENVIRONMENTAL LAW

Day: Thursday
Date: 03-05-2012

Time: 10:00 A.M. To 1:00 P.M.
Max. Marks: 80

N.B.

- 1) Attempt **ANY SIX** questions in all out of which Q.NO 1 is **COMPULSORY**.
- 2) Q.NO. 1 Carries 20 marks and all other questions carry 12 marks each.

- Q.1** Write short notes on **ANY FOUR** of the following
- a) Public Interest Litigation.
 - b) Criminal Liability of corporate officials.
 - c) Copenhagen conference on environment.
 - d) Right to clean and decent environment
 - e) Water Pollution.
 - f) Concept of *parens patriae*.
- Q.2** Discuss the doctrine of polluter's pays principle and precautionary principle. Refer to decided cases.
- Q.3** Constitutional remedies are most effective methods for environmental protection in India. Discuss.
- Q.4** Write a critical assessment of the Environment (Protection) Act 1986. Suggest modification if necessary.
- Q.5** For the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water, the water Act establishes the centre and state board. Discuss the composition and function of the Boards.
- Q.6** What are Air Pollutants? How Pollution Control Boards can regulate Air pollution under Air (Prevention and Control of Pollution) Act 1981.
- Q.7** Forest are green lung of the Nation, however, Indian forest are in a devastated conditions. How Forest Conservation Act 1980 helps to protect forest in India.
- Q.8** How far the establishment of Sanctuaries and National Parks facilitate for the protection of wildlife under the Wildlife (protection) Act. 1972.
- Q.9** Critically evaluate the Bhopal Gas Case.
- Q.10** Discuss the Common law remedies available for environmental pollution in India with the help of case law.

BHUPALGAD – VIII (2008 COURSE) : APRIL/MAY 2012
SUBJECT: C) AIR AND SPACE LAW

Day: **Thursday**
Date: **17-05-2012**

Time: **10:00AM TO 1:00PM**
Max Marks. 80

N.B.

- 1) Attempt any **SIX** questions including Q. No. 1 which is **COMPULSORY**.
 - 2) Q. N. 1 carries **20** marks and all other questions carry **12** marks each.
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- Q.1** Write short notes on any **FOUR** —
- a) The principles of sovereignty over Air
 - b) Rights of transit
 - c) ICAO
 - d) Hijacking
 - e) Terrorism
 - f) Contractual liability of air carriers
- Q.2** Explain the international rules related to the demarcation of boundaries between air and space law.
- Q.3** Discuss the commercial rights of air communication.
- Q.4** Explain the nature of sabotage – as a crime against international Civil Aviation.
- Q.5** Discuss the concept of Aerial intrusion.
- Q.6** Discuss the rules of international legal regime of the outer space.
- Q.7** Elaborate in detail the freedoms regarding the outer space.
- Q.8** Discuss the concept of exploration and exploitation of the outer space.
- Q.9** Elucidate the salient features of the United Nations Convention on the International Liability for Damages caused by Space Objects 1972.
- Q.10** Discuss the principles of co – operation in the international space law related to the telecommunication satellites and remote sensing.

BHUPALGAD- VIII (2008 COURSE): APRIL/MAY-2012
SUBJECT: TAXATION LAWS

Day: Thursday
Date: 17.05.2012

Time: 10.00 A.M. TO 1.00 P.M.
Max. Marks: 80

N.B.:

- 1) Attempt **ANY FOUR** questions from Section – I including Q. No. 1 which is **COMPULSORY**.
- 2) Attempt **ANY TWO** questions from Section – II
- 3) Q. No. 1 carries **20** marks and all other questions carry **12** marks.

SECTION – I

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Best Judgment Assessment
 - b) Valuation Date under Income Tax Act 1961
 - c) Appeal
 - d) Capital Expenditure
 - e) Income
 - f) Bad Debts
- Q.2** Define 'Capital Assets'. What are those transfers which are not treated as transfer under Capital Gain.
- Q.3** Explain the provisions regarding residential status of different assessees under the Income Tax Act 1961.
- Q.4** Discuss the provisions regarding 'Tax to be deducted at source' under the Income Tax Act 1961.
- Q.5** Enumerate any ten incomes which are exempted u/s 10 of the Income Tax Act 1961.
- Q.6** Define the term 'Perquisites' and describe the items taxable as perquisites.
- a) In case of all employees
 - b) In case of specified employees

SECTION - II

- Q.7** Explain the provisions regarding scope of 'Penalties' & 'Liabilities' under Wealth Tax Act 1957.
- Q.8** Explain the provisions regarding determination of turnover under Central Sales Act 1956.
- Q.9** Explain in brief the provisions of setoff, drawback & carry forward under Bombay Sales Tax Act-1959.
- Q.10** Discuss in brief the following:
- a) Dealer under Bombay Sales Tax Act 1959.
 - b) Deemed Assets under Wealth Tax Act 1957.

BHUPALGAD – VIII: (2008 COURSE): APRIL/MAY-2012
SUBJECT: CIVIL PROCEDURE CODE AND LIMITATION ACT.

Day: **Tuesday**
Date: **08-05-2012**

Time: **10.00 A.M. To 1.00 P.M.**
Max. Marks: **80**

N.B.:

- 1) Attempt **ANY SIX** questions in all out of which Q. No. **1** and Q. No. **10** are **COMPULSORY**.
- 2) Q. No. **1** carries **20** marks and all other questions carry **12** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Res subjudice
 - b) Set off
 - c) Exparte decree
 - d) Caveat
 - e) Order
 - f) Mense profit
- Q.2** Every court has certain limits beyond which it can not exercise its jurisdiction. Discuss the classification of jurisdiction.
- Q.3** What is Res judicata? Differentiate between Res judicata and estoppel.
- Q.4** "Provisions relating to pleadings in civil cases are meant to give to each side intimation of the case of the other so that it may be met to enable courts to determine what is really at issue between parties and to prevent deviations from the course which litigation on particular cause of action must take". Comment with the help of case laws.
- Q.5** Define Decree. Enumerate various modes in which a decree can be executed.
- Q.6** "Appeal means the removal of the cause of inferior court to the superior court for the purpose of testing of soundness of the decision of the inferior court". Discuss the provisions of appeal.
- Q.7** Write a detail note on temporary injunction.
- Q.8** What is plaint? Examine when plaint can be rejected and returned.
- Q.9** Discuss the provisions for appearance and non appearance of parties under the civil procedure code.
- Q.10** Examine the nature and scope of limitation Act, 1963.

OR

Write short notes on the following:

- a) Acquisition of ownership by possession.
- b) Computation of period of limitation

BHUPALGAD-VIII (2008 COURSE) APRIL / MAY - 2012
SUBJECT: COMPANY LAW

Day: Saturday
Date: 05-05-2012

Time: 10:00 A.M. To 1:00 P.M.
Max. Marks: 80

N. B.

- 1) Attempt any SIX questions including Q.1 No which is **COMPULSORY**.
2) Q. No 1 carries 20 marks and all other questions carry 12 marks each.
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- Q.1** Write notes on any **FOUR**:
- a) Kinds of companies.
 - b) Doctrine of ultra vires.
 - c) Share warrant.
 - d) Doctrine of constructive notice
 - e) Buy back of shares
 - f) Lifting the corporate veil.
- Q.2** Define a company? What are the advantages of incorporation of a company?
- Q.3** "The Doctrine of Indoor Management in a silver lining to strangers dealing with the company ". Elucidate the statement.
- Q.4** A promoters stands in a fiduciary relation towards the company .Explain?
- Q.5** What is the difference between:
a) Share and debenture.
b) Transmission and Transfer of shares.
- Q.6** What are different kinds of meetings of the share holders of a company? When and how are these meetings held?
- Q.7** "The exact position of directors with regard to a company is hard to define. They are not servants of the company but are rather in the position of managing partners." Discuss this statement and bring out the exact position of directors in a company.
- Q.8** "A proper balance of the rights of the majority and minority shareholders is essential for the smooth functioning of a company". Comment and point out how it is achieved under Companies Act 1956.
- Q.9** What remedies are available to the minority share holder of a company against oppression and mismanagement?
- Q.10** When can a company be wound up by the court? Who are the persons entitled to present a petition for the winding up of a company by the court and what are the circumstances in which each may present the petition?