LL.B. (3 Year Degree Course) SEM-II (2009 Course) : WINTER - 2018 SUBJECT: CONSTITUTIONAL LAW-II

Day :

Saturday 27/10/2018

W-2018-1551

Time: 10.00 AM TO 01.00 PM

Max. Marks: 80

N.B.:

Date

- 1) Attempt any six questions including Q. No. 1 is COMPULSORY.
- 2) Question 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. Financial relations
 - **b.** Anti Defection Law
 - c. Tribal Areas and Scheduled Areas
 - **d.** Doctrine of pleasure
 - e. Impeachment of President
 - **f.** Power of Governor
- Q.2 Define Federalism .Comment on the features of Indian Constitution.
- Q.3 Critically evaluate the Administrative relation between Union and State.
- Q.4 President is the executive head of the state. Discuss the powers and function of the President.
- Q.5 What is state emergency? Explain the Judicial guidelines for imposing Presidents Rules with reference to S.R.Bommai v.Union of India.
- Q.6 Evaluate the legislative relationship between Centre and State.
- Q.7 Discuss the scope of reasonable opportunity for which a delinquent Civil Servant is entitled under the Indian Constitution.
- Q.8 'Provision for amendment of the Constitution is made with a view to overcome the difficulties which may encounter in future in the working of the constitution'. Comment.
- Q.9 What is Money Bill? Discuss the legislative procedure initiated in the formation of a Bill.
- Q.10 Parliamentary privileges are not codified in India. However Indian Constitutional confers certain privileges on the members of the Parliament and State legislature respectively. Discuss.

LL. B. (3 Year Degree Course) SEM-II (2015 Course) (Chose Based Credit System): WINTER - 2018

SUBJECT: CONSTITUTIONAL LAW - II

Day

Saturday 20/10/2018 W-2018-1507

Time: 10.00 AM TO 01.00 PM

Max. Marks: 60

N.B.:

Date

1) All questions are **COMPULSORY**.

2) All questions carry EQUAL marks.

The Constitution of India is neither Federal nor purely Unitary but is a combination Q.1 of both. Discuss.

OR

Under the Constitution of India, there is a three –fold distribution of legislative powers between the Union and the States. Critically evaluate the legislative relations between Centre and States.

Q.2 In the presidential system of America, President is real head of the executive, while in parliamentary form of Government President occupies the same position as King under England Constitution. Discuss the Constitutional position of President in India.

In order to ensure smooth and proper functioning of the administrative machinery at the two levels, the Constitution provides for a flexible, permissive and not rigid scheme of allocation of administrative responsibilities between the Centre and States. Comment.

The Constitution, though expressly confers amending Power on the parliament, but Q. 3 it's in Supreme Court which is to finally interpret the scope of such power and to spell out the limitation if any, on such amending power. Comment.

OR

Critically analyse the law of Parliamentary Privileges as available to the member of legislature in India.

Q. 4 Discuss the scope and protection given to civil servants under Art. 311.

OR

One of the chief -characteristics of the Indian Constitution is the way in which the normal federal Constitution can be adopted to emergency situation. Discuss the grounds for proclamation of National Emergency.

- The newly elected Bharatiya Party in Central Government immediately came into Q. 5 Power imposed president rule in 9 states. Where the opposition parties were ruling. Discuss the constitutional validity of these presidential rule.
 - **b)** Write notes on:
 - i) Anti-defection Law
 - ii) Money bill

OR

- a) The driver of a car maintain by the State of Maharashtra for official use, drove rashly and negligently while bringing it back from the workshop and knocked down of a pedestrian fatally injuring him. As a result of the injuries the pedestrian died. The wife of the deceased sue the state of Maharashtra for damages. Is the State liable?
- Write notes on:
 - i) Financial relations.
 - ii) Election Commission.

LL.B. (3 Year Degree Course) SEM-II (2009 Course) : WINTER - 2018 SUBJECT: CONTRACT-II

Day

Tuesday

W-2018-1549

Time: 10.00 AM TO 01.00 PM

Date:

: 23/10/2018

Max. Marks: 80

N.B.:

- 1) Attempt ANY SIX questions including Q. No. 1 which is COMPULSORY.
- 2) Q. 1 carries 20 marks and all other questions carry 12 marks each.
- Q.1 Write short notes. (ANY FOUR)
 - a) Agreement to sell
 - b) Partnership and Company
 - c) Delegates non potest delegare
 - d) Caveat Emptor
 - e) Holder in due course
 - f) Bailee's lien
- Q.2 Define Guarantee. Explain the rights and liability of surety.
- Q.3 'Finder of Goods is in a position of Bailee.' Elaborate.
- Q.4 Who is an unpaid seller? What are the rights available to an unpaid seller?
- Q.5 What is dissolution of firm? Explain the different modes for dissolution of firm.
- Q.6 Define Pledge. Explain the rights and duties of Pawnor & Pawnee.
- Q.7 Define Cheque. What is crossing of cheque? Explain different kinds of crossing of cheque.
- Q.8 Define Hire-Purchase Agreement. Explain the salient features of Hire Purchase Act.
- Q.9 Define Agent & Principal. Explain the various circumstances in which an agency gets terminated.
- Q.10 Define Promissory Note. Explain its essential elements and compare it with Bill of Exchange.

LL. B. (3 Year Degree Course) SEM-II (2015 Course) (Chose Based Credit System): WINTER - 2018

SUBJECT: ICT & LEGAL RESEARCH (SOFT SKILLS)

Day :

Thursday

: 25/10/2018

W-2018-1509

Time: 10.00 AM TO 01.00 PM

Max. Marks: 60

N.B.:

Date

1) All questions are COMPULSORY.

2) All questions carry EQUAL marks.

Q.1 "ICT for legal education and practicing lawyers would certainly enhance the development of a skilled; ICT capable labor force that can attract direct foreign investment as well as research and development activities." Discuss how ICT is important in legal education.

OR

"Soft skills can be said to incorporate all the aspects of generic skills that include the cognitive elements associated with non-academic skills." Bring out the importance of soft skills in legal profession.

Q.2 "The Internet is a global network providing a variety of information and communication facilities, consisting of interconnected computers using standardized communication protocols." Discuss and differentiate between TCP and IP protocols.

OR

Explain how the computers function using the binary system which is the smallest unit of data in computing.

Q.3 "Legal research denotes the exposition, description and justification of methods used in conducting the research in the discipline of law." Discuss and explain the types of legal research methodologies.

OR

Write short notes on:

- a) Useful websites in legal education.
- **b)** Document management.
- c) Advantages of COLR/CALR.
- Q.4 Bring out the vision of the National Policy and Action Plan for the implementation of ICT in the Judicial system to transform the Indian Judiciary and enable the Courts to make justice delivery affordable and quicker.

OR

Write short notes on:

- a) Data management and information security.
- **b)** Modes of communication through the Internet.
- c) Bulletin boards.
- Q.5 Explain the concept of 'Plagiarism'. Discuss the types of plagiarism and bring out the difference between 'Plagiarism' and 'Copyright Infringement'.

OR

Bring out the difference between 'footnotes' and 'endnotes' in relation to citations.

LL. B. (3 Year Degree Course) SEM-II (2015 Course) (Chose Based Credit System): WINTER - 2018

SUBJECT: JURISPRUDENCE

Day Date

Tuesday 30/10/2018

W-2018-1511

Time: 10.00 AM TO 01.00 PM

Max. Marks: 60

N.B.:

1) All questions are COMPULSORY.

2) All questions carry EQUAL marks

Q. 1 Many a times it has been stated that jurisprudence is devoid of practical application. Discuss the practical utility and importance of jurisprudence.

OR

- Q. 1 The main theme of the modern 20th century natural law theory is that it has embodied relative and more flexible concepts. Elaborate the essential characteristic of the modern natural law theory.
- Q. 2 Hans Kelsen strives to keep his theory pure by excluding all metaphysical aspects outside his theory. Explain Kelsen's theory of law

OR

- Q.2 According to the realist approach legislation are only considered as the guiding posts to enable the judiciary to actually and factually develop and establish the law in the form of precedents. Explain the realist approach to law.
- Q. 3 In practice the common law of England has been created by the judge made laws i.e. the precedents. Explain precedents as a source of law and elaborate upon the parts of the precedents.

OR

- Q.3 Few relationships are as vital to man as that of possession and the law however primitive strives to protect the concept of possession. Explain the concept of possession and state the different kinds of possession.
- Q. 4 Ownership is a legal concept and consists of various rights. Explain the concept of ownership and also state the various kinds of ownership.

OR

- Q. 4 The concept of corrective justice is a very old and fundamental concept of all the legal systems. Explain the concept of corrective justice and also state it's application to the Indian legal system.
- Q. 5 'A's father was in the hospital and he died. Advice 'A' about the legal personality of a dead person according to the principles of legal personality.

OR

Q. 5 'A' has committed theft in 'B' house. 'B' wants to sue 'A' and impute criminal liability. Advice 'B' on the essential ingredients of criminal liability according to the principles laid down in jurisprudence.

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LL.B. (3 Year Degree Course) SEM-II (2009 Course): WINTER - 2018 SUBJECT: JURISPRUDENCE

Day : Saturday W-2018-1548 Time : 10.00 AM TO 01.00 PM

Date : 20/10/2018 W-2018-1548 Max. Marks : 80

N.B.:

1) Attempt any SIX questions in all. 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.

- a) Concept of sovereign according to John Austin.
- b) Kelsen's concept of Groundnorm
- c) Concept of Volkgeist according to Savigny.
- d) Possession in law
- e) Legal personality of a corporation
- f) Obligation
- Q.2 Elucidate the nature and scope of jurisprudence.
- Q. 3 It is said that the modern 20th century natural law theory is a synthesis between the ancient natural law and the positive approach to law. Elaborate the modern natural law theory.
- Q. 4 Prof. HLA Hart has founded his theory on two basic concepts of primary and secondary rules. Explain the primary and secondary rules as evolved by Hart in his theory.
- Q. 5 Roscoe Pound has given a very elaborate classification of interests and he states that function of law is to balance the conflicting interests. Explain as to how the law has to balance the conflicting interests according to Roscoe Pound.
- Q. 6 Discuss legislation as a source of law and also elaborate on the different kinds of legislations.
- Q. 7 Rights are recognized and protected by the law. Explain the concept of rights and state the characteristic of a legal right.
- Q. 8 Ownership denotes the relation between a person and an object forming the subject matter of his ownership. Discuss the incidents of ownership.
- Q. 9 Explain the concept of liability and discuss the various kinds of liability.
- Q. 10 Explain the concept of distributive justice and state its application to the Indian legal system.

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LL. B. (3 Year Degree Course) SEM-II (2015 Course) (Chose Based Credit System): WINTER - 2018

SUBJECT: A) INSURANCE LAW

Day

Thursday

W-2018-1512

10.00 AM TO 01.00 PM Time:

Date

01/11/2018

Max. Marks: 60

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) Each questions carry 12 marks.
- Q.1 Define Contract of Insurance and explain various kinds of insurance.

OR

Contract of insurance is a contract based on 'utmost good faith'. Elucidate.

Write explanatory notes on Double Insurance and Re-Insurance. **Q.2**

Explain the nature and scope of liability insurance.

Q.3 Discuss the concept of the Marine Adventure and the Perils of the sea with reference to marine insurance.

OR

What are the essential features of Fire Insurance Contract? Explain fully.

Discuss the concept of 'insurable interest' under the life insurance. **Q.4**

OR

'Third party insurance is a must for running a motor vehicle in a public place'. Comment.

Q.5 What is 'Deviation' under Marine Insurance? When it is excused?

OR

- Write a note on:
 - i) Proposal in Life Insurance
 - ii) Subrogation
- b) During a fire, some articles of furniture were thrown out of a window and got damaged beyond repair. Is the insurer liable for this loss under a fire policy?

LL.B Sem-II (3 Year) (2015 COURSE) (CBCS): : WINTER - 2018
SUBJECT: HEALTH LAW (CONSTITUTIONAL LAW)

Day: Thursday

Time: 10.00 AM TO 01.00 PM

Date : 01-11-2018

Max. Marks: 60

W-2018-1513

N.B.:

1) All questions are **COMPULSORY**.

2) All questions carry EQUAL marks.

Q.1 "Each person, whether living in a developed, developing or underdeveloped nation, has a right to good health". Explain the International perspective of right to health.

OR

"World Health Organization is an international organization of the United Nations, which is committed to promote and protect the health of the people of the world". Explain the structure and functions of the WTO.

Q.2 "Good Health is a basic Human Right". Discuss the statement with reference to Constitutional provisions in India's Constitution.

OR

"Directive Principles and Fundamental Duties also promote good health for the people of India". Discuss.

Q.3 "Clean environment is an essential feature to promote good health". Discuss the provisions of Environment Protection Act, 1986 which highlights the relation between health and clean environment.

OR

"Women and children are a neglected section of the society with reference to good, healthy practices". Discuss the legal provisions to safeguard the health of these vulnerable sections of the society.

Q.4 "Medical Negligence has been seen in major contributor for patient mortality". Discuss the term "Medical Negligence" and legal provisions to control it.

OR

"Euthanasia has been approved by India as a right of patients who are terminally ill. But it has to be passive and not active". Explain the meaning of Euthanasia and the role of doctors.

- **Q.5** a) An unqualified practitioner operated upon a man for internal piles by cutting them and with an ordinary knife. The man died of bleeding. He was changed under section 304A of IPC. Decide.
 - **b)** Write note on Vicarious liability of hospital.

OR

- a) A radiographer, while treating a child with grenz rays for warts on the face, omitted to protect the healthy part of the face with a lead rubber, with the result that the child's face was burnt and permanently disfigured. Discuss the liability of hospital.
- **b)** Write a note on AIDS and the law.

LL.B. (3 Year Degree Course) SEM-II (2009 Course) : WINTER - 2018 **SUBJECT: MEDIA & LAW**

Day Date : 30/10/2018

Tuesday

W-2018-1552

Time: 10.00 AM TO 01.00 PM

Max. Marks: 80

N.B.:

- Attempt **ANY SIX** questions including Q. No. 1 which is **COMPULSORY**. 1)
- 2) Q. No. 1 carries 20 marks and other questions carry 12 marks each.
- **Q.1** Write short notes on (ANY FOUR)
 - a) Internet, as a mass media
 - b) Aarushi Case
 - c) Priyadarshani Matoo case
 - d) Romesh Thapar v Union of India
 - e) Limitations imposed on media during Emergency
 - f) Owner of the copyright
- Discuss the limitations imposed by the Constitution of India on the media **Q.2**
- Elaborate in detail how there can be a conflict between right to report and right Q.3 of an accused for having a fair trial, and state as to how the conflict can be resolved without taking away entirely any of the rights.
- Write a note on defamation and also state the exceptions available to the **Q.4** defendant.
- Discuss the infringement of copyright and state the remedies available to the Q.5 plaintiff in case of infringement.
- **Q.6** Elaborate the salient features of Right to Information Act 2005
- Explain in detail the role of the media in a democratic country like India **Q.7**
- Discuss the powers and functions of Press Council of India Q.8
- Explain in detail the objectives of Prasaar Bharati and how it helped in reducing **Q.9** the monopoly of the government in the television
- Write a note on the role self regulations for improving the standards of the Q.10 journalism.

LL.B. (3 Year Degree Course) SEM-II (2009 Course): WINTER - 2018 SUBJECT: OPTIONAL-II: b) INSURANCE LAW

Day

Tuesday

W 2010 155

Time: 10.00 AM TO 01.00 PM

Date

30/10/2018

W-2018-1553

Max. Marks: 80

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 12 marks each.
- Q.1 Write short notes on **ANY FOUR** of the following:
 - a) Lapse of LIC Policy
 - b) Premium
 - c) Double-Insurance
 - **d)** Change of voyage
 - e) Subrogation
 - f) Public Liability Insurance
- Q.2 Define Contract of Insurance and give the classification of insurance from the business point of view.
- Q.3 Give the meaning and nature of 'Insurable Interest' in case of Life Insurance.
- Q.4 Discuss the rights and liabilities of insurer and insured person.
- Q.5 Discuss nature and scope of Personal Accident Insurance.
- Q.6 Discuss the powers and functions of Insurance Regulatory and Development Authority under the IRDA Act, 1999.
- Q.7 Define and distinguish between Assignment and Nomination under the Insurance Act, 1938.
- Q.8 Define the term 'Perils of the sea' and give instances of 'Perils of the Sea'.
- **Q.9** Discuss the nature and scope of Fire Insurance Contract.
- Q.10 Discuss the nature and scope of Third Party Insurance under of the Motor Vehicles Act, 1988.

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LL. B. (3 Year Degree Course) SEM-II (2015 Course) (Chose Based Credit System): WINTER - 2018

SUBJECT: PRACTICAL PAPER-I (PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS & BAR BENCH RELATIONS)

Day:

Saturday

W-2018-1510

Time: 10.00 AM TO 01.00 PM

Date :

27/10/2018

Max. Marks: 60

N.B.:

1) All questions are COMPULSORY.

2) All questions carry EQUAL marks.

- Q.1 Explain case laws any Two of the following
 - a) M.B. Sanghi Advocate v. High Court of M.P AIR 1991 SC 1834.
 - b) C. Ravichandran Iyer v. Justice A.M. Bhattacharjee 1995(5).
 - c) Jaipur vikas pradhikaran v. Ashokkumar choudhary and Ors (2011) 14 SCC 105.
 - d) Supreme Court Bar Association and Ors. V. B.D. Kaushik (2012) 6 SCC 152.
- Q.2 Trace the development of legal Profession in India and also discuss the need and importance of professional ethics in India.

OR

"The legal profession is a profession and thus calls upon professional ethics which values higher than a trade or business". Discuss.

Q.3 "An advocate is bound to accept a case before any court, tribunal, or authority" Explain the duties of advocate towards the opponent and colleagues.

OR

Discuss the function of State Bar Council and Bar council of India under Advocate Act 1961.

Q.4 What is Professional misconduct? Explain the procedure adopted by disciplinary committee to try the case of professional misconduct.

OR

Define contempt of court what are the kinds of contempt explain with relevant case laws.

- Q.5 Write short notes on following
 - i) Inventory, cash discount and trade discount
 - ii) Revenue expenditure and capital expenditure

OR

Prepare Trial Balance from the following details provided by Mr.Dhanjay for the year ended 31.3.2017

Particulars	Amount	Particulars	Amount
Opening stock	60000	Bills receivable	600
Drawings	2500	Bills payable	1000
Insurance	600	Rent	3500
Salaries	2000	unpaid wages	800
Wages	2500	return inward	1000
Purchases	65000	return outward	500
Debtors	18000	cash at bank	4000
Investment	12000	office expenses	2700
Building	20000	travelling expenses	7000
Capital	40000	furniture	10000
General reserve	21600		
Carriage	2500		
Sales	130000		
Creditors	12000		

LL.B. (3 Year Degree Course) SEM-II (2009 Course): WINTER - 2018 SUBJECT: PRACTICAL PAPER-I (PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS AND BAR BENCH RELATIONS)

Day

: Thursday

W-2018-1550

Time: 10.00 AM TO 01.00 PM

Date : 25/10/2018

Max. Marks: 80

N.B.:

1) Attempt ANY SIX questions by choosing TWO from each Section.

2) Questions from Section 'A' and Sections 'C' carry 10 marks each and questions from Section 'B' carry 20 marks each.

SECTION - A

- Q.1 "Practicing law connotes devotion to justice." Comment.
- Q.2 Explain duties of lawyer towards client and opponent.
- **Q.3** Write notes on:
 - a) Restriction on employment of lawyer
 - b) Legal Aid

SECTION - B

- Q.4 Enumerate and explain power and function of State Bar Council.
- Q.5 Define Contempt of Court? What are the kinds of Contempt explain with relevant case laws.
- Q.6 Explain the concept of Professional Misconduct and explain the power of disciplinary committee under Advocate Act, 1961.
- Q.7 Explain case laws ANY TWO of the following:
 - a) Naraindas v. Government of M.P. (19100) 3 SCC 31.
 - b) Re: Vinay Chandra Mishra. (1995) 2 SCC 584.
 - c) M.B. Sanghi Advocate v. HC of M.P. AIR 1991 SC 1834.
 - d) Advocate General Bihar v. M.P. Khair Industries 1980 (3) SCC 311.

P.T.O.

SECTION - C

- Q.8 Define Accountancy and explain the rules of various kinds of accounts with examples.
- Q.9 From the following balances extracted from the book of Mr. Navnit as on 31st December, 2017 prepare a Trail Balance.

Particulars	Amount ₹
Navnit's capital	7,000
Purchases	8,000
Sundry Debtors	5,600
Sales	7,600
Stock 1-1-2017	1,000
Salaries	720
Insurance	40
Furniture	500
Navnit's Drawing	400
Sundry creditors	6,500
Purchase return	280
Sales return	160
Machinery	4,000
Carriage	100
Cash-in hand	50
Bills receivable	1,200
Cash at bank	2,000
Discount allowed	34
Bills payable	2,580
Discount received	38
Commission	46
Rent	240

- Q.10 From me following particular ascertain the balance that would appear in the Pass Book of Rajiv as on 31st December 2017.
 - a) The bank overdraft as per Cash Book as on 31st December 2017 was ₹ 18500.
 - b) Interest on overdraft ₹ 1200 is debited only in the pass book.
 - c) Bank charges debited in pass book only amounted to ₹ 100.
 - d) Cheque issued but not cashed Prior to 31st December 2017 amounted to ₹ 1500.
 - e) Interest on investment collected by banks and credited in the pass book only amounted to ₹ 1000.
 - f) Cheque paid into the Bank but not cleared before 31st December 2017 were ₹2000.
 - g) ₹ 1000 in respect of a dishonored cheque appears only in the Pass Book.

LL. B. (3 Year Degree Course) SEM-II (2015 Course) (Chose Based Credit System): WINTER - 2018

SUBJECT: SPECIAL CONTRACTS

Day Date Tuesday

· 1 desady · 23/10/2018 W-2018-1508

Time: 10.00 AM TO 01.00 PM

Max. Marks: 60

N.B.:

1) All questions are COMPULSORY.

2) All questions carry EQUAL marks.

Q.1 A) Ram owes Sham Rs. 10000/-. Ram appoints Sham as his agent to sell his landed property at Delhi and after paying himself (i.e. Sham) the amount due, Ram asks Sham to hand over the balance to him. Can Ram revoke his authority delegated to Sham?

OR

- Q.1 B) A agrees to give his old car worth Rs.80, 000/- for a new car worth Rs. 4, 00,000/- and agrees to pay the difference in cash. Is this a valid Sale under Sale of Goods Act? Answer the question by explaining essentials of a valid sale.
- **Q.2** A) Define Guarantee. Explain the circumstances in which a surety is discharged from his liability.

OR

- Q.2 B) Define Partnership. What are its essential characteristics? State the difference between a partnership and a Company.
- Q.3 A) Write Short Note on:
 - i) Termination of Agency
 - ii) Unpaid seller's right of lien

OR

- O.3 B) Write Short Note on:
 - i) Contract of Pledge
 - ii) Dissolution of firm
- Q.4 A) Define Bailment. Explain rights and duties of bailor and bailee.

OR

- Q.4 B) What is Bill of Exchange? Explain its essential features and also differentiate between Promissory Note and Bill of Exchange.
- **Q.5 A)** Define Conditions and Warranties under the Sale of Goods Act. When condition can be treated as a warranty? Explain Implied Condition in a Contract of Sale.

OR

Q.5 B) Define Endorsement. Explain the different kinds of Endorsements.

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