

Day : Saturday

Date : 04/12/2010



Time : 2.30 p.m. to 5.30 p.m.

Max Marks : 50

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**N.B.:**

- 1) Attempt **ANY FOUR** questions.
  - 2) All questions carry **EQUAL** marks.
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- Q.1** Objectivity, value neutrality and empiricism are considered to be the sine qua non of research. Discuss the importance of objectivity, value neutrality and empiricism in legal research.
- Q.2** A research design can be compared to the compass of a ship, as the research design points out the direction and steps of research to the researcher. Elaborate the steps involved in the preparation of research design.
- Q.3** Discuss the random and non-random sampling techniques.
- Q.4** Discuss the meaning and characteristics of the case study method of research.
- Q.5** The major advantage of questionnaire method of data collection is that data can be collected from a wide range of universe of research. Discuss questionnaire as a method of data collection.
- Q.6** The observation method of data collection is very helpful in cases where the elements of research are unable to give a verbal or written response. Discuss observation as a tool of data collection.
- Q.7** Discuss the hurdles involved in legal research in India; and also suggest a few suggestions to over-come those hurdles.
- Q.8** Write short notes on:  
a) Comparative model of research  
b) Legal impact analysis

Day : Thursday

Date : 02/12/2010



Time : 2.30 p.m. to 5.30 p.m.

Max Marks : 100

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**N.B.:**

- 1) Attempt **ANY FOUR** questions.
  - 2) All questions carry **EQUAL** marks.
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- Q.1** According to Bentham, there could be no reform of substantive law without the reform of its structure, so analysis of structure became an essential prelude to reform. Discuss Bentham's theory of law.
- Q.2** Austin has claimed that the sovereign must be illimitable, indivisible and continuous, critically analyse Austin's theory of law.
- Q.3** Karl Marx believed that social phenomena were like wise governed by some universal principle namely the economic principle, and he also tried to analyse law on this economic principle. Discuss.
- Q.4** Roscoe Pound in his theory laid such heavy emphasis on the existence of varied and competing interests and the need for adjustment between them, which will no doubt have enduring value. Explain the classification of interests as elaborated by Pound and also state suitable examples to show its applicability to the Indian legal system.
- Q.5** Hohfeld's work is of immense value as it not only draws attention to such terms as rights, liberties, powers immunities, but also distinguishes between them. Explain the two Hoheldian tables of rights and powers.
- Q.6** There exists an intricate relationship between law and justice, according to Salmond, the function of law is to achieve or secure justice; and justice depends upon law for its fulfillment or realization. Explain the theories which deal with the relationship between law and justice.
- Q.7** Discuss the 'reversal test' which is applicable to the ascertainment of ratio decidendi.
- Q.8** Write short notes on:  
a) Separation between laws and morals  
b) Realism

(S.D.E.)  
BHIMA- II : OCT / NOV - 2010  
SUBJECT : IV PENOLOGY -TREATMENT OF OFFENDERS

262

Day : Thursday  
Date : 09/12/2010



Time : 2.30 p.m. to 5.30 p.m.  
Max Marks : 100

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**N.B.**

- 1) Attempt any **FOUR** question.
  - 2) All questions carry **EQUAL** marks.
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- Q.1** "The object of criminal justice system is to reform the criminal but not to encourage him for the repetition of crime". Critically examine the above statement with reference to relevant theories of punishment.
- Q.2** Do you think, capital punishment is anti-reformist? Analyse the utility of capital punishment in the light of recent decisions of and the Supreme Court of India.
- Q.3** Critically evaluate the law relating to Probation and Parole as a tool of reformation of criminal, discussing effectiveness of such law.
- Q.4** Discuss evolution of prison system and modern experiments in this area with particular reference to Indian Prison System.
- Q.5** How far is the police in India able to achieve its objective of crime control? Suggest reforms in police organisation in India in the changing context.
- Q.6** Explain the concept of 'Open Prison'. Examine the role of open air prison in the scheme of reformation of prisoners.
- Q.7** Define 'Punishment' and examine the modern forms of punishments with special reference to imprisonment for life' in the light of judicial pronouncements.
- Q.8** Write short notes on:
- a) Deviance by custodial staff
  - b) Socio-economic background of juveniles

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(S.D.E.)

BHIMA - II : OCT / NOV - 2010

SUBJECT : IV - LAW OF MARRIAGE &amp; DIVORCE

Day : Thursday



Time : 2.30 p.m. to 5.30 p.m.

Date : 09/12/2010

Max Marks : 100

**N.B.**

- 1) Attempt any **FOUR** questions.
- 2) All questions carry **EQUAL** marks.

- Q.1** Indian Divorce Act 1869 was antiquated and out dates and not in tune with changing times has undergone revolutionary changes with enactment of Indian Divorce Act 2001. Give detailed analysis of Indian Divorce Act 1869 with recent amendments in Act of 2001.
- Q.2** The Supreme Court acknowledges children born of a legally valid marriage and children born of void marriage on equal state. Discuss the law relating to legitimacy of children, who are born of void and voidable marriage the help of relevant case laws.
- Q.3** Mohammedan Law has coined two terms Nikah and Muta, for legalizing sexual relationship and procreation of children. State the essentials of Muslim marriage and compare with incident of Muta Marriage.
- Q.4** Muslim Law has conferred absolute and arbitrary powers to Muslim male to repudiate the marriage. Criticize Muslim Law of divorce (Talaq) also state changes by Shariat Act 1937.
- Q.5** Law permeates every aspect of human life, conduct and relationship, whether it is commercial transaction or question of protection of life, liberty and property, law regulates person and intimate relationship like marriage and divorce. Trace concept of family, forms of family changing family pattern.
- Q.6** A Parsi Marriage is regarded as 'Contract' although Aashirwad Ceremony is essential for its validity. Stress importance of Aashirwad ceremony in Parsi Marriage along with the essentials of Parsi Marriage. Also differentiate a valid marriage from void and voidable marriage.
- Q.7** The basic foundation of marriage is one spouse is entitled to society, comfort and consortium of other spouse. But if other spouse has withdrawn or from society without reasonable cause or excuse, then aggrieved spouse can approach court for remedy. Critically analyse the Hindu Law and compare it with Muslim Law.
- Q.8** Write notes on :
- a) Validity of Hindu Marriage performed without ceremonies
  - b) Divorce by Mutual consent

**BHIMA- II: OCT / NOV - 2010**  
**SUBJECT: III - FEMINIST CRITIQUE OF LEGAL ORDER AND GLOBAL STANDARDS OF GENDER JUSTICE**

Day : Tuesday  
Date : 07/12/2010



Time : 2.30 p.m. to 5.30 p.m.  
Max Marks : 100

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N.B.

- 1) Attempt any **FOUR** questions.
  - 2) All questions carry **EQUAL** marks.
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- Q.1** Traditional Hindus Society which is patriarchal in nature has contributed towards inequities based on sex and gender. Critically analyze the role of patriarchal elements, which played significant role in oppression and suppression of women.
- Q.2** Familial ideology naturalizes and universalizes contribution of women as wife and mother, as economically dependant, passive, dutiful and self- sacrificing across broad range of personal laws. Give a critique of marriage and divorce provisions under personal laws.
- Q.3** Although women struggle for their liberation and have rejected biological determinism they find it very difficult to establish that unequal, hierarchy and exploitative relationship between men and women is due to social, that is historical factors. Critically analyze the Natural Law theory and compare with Legal positivism.
- Q.4** Gender Equality and Emancipation of women are the two pillars of feminist movement. Discuss how the feminist ideologies changed in view of contemporary movement. Comparatively analyze and trace feminist movement of women in Europe and America with women in India.
- Q.5** Law is a instrument of social change. The reforms can be achieved by law to a particular extent, but what is needs to change is the attitude of society, which perpetuate gender based crimes. Critically analyze the rape law and also discuss relevant case laws.
- Q.6** India is considered as progressive society, where the laws has guaranteed certain property rights to women. Comparatively analyze the property and inheritance rights of Muslim, Christian and Parse women.
- Q.7** Law as a means of liberation, has contributed towards making the position of women much stronger. Critically analyze the law relating to Employment and Labour conditions.
- Q.8** Write a short notes on:

Day : Saturday  
Date : 11/12/2010



Time : 2.30 p.m. to 5.30 p.m.  
Max Marks : 100

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**N.B.**

- 1) Attempt any **FOUR** questions.
  - 2) All questions carry **EQUAL** marks.
- 

- Q.1** In ancient system of Hindu Law, owner of property was not allowed to interfere with natural mode of devolution of property. State the devolution of property by survivorship and succession. State changes brought by Hindu Succession Act 1956 in mode of devolution of co-parcenary property.
- Q.2** The role of family courts is to reconcile the matters, yet many matters end up in divorce. Critically analyze the role of family courts in solving dispute. Are family courts, becoming Divorce Courts?
- Q.3** Explain the Scheme of succession to property of male intestate under Christian and Parsi Law of inheritance.
- Q.4** Compare the Provisions of Hindu Adoptions and Maintenance Act with those Mohammedan law
- Q.5** The Mohammedan law of inheritance is not ingeniously contrived system. State Hanafi Law of inheritance.
- Q.6** Where a clear charitable intention is expressed in instrument of Wakf it will not be permitted to fail because objects specified happens to fail, the income will be applied for benefit of poor or to object as near as possible. Discuss the statement in light of recent development in Muslim Law.
- Q.7** The Supreme Court observed that Stridhana of Hindu Married Woman is absolute clear and unambiguous owner of property. Examine position of Hindu Women under Hindu Succession Act 1956, as it abolished distinction between Hind women's estate and Stridhana.
- Q.8** Write notes on :  
a) Joint Hindu Family  
b) Maintenance Provisions under Hindu Law

(S.D.E.)  
BHIMA - II : OCT / NOV - 2010  
SUBJECT : III- CRIMINOLOGY : CAUSATION OF CRIME

260

Day : Tuesday  
Date : 07/12/2010



Time : 2.30 p.m. to 5.30 p.m.  
Max Marks : 100

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**N.B.**

- 1) Attempt any **FOUR** questions.
  - 2) All question carry **EQUAL** marks.
- 

- Q.1** Crime is an act which a particular social group regards as sufficiently menacing to its fundamental interests to justify formal reaction to restrain the violation. Define crime.
- Q.2** After an intensive study of physical characteristics of his patients and later on of criminal, Lombroso came to a definite conclusion that criminals were physically inferior acts. Discuss the Lombrosian theory of crime causation.
- Q.3** Karl Marx has propagated a view that crimes emerge solely out of capitalist domination of society. Elaborate the Marxian perspective of crime causation.
- Q.4** According to Edwin H. Sutherland crime is a learnt behaviour and this process involves both the techniques for committing the crimes and the attitudes and rationality or justifications for their committal. Discuss the theory of differential association.
- Q.5** Experience has shown that television and films have the maximum impact on the viewers due to combined audio-visual impact. Discuss as to how media acts as a factor of crime causation.
- Q.6** Discuss the cartographic or geographical theory of crime causation.
- Q.7** Despite far reaching development in correctional practices and improvement in the administration of criminal justice, there is a steep rise in recidivism . Discus the measures to combat recidivism.
- Q.8** Write short note on:
- a) Classical school of rime causation
  - b) Cohen-theory of sub culture.

**(S.D.E.)**  
**BHIMA - II : OCT / NOV - 2010**  
**SUBJECT : V - PRINCIPLES OF CRIMINAL LAW**

264

Day : Saturday  
Date : 11/12/2010



Time : 2.30 p.m. to 5.30 p.m.  
Max Marks : 100

**N.B.**

- 1) Attempt any **FOUR** questions.
- 2) All question carry **EQUAL** marks.

- 
- Q.1** The criminal law and morality share an intricate relationship, they do not share absolutely the same dimensions neither are they completely different. Discuss the relationship between criminal law and morality with reference the Hart and Devlin Controversy.
- Q.2** The outstanding feature of the ancient criminal law was that the paramount importance of the 'deed' for which he was held liable and the severe punishment he received for it. Discuss in brief the history of criminal law under the common law.
- Q.3** Discuss in detail the stages of commission of crime.
- Q.4** Discuss the criminal liability of an insane person as laid down in the M'c Naughten's case.
- Q.5** In the scheme of the Indian Penal Code 'Culpable homicide is genus and murder is it's species. Discuss the offence of murder as incorporated in the Indian Penal Code.
- Q.6** Discuss the offences and penalties as incorporated in the Environment (Protection) Act 1986.
- Q.7** Discuss the general principles of evidence related to the burden of proof.
- Q.8** Write short notes on:
- a) Rights of the accused
  - b) Appeal

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**(S.D.E.)**  
**BHIMA - II : OCT / NOV - 2010**  
**SUBJECT : V - PRINCIPLES OF CRIMINAL LAW**

264

Day : Saturday  
Date : 11/12/2010



Time : 2.30 p.m. to 5.30 p.m.  
Max Marks : 100

**N.B.**

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  - b) Appeal

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