

Total No. of printed pages = 5

19 (3-III) INPC 3.1

2013

INDIAN PENAL CODE

Paper : 3.1

Full Marks – 80

Time – Three hours

The figures in the margin indicate full marks for the questions.

Answer question Nos.1 and 2 and any *five* from the rest.

1. (i) Mens rea is — of crime. $1 \times 10 = 10$

- (a) Element
- (b) Injury
- (c) Backbone
- (d) Court

(ii) Accomplishment is the — of crime.

- (a) Element
- (b) Stage
- (c) Injury
- (d) Punishment

[Turn over

(iii) Mistake of fact is related to section ———.

- (a) 76 IPC
- (b) 302 IPC
- (c) 376 IPC
- (d) 77 IPC

(iv) Indian penal code defines assault in section ———.

- (a) 351
- (b) 378
- (c) 403
- (d) 409

(v) Unlawful Assembly is related to section ———.

- (a) 141
- (b) 301
- (c) 395
- (d) 34

(vi) Section 124 deals with

- (a) Sedition
- (b) Assaulting High Officers
- (c) Theft
- (d) Extortion

(vii) Culpable homicide is not murder if it is committed

- (a) in a sudden fight
- (b) in broad daylight
- (c) at midnight
- (d) secretly

(viii) The punishment for death by rash or negligence is ——— years imprisonment.

- (a) 10 years
- (b) 5 years
- (c) 2 years
- (d) 7 years

(ix) The punishment for theft is ——— years imprisonment.

- (a) 3 years
- (b) 5 years
- (c) 7 years
- (d) 10 years

(x) For a dacoity there must be at least

(a) 3 members

(b) 5 members

(c) 10 members

(d) 7 members

2. Answer the following :

2×5=10

(a) What are stages of crime ?

(b) Define intoxication.

(c) What is sedition ?

(d) What are the types of hurt ?

(e) What is called extortion ?

3. Define criminal conspiracy . Distinguish between criminal conspiracy and abetment. 12

4. Define crime. What are the different elements of crime ? Discuss. 12

5. What are the offences against the state ? Discuss. 12

6. What do you mean by homicide ? What are the types of homicide ? When culpable homicide is not murder ? 12

7. What is theft ? Distinguish between theft and extortion. 12

8. What are the different theory of punishment ? Discuss with the different types of punishment. 12

9. Write an essay on the topic "Mens rea" with suitable illustration and case. 12

Total No. of printed pages = 5

19 (3-III) CRPC 3.2

2013

CRIMINAL PROCEDURE CODE

Paper : 3.2

Full Marks – 80

Time – Three hours

The figures in the margin indicate full marks for the questions.

1. Choose the correct answer. (compulsory) :
1×10=10

(a) Bail is a matter of right

(i) True

(ii) False

(iii) None of the above

(b) Trial of warrant cases can be instituted

(i) On Police report

(ii) Without Police report

(iii) Otherwise than Police report

(iv) Both (i) and (iii)

[Turn over

(c) A person shall be eligible to be appointed as a Public Prosecutor if he has been in practice as an advocate for not less than —.

- (i) 4 years
- (ii) 2 years
- (iii) 7 years
- (iv) None of the above

(d) Section 125 deals with

- (i) Complaint
- (ii) Warrant trial
- (iii) Summary trial
- (iv) None of the above

(e) Criminal procedure code is a substantive law.

- (i) True
- (ii) False

(f) A complainant is a person who files

- (i) FIR
- (ii) Information
- (iii) Complaint
- (iv) None of the above

(g) 'Directorate of Prosecution' under section 25A may be established by

- (i) State Government
- (ii) Central Government
- (iii) Chief Justice of the High Court
- (iv) Public Prosecutor

(h) Search for persons wrongfully confined is provided under section

- (i) 97
- (ii) 100
- (iii) 24
- (iv) 98

(i) Maintenance of Public order and Tranquillity includes

- (i) Unlawful assemblies
- (ii) Public nuisances
- (iii) Disputes regarding immovable properties
- (iv) All the above

(j) An order under Sec. 144 Cr. P. C can be promulgated by District Magistrate.

- (i) True
- (ii) False

2. Write notes on :

2×5=10

- (a) Search warrant
- (b) Cognizable offence
- (c) Plea bargaining
- (d) Public Prosecutor
- (e) Discharge

3. What are the different classes of criminal court ? Discuss the powers and jurisdiction of various criminal courts. 2+10=12

Or

When Police may arrest a person without warrant ? Whether a magistrate can arrest a person ? Discuss the rights of an arrestee under Sec. 50. 6+2+4=12

4. Discuss the procedure of appeal in case of acquittal. What are the powers of an Appellate Court ? 6+6=12

Or

Who has the powers of Revision ? Discuss the powers of revision by High Courts. 4+8=12

17/19 (3-III) CRPC 3.2 (4)

1400

5. What is a Warrant of Arrest ? Who can issue a Warrant of Arrest ? To whom it can be directed ? Where a Warrant of Arrest can be executed ? What is the procedure for execution of a Warrant of Arrest outside jurisdiction ? 2+2+2+6=12

Or

What is an FIR ? Who can file an FIR ? Discuss the evidentiary value of FIR. 2+2+8=12

6. Discuss the procedure for trial before the Court of Sessions. Section 208 of the Cr. P. C is mandatory or not in case of Sessions trial ? 10+2=12

Or

What do you mean by inquiry and trial ? What are the distinctions between inquiry and trial ? 4+8=12

7. Discuss the various provisions relating to Charge and Joinder of charges. 12

Or

Define Bail. Under what circumstances a person can claim bail in a non-bailable offence ? What is an anticipatory bail and mention the provision ? 2+6+4=12

17/19 (3-III) CRPC 3.2 (5)

1400

Total No. of printed pages = 4

19 (3-III) MDLW 3.4 (Opt)

2013

MEDIA LAW

Paper : 3.4 (Opt)

(Old Course)

Full Marks – 80

Time – Three hours

The figures in the margin indicate full marks for the questions.

1. Answer the following questions : $1 \times 10 = 10$

(a) Defamation is a fundamental duty.
(True / False)

(b) Indecent Representation of Women's Act was introduced in the year _____. (1986/1996/2001)

(c) In which year was the Copyright Act brought into force ?

[Turn over

(d) Media personnel have no privileges. (True / False)

(e) Freedom of Silence is not a fundamental right. (True / False)

(f) Media has no impact on democracy. (True / False)

(g) Right to Information Act was enacted in the year _____. (2003 / 2005 / 2007)

(h) Press Law was introduced to regulate the activities of media personnel. (True / False)

(i) Freedom of Speech and Expression is defined in Article _____. (19 / 14 / 21).

(j) Broadcasters has no rights under the Press Law. (True / False)

2. Write short notes on : $2 \times 5 = 10$

(a) Press Law

(b) Public good

(c) Defamation

(d) Broadcasters Rights

(e) Telephone tapping

3. When was the National Securities Act brought into force ? What are the essential features of this Act ? 12

Or

4. Freedom of Silence is a fundamental right. Explain.

5. Discuss with illustrations how media is considered to be the 4th pillar of democracy. 12

Or

6. Write a note on the Indecent Presentation of Women's Act.

7. What are Media Personnel's privileges ? Explain with illustrations. 12

Or

8. Explain the history of media in India and the need of law to regulate media in India.

9. Write a note on Print Media and Press Law. 12

Or

10. What are Broadcaster's rights and Performer's rights ?

41/19(3-III) MDLW 3.4 (Opt) (3)

[Turn over

11. Critically examine the term 'public good' under the Press Law.

12

Or

12. Write a note on the Right to Information Act.

Total No. of printed pages = 4

19 (3-III) REMD 3.4 (O)

2013

RESEARCH METHODOLOGY

Paper : 3.4

(Old Course)

Full Marks - 80

Time - Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks : 1×10=10
- (a) A notification is done by _____ (Executive / Legislature).
 - (b) Civil law deals with _____ (Public / Private) wrongs.
 - (c) An official decision given at the completion of a law suit is a _____ (judgment / order).
 - (d) (Qualitative / Quantitative) _____ data is a requirement for case study method.

[Turn over

(e) A ——— (Research Problem / Hypothesis) must relate to a current social or legal happening.

(f) The last step of a research is ——— (interpretation / report writing).

(g) A judgement of the court is a ——— (Primary / Secondary) source of data collection.

(h) Telephonic conversation is a ——— (Observation / interview) method.

(i) Illiteracy is a drawback of adopting questionnaire method. ——— (Yes / No).

(j) The list of books referred must be included in ——— (sampling / report writing).

2. Answer the following : $2 \times 5 = 10$

(a) What do you understand by Criminal Law ?

(b) What is an enactment ?

(c) What do you understand by primary source of data collection ?

(d) What is research ?

(e) What is case study ? How it is done ?

21/19(3-III) REMD 3.4 (O) (2)

3. What is law ? What, according to you is the significance of law in research ? Discuss briefly what is public law and private law. 12

Or

Distinguish between the following : (any two) $2 \times 6 = 12$

(i) Civil law and Criminal law

(ii) Substantive law and Adjective law

(iii) Public law and Private law.

4. Write short notes on : $2 \times 6 = 12$

(i) Enactment

(ii) Reports of Commission.

Or

Write short notes on : $2 \times 6 = 12$

(i) Judgement

(ii) Notification.

5. Make a detailed note on Doctrinal and Non-doctrinal methods of study highlighting its significance. 12

21/19(3-III) REMD 3.4 (O) (3)

[Turn over

Or

Give a brief account of the methods of study. Which method, according to you is more preferable for legal research?

6. What is Research? What is the significance of Legal Research? State the qualities of a good researcher. 12

Or

Write a note on Hypothesis.

7. Write short notes on any two : $2 \times 6 = 12$
- (i) Questionnaire
 - (ii) Observation
 - (iii) Case study.

Or

What is Interview method? Discuss the various types of interview method. Does it suffer from any demerit? If yes, state them.

21/19(3-III) REMD 3.4 (O) (4)

Total No. of printed pages = 4

19 (3-III) REMD 3.4 (O)

2013

RESEARCH METHODOLOGY

Paper : 3.4

(Old Course)

Full Marks - 80

Time - Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks : $1 \times 10 = 10$
- (a) A notification is done by — (Executive / Legislature).
 - (b) Civil law deals with — (Public / Private) wrongs.
 - (c) An official decision given at the completion of a law suit is a — (judgment / order).
 - (d) (Qualitative / Quantitative) — data is a requirement for case study method.

[Turn over

(e) A ——— (Research Problem / Hypothesis) must relate to a current social or legal happening.

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21/19(3-III) REMD 3.4 (O) (2)

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(i) Civil law and Criminal law

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4. Write short notes on : $2 \times 6 = 12$

(i) Enactment

(ii) Reports of Commission.

Or

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(i) Judgement

(ii) Notification.

5. Make a detailed note on Doctrinal and Non-doctrinal methods of study highlighting its significance. 12

21/19(3-III) REMD 3.4 (O) (3)

[Turn over

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Or

Write a note on Hypothesis.

7. Write short notes on any two : 2×6=12
- (i) Questionnaire
 - (ii) Observation
 - (iii) Case study.

Or

What is Interview method? Discuss the various types of interview method. Does it suffer from any demerit? If yes, state them.

Total No. of printed pages = 4

19 (3-III) ADRS 3.5

2013

ALTERNATE DISPUTE RESOLUTION

Paper : 3.5 (P-1)

Full Marks – 60

Time – Two hours

The figures in the margin indicate full marks for the questions.

PART - A

(Compulsory)

1. Fill in the blanks with appropriate answer : 6×1=6
- (a) The primary goal of ADR is the resolution of disputes without the need for the —. (Litigation / Advocate / Solicitor)
 - (b) 'The fault is mainly of legal professionals. We ask for adjournments on the most flimsy grounds. If the Judge does not readily grant adjournment, he is deemed highly unpopular, I think it is the duty of the legal profession

[Turn over

to make sure that it co-operates with the judiciary in ensuring that justice is administered speedily and expeditiously, it is a duty of which we are totally oblivious'. Said by ———. (N. A. Palkhivala / Fali S. Nariman / Kapil Sibal)

(c) 'While we encourage ADR mechanisms, we must create a culture for settlement of disputes through these mechanisms. Unless the members of the Bar encourage their clients to settle their disputes through negotiations, such mechanisms cannot succeed.' Said by ——— (CJI Mr. Justice A. M. Ahmadi / Mr. V. R. Krishna Iyar).

(d) United Nations Commission on International Trade Law (UNCITRAL) prepared a Model Law on international commercial arbitration in ———. (1985 / 1983)

(e) The use of ADR, is promoted by the enactment of section ——— of the Code of Civil Procedure. (89 / 98)

(f) Justice delayed is ——— denied. (Justice / Ligation)

22/19(3-III) ADRS 3.5 (2)

PART - B (Compulsory)

2. Write short answer : 3×2=6

- (a) Article 51 of the Constitution of India
- (b) Conciliation under the Arbitration and Conciliation Act, 1996
- (c) UNCITRAL Law.

PART - C Answer any four questions Marks – 48

- 3. Discuss how far the ADR systems are effective as an alternative to traditional judicial methods.
- 4. What is a Lok Adalat ? Discuss its constitution and jurisdiction. What are the legal effects and benefits of settling disputes by Lok Adalat ?
- 5. Distinguish between Mediation, Conciliation and Arbitration with corresponding legal provisions in the Arbitration and Conciliation Act, 1996.

22/19(3-III) ADRS 3.5 (3)

[Turn over

6. What are the various modes of Alternative Dispute Resolutions (ADR) ? Discuss how far the ADR systems are effective as an alternative to traditional judicial methods.
7. Discuss and analyse the ADR provision under the Hindu Marriage Act, 1955.
8. Discuss in brief the facts and the principle of law laid down in :

National Insurance Company

Vs.

Amal Kumar Das AIR 1998 Gau 1

Or

Krishna Bhagya Jala Nigam Ltd.

Vs.

G. Arischandra Reddy (2007) 2 SCC 720