

2014

CONSTITUTION LAW II

(New Course)

Paper : 2-1

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
- (i) The President nominates 12 persons to the Rajyasabha from amongst the persons having special knowledge or practical experience in Literature, Science, Art and _____.
 - (ii) The hour after the question hour in the Parliament is called _____.
 - (iii) The validity of the Constitution (_____th amendment) Act, 1971 was considered by the Supreme Court in Kesavananda Bharati Case.

Contd.

(iv) One of the grounds of issue of the writ of certiorari is disregard of the principle of _____.

(v) According to Article 165, no tax shall be levied or collected except by _____ of law.

(vi) The doctrine of _____ was applied by the Privy Council in Profulla Kumar Mukherjee vs. Bank of Khulna.

(vii) In S. R. Bommai vs. Union of India, the Supreme Court has delivered important decision relating to the _____.

(viii) The majority decision in the case of Golok Nath vs. State of Punjab overruled _____ case.

(ix) Article _____ provides for the freedom of trade, commerce and intercourse throughout the territory of India.

(x) Article 324 provides for the appointment of an Election Commission to _____, direct and control elections.

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

- (a) What is the procedure of election of the vice-president ?
- (b) What is the meaning of 'Court of Record' ?
- (c) When can the President make a declaration of financial emergency ?
- (d) What is colourable legislation ?
- (e) How the election commission is constituted ?

3. Write on the nature, scope and extent of the executive power of the Union. 12

Or

Explain the position of the President of India. Refer relevant constitutional amendments and case laws. 12

4. Write an exhaustive note on writs. 12

Or

Narrate the provisions in the Constitution of India to maintain independence of judiciary. 12

5. What is the meaning of co-operative federation ? Explain about the composition, duties and procedure of Inter-State Council. $4 + 8 = 12$

Contd.

Or

Discuss the scheme of distribution of legislative powers between the centre and states in India.

What are the reasons for which centre has been made more powerful ? $8+4=12$

6. What are the effects of proclamation of emergency on fundamental rights ? Refer relevant amendments. $6+6=12$

Or

Discuss the scope and limits of the amending power under the Constitution of India with reference to important judicial decisions. $6+6=12$

7. Narrate the constitutional provisions with reference to important judicial decisions on freedom of trade, commerce and intercourse in India mentioning the restrictions provided therein. $8+4=12$

Or

Discuss the constitutional safeguards available to the civil servants. 12

Total number of printed pages-4

19 (3-II) FMLW II

2014

FAMILY LAW II

Paper : 2-2

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) A person becomes a Mahomedan usually by birth to parents professing _____
(Mahomedanism / Hinduism / Jainism)
 - b) If a Mahomedan husband becomes a convert to another religion the marriage is _____
(continuing / automatically at an end / none of the above)
 - c) Mahomedan law regards marriage as a _____
(sacrifice / holy purpose / civil contract)

- d) A Mahomedan cannot have more than four wives _____
(at the same time / in the life time / none of the above)
- e) Dower is the amount payable by the husband to the wife in consideration of the _____
(talaq / marriage / both of the above)
- f) Unpaid dower becomes payable to the wife immediately on _____
(marriage / attaining puberty / divorce)
- g) _____ means peace or submission to God's will.
(Islam / Muslim / Marriage)
- h) If a Muslim youth marries his wife's niece, then the marriage is _____
(regular / irregular / voidable)
- i) Muta Marriage means a _____
(permanent marriage / legal marriage / temporary marriage)
- j) A Mahomedan (male or female) who has not attained puberty _____ directly contract a marriage.
(cannot / can / may)

2. Write short answers :

2×5=10

- Significance of Islam
- Extra-judicial divorce
- Comparison of Sunni and Shia Laws relating to Guardianship
- Sadaqah
- Death-bed transactions

3. Answer the following questions : 12×5=60

- Who is a Muslim ? Explain the history of Islamic Law in India.

OR

- Discuss the various Sources of Muslim Law. Also mention the School of Muslim Law of Sunni and Shia.
- What is Nikah ? Mention the Essential requirement of valid Muslim marriage. Also make the differences between Sunni and Shia law of marriage.

OR

- Write in brief :

- Mahr
- Talaq

- e) Who is a Minor? Explain the process of Appointment of Guardian and Kinds of Guardian under Muslim Law.

OR

- f) What is Maintenance relating to Minority and Guardianship? Explain the Rights of Muslim divorced women to maintenance.
- g) Write in brief :
- 1) Hiba
 - 2) Shuffa

OR

- h) Write in brief :
- 1) Waqf
 - 2) Wasiyat
- i) Write a detailed note on The Indian Succession Act, 1925.

OR

- j) What is Uniform Civil Code? Explain the Need for Uniform Civil Code in India. Also mention the impediments to the formulation of the Uniform Civil Code by referring to the Article 44 of the Constitution of India.

Total number of printed pages-7

19 (3-II) SPCN

2014

SPECIAL CONTRACT-II

(New Course)

Paper : 2-3

Full Marks : 80

Time : Three hours

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

1. Multiple choice questions : 1×10=10
- (i) The surety stands discharged by —
- (a) revocation
 - (b) death
 - (c) variance in the terms of the contract without his consent
 - (d) all the above.

Contd.

- (ii) A Guarantee —
- (a) has to be in writing
 - (b) can be oral
 - (c) can be oral or in writing
 - (d) neither (b) nor (c).
- (iii) Under the Law of Agency the authority of an agent may be —
- (a) Expressed
 - (b) Implied
 - (c) Expressed or Implied
 - (d) Only (a).
- (iv) The term 'Specific Goods' has been defined in the Sale of Goods Act, 1930 under —
- (a) Sec. 2(12)
 - (b) Sec. 2(15)
 - (c) Sec. 2(13)
 - (d) Sec. 2(6).

- (v) 'Delivery' within the meaning of Sec. 2(1) of the Sale of Goods Act, 1930 can be —
- (a) actual
 - (b) constructive
 - (c) symbolic
 - (d) all the above.
- (vi) The minimum number of persons required for a partnership is —
- (a) two
 - (b) five
 - (c) ten
 - (d) twenty.
- (vii) A substituted agent can be appointed by —
- (a) Principal
 - (b) Agent
 - (c) Sub-agent
 - (d) all the above.

(viii) Pawnor's right to redeem is defined in The Indian Contract Act, 1872 under —

- (a) Sec. 171
- (b) Sec. 173
- (c) Sec. 175
- (d) Sec. 177.

(ix) The liability of partners in a partnership firm is —

- (a) Limited
- (b) Unlimited
- (c) Joint and Several
- (d) Both (b) and (c).

(x) Limited Liability Partnership was passed in the year —

- (a) 2006
- (b) 2007
- (c) 2008
- (d) 2009.

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

- (a) Who is Surety ?
- (b) Mercantile agent.
- (c) Partnership at Will.
- (d) Who is Co-agent ?
- (e) Rule of *Caveat Emptor*.

3. Discuss the rights of a surety against —

- (i) the creditors
- (ii) the principal debtor. $6 + 6 = 12$

Or

What is Pledge ? Discuss the rights of a pawnor. Is there any difference between bailment and pledge ? $3 + 4 + 5 = 12$

4. Who is an agent ? How does he differ from a servant ? Can a minor be appointed as an agent ? $2 + 5 + 5 = 12$

Or

What is agency by ratification? What are the requisites of a valid ratification? 4+8=12

5. Define Unpaid Seller. Discuss the rights of an unpaid seller. 12

Or

Discuss the rule of *Caveat Emptor*. Is there any exception to this rule? 12

6. "Although sharing of profits is an essential element of partnership, it is not the sole test" — Discuss. 12

Or

What is firm name? Discuss the rights of outgoing partner. 2+10=12

7. Explain the nature and scope of Limited Liability Partnership Act, 2008. How Limited Liability Partnership firm is different from partnership firm? 8+4=12

Or

Write short notes on : (any two)

6+6=12

- (i) Protection to whistle blowers
- (ii) *Nemodat qoud non habet*
- (iii) Different kinds of Agents.

Total number of printed pages—4

19 (3-II) LLWA (OP)

2014

LAND LAWS

(New Course)

Paper : 2·4

Full Marks : 80

Time : Three hours

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

***Q. 1 and 2 are compulsory and answer
any five questions from the rest.***

1. Fill in the blanks with suitable words as given in
brackets : 1×10=10

(a) The British Government in Assam welcomed
the theory of _____ state ownership of
lands. (absolute / partial)

(b) The Ahom king regarded himself as the
absolute _____ of all lands in the Ahom
kingdom. (proprietor / landholder)

Contd.

- (c) Proprietor is defined under section _____ of the Assam Land and Revenue Regulation, 1886. [section 3(f) / sec 2(f)]
- (d) Land holder acquires land under lease granted by Govt. for a period _____.
(not less than 10 years / more than 10 years)
- (e) A settlement operation generally covers a whole _____. (State / District)
- (f) In perfect partition a revenue paying estate is divided into two or more estates and each of them is _____ liable for the revenue assessed thereon. (separately / jointly)
- (g) The three 'F's of all tenancy laws are to secure namely, fair rent fixity of tenure and _____. (freedom of holding / freedom from arbitrary ejection)
- (h) An Occupancy tenant acquires the right of occupancy by _____ years continuous holding. (3 years / 5 years)
- (i) The tenancy right of a Non-Occupancy tenant is _____. (transferable / non-transferable)
- (j) The Assam Non-Agricultural Urban Areas Tenancy Act was passed in the year _____.
(1972 / 1955)

2. Answer in brief the following : 2×5=10
- (a) Who is a proprietor ?
- (b) What is a periodic lease ?
- (c) What is tribal belt ?
- (d) What is fair rent ?
- (e) What do you mean by under-tenant ?

3. Describe the rights that may be acquired in land under the Assam Land and Revenue Regulation, 1886. Whether any restriction is envisaged to such rights ? 12

Or

When, how and by whom can a "Defaulting Estate" be sold for recovery of arrears of revenue ? 12

4. Is the Assam Temporarily Settled Areas Tenancy Act, 1971 a measure of agrarian reforms ? If so how ? What are the salient features of the Act and what is the concept of tenancy laid down in the Act ? 12

Or

What are the different classes of tenant under the Assam Temporarily Settled Areas Tenancy Act, 1971 ? Briefly describe their rights and liabilities. 12

5. State the procedure for enhancement of rent under the Assam Non-Agricultural Urban Areas Tenancy Act, 1955. 12

Or

Write notes on :

6+6=12

- (a) Permanent structure and protection from eviction on the ground of permanent structure.
 - (b) Procedure for ejection of a tenant under the Assam Non-Agriculture Urban Areas Tenancy Act, 1955.
6. State in which areas the Assam Urban Areas Rent Control Act, 1972 is applicable. What are the duties of landlord and how these duties can be enforced under the Act ? 12

Or

Define Standard Rent. Describe the procedure for determination of fair rent under the Assam Urban Areas Rent Control Act, 1972. 12

7. Describe briefly the early history of the revenue administration in Assam during the British Rule. How far does it differ from present revenue administration ? 12

Or

The Assam Land and Revenue Regulation, 1886 is the Magna Carta of Land-rights in Assam. —Explain. 12

Total number of printed pages—4

19 (3-II) CRPS

2014

CRIMINAL PSYCHOLOGY

(Old Course)

Paper : OP-I

Full Marks : 80

Time : Three hours

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

1. (a) _____ is known as the founder of modern criminology. (Casere Bauria / Sutherland)
- (b) Rape is a _____ crime. (legal / political)
- (c) Homosexuality is an example of _____. (victimless crime / crime with a victim)
- (d) The offence of rape is defined by the section _____ of IPC. (375 / 275)
- (e) Section (304A / 304B) deals with the offence of abduction / dowry death.

Contd.

- (f) Juvenile delinquency and drinking are intimately _____. (connected / not connected)
- (g) Adultery is a crime against _____. (men / women)
- (h) Differential Theory of Association was put forward by _____. (Aristotle / Sutherland)
- (i) Drugs can be classified into _____ categories. (two / four)
- (j) _____ was the first criminologist to correlate crime with the heredity of the criminal. (Ferri / Lombroso) $10 \times 1 = 10$

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

- (a) What do you mean by Atavism ?
- (b) What is the punishment for rape ?
- (c) Write down Aristotles' Four laws of Association.
- (d) What is free-with theory ?
- (e) What is "KLEPTOMANIA" ?

3. What do you mean by terrorities ? What are various causes of terrorism ? 12

Or

What are causes of juvenile delinquency ? What are the measures taken by the legislature to prevent this juvenile delinquency ?

4. What do you mean by different types of crime against worker ? 12

Or

Discuss about the various characteristics of crime ? Discuss the "Born Criminal Theory" of Lombroso. Also mention the criticism put forwarded by different criminologists.

5. Critically discuss the sociological perspective of criminal behaviour. 12

Or

Write notes on Biological perspective of the analysis of crime.

6. Explain about positive school of crime. 12

Or

Explain about sociological school of crime.

7. Discuss about the various techniques adopted in the study of criminal behaviour. 12

Or

Explain the psychological prospective in the study of criminal behaviour. Also mention the main differences between Crime and Tort.