

*Total number of printed pages--4*

**19 (1) CNLW (I) 1.1(N)**

**2014**

**CONSTITUTIONAL LAW-I**

**(New Course)**

**Paper : 1.1**

*Full Marks : 80*

*Time : Three hours*

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

1. Fill in the blanks with appropriate answer given in the brackets. 1×10=10
  - a. People of India resolved to constitute India into a Sovereign, \_\_\_\_\_, secular, democratic Republic. (socialist / united)
  - b. Section 6A was inserted to the Citizenship Act, 1955 in conformity with the \_\_\_\_\_ ( Passport Act/Assam Accord)
  - c. Article 21A stands for \_\_\_\_\_ (right to education/ right to freedom)

*Contd.*



- d. Article \_\_\_\_\_ deals with double jeopardy. (18/20)
- e. Right to Equality is enumerated under part \_\_\_\_\_ of the Constitution of India. (III /IV)
- f. Article \_\_\_\_\_ deals with prohibition of discrimination against citizen. (14 / 15)
- g. The Articles 23 and 24 guarantee the fundamental Right against \_\_\_\_\_. (exploitation / religion)
- h. Protection of interest of minorities are provided under Article \_\_\_\_\_. (29 / 30)
- i. Article 44 deals with \_\_\_\_\_ (Uniform Civil Code / Free legal aid)
- j. 86<sup>th</sup> Amendment added Art \_\_\_\_\_ into Part IVA of the Constitution of India. ( 51A/51A(K) )
2. Write short notes on : 5×2=10
- Secularism
  - Define State
  - Right to Education
  - Judicial review
  - Article 48A

3. Write an exhaustive note on ideals of the preamble of the Constitution of India. Is Preamble a part of the Constitution ? 10+2=12

**OR**

Explain different modes of acquisition and termination of Citizenship under the Indian Citizenship Act. 1955. 12

4. Discuss in detail what is "Equality before law" and "Equal protection of Law". 6+6=12

**OR**

Write short notes on : (*any two*) 6+6=12

- Doctrine of Severability
- Doctrine of Eclipse
- Doctrine of Waiver

5. Write a detail note on different kinds of freedom guaranteed by the Constitution of India. Are such freedoms absolute ? 8+4=12

**OR**

"No person shall be deprived of his life and personal liberty except according to procedure established by law".

Explain and illustrate the statement with case law.

12

6. Discuss in detail about the "right to constitutional remedies" as enumerated under the Constitution of India. 12

**OR**

Write short notes : 6+6=12

- a. Right to freedom of religion
- b. Ninth schedule

7. Write an essay on Directive Principles of State policy. State the differences between directive principle of state policy and Fundamental rights. 8+4=12

**OR**

'The Constitution (Forty Second) Amendment Act, 1976, breaks new ground by introducing the innovative concept of Fundamental Duties of the citizens in the Constitution of India'

Discuss briefly the Fundamental Duties enumerated under the Constitution of India. What changes have been made in Article 51A by the 86<sup>th</sup> Amendment ? 9+3=12

Total number of printed pages -4

19 (I) FLAW (I) 1-2 (N)

**2014**

**FAMILY LAW-I**

(New Course)

**Paper : 1-2**

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with appropriate answers : 1×10=10
- (a) Hindu Law is a \_\_\_\_\_. (Lex-Loci / Personal Law)
  - (b) The Smritis in prose style are called \_\_\_\_\_. (Dharma Sutras / Dharma Shastras)
  - (c) 'Arsha' is an \_\_\_\_\_ form of marriage as per Old Hindu Laws. (approved form / unapproved form)
  - (d) \_\_\_\_\_ has been made punishable as an offence under the Indian Penal Code. (Monogamy / Bigamy)

*Contd.*



- (e) Sec. 21 of the Hindu Adoptions and Maintenance Act deals with the right of maintenance of the \_\_\_\_\_. (wife / dependants)
- (f) Under the present law of adoption the consent of wife is \_\_\_\_\_. (necessary / not necessary)
- (g) A guardian appointed by the will of the minor's father or mother is called \_\_\_\_\_. (Defacto guardian / Testamentary guardian)
- (h) The Natural Guardian \_\_\_\_\_ (can / can not) bind the minor by a personal covenant.
- (i) The order of succession provided by the Hindu Succession Act, 1956 is based on the concept of \_\_\_\_\_. (blood relationship / love and affection)
- (j) Gift under Hindu Law becomes-complete by \_\_\_\_\_. (delivery of possession / merely on acceptance)

2. Answer the following : 5×2=10

- (a) Who are Hindus and to whom the Hindu Law applies ?
- (b) How do you define "Equity, justice and good conscience" as a source of Hindu Law ?

19 (1) FLAW (I) 1-2 (N)/G 2

- (c) What is a void marriage under Hindu Law ?
- (d) What do you mean by divorce mutual consent ?
- (e) What is the relation of the Doctrine of Relation Back to adoption ?

3. Explain the different sources of Hindu Law and their significance as such. 12

**OR**

What are the principal schools of Hindu Law ? Describe the main differences between the two schools.

4. What do you mean by Restitution of conjugal rights ? Is there any difference between the two concepts 'Judicial separation' and 'Divorce' ? If so, what are they ? Explain. 12

**OR**

What are the different grounds of divorce under the Hindu Marriage Act, 1955 ? 12

5. Explain the provision of maintenance as per Hindu Adoption and Maintenance Act, 1956 relating to wife, children and aged parents. 12

19 (1) FLAW (I) 1-2 (N)/G 3

*Contd.*

**OR**

Write on :

- (a) Maintenance of Dependents
- (b) Remarriage under Hindu Law
- (c) Maintenance "Pendente lite" and 'Permanent alimony'.  $4 \times 3 = 12$

6. What are essential conditions of a Valid Adoption ?  
What is the effect of valid adoption ? 12

**OR**

What are the different kinds of Guardians ? What are the grounds of disabilities to be a guardian ? Explain in brief the powers of a Natural Guardian.  $2+4+6=12$

7. What are the provision of law relating to succession to property of a male Hindu as well as female Hindu ? 12

**OR**

Who is a karta of a joint family ? Discuss briefly his powers, position, duties as well as liabilities.



*Total number of printed pages--7*

**19 (1) LWCN 1-3 (N)**

**2014**

**LAW OF CONTRACT-I**

**(New Course)**

**Paper : 1-3**

*Full Marks : 80*

**Time : Three hours**

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

***Answer Q. Nos. 1 & 2 and any Five from the rest.***

1. Choose the correct answer :  $1 \times 10 = 10$

(a) An agreement not enforceable by law is stated to be void under —

(i) Section 2(g)

(ii) Section 2(d)

(iii) Section 2(c)

(iv) Section 2(f).

*Contd.*

- (b) A proposal when accepted becomes
- (i) agreement under Section 2(c)
  - (ii) Promise under Section 2(b)
  - (iii) Contract under Section 2(h)
  - (iv) None of the above.
- (c) A contract without consideration under Section 25 is
- (i) Valid
  - (ii) Voidable
  - (iii) Void
  - (iv) Illegal.
- (d) Parties are not competent to contract if any one of them is
- (i) minor, insane, declared unqualified
  - (ii) minor
  - (iii) insane
  - (iv) declared unqualified.

- (e) Consent is free if not caused by
- (i) Coercion
  - (ii) Coercion, undue influence, fraud and misrepresentation
  - (iii) fraud
  - (iv) Misrepresentation.
- (f) A contingent contract
- (i) is void
  - (ii) never becomes void
  - (iii) becomes void when the event becomes impossible
  - (iv) is voidable.
- (g) Recession of the contract means
- (i) cancellation of contract
  - (ii) renewal of original contract
  - (iii) alteration of contract
  - (iv) All the above.



- (h) An agreement in restraint of marriage ---
- (i) Voidable
  - (ii) Void
  - (iii) Illegal
  - (iv) None of the above.
- (i) Age of majority for the purpose of contract is ---
- (i) 16 yrs. for girls and 18 yrs. for boys
  - (ii) 18 yrs. for girls and 21 yrs. for boys
  - (iii) 18 yrs.
  - (iv) 21 yrs.
- (j) The law relating to tender of performance is laid down in
- (i) Section-37
  - (ii) Section-35
  - (iii) Section-36
  - (iv) Section-38.

2. Write notes on : 2×5=10
- (a) Characteristics of Proposal or offer
  - (b) Minor as a shareholder
  - (c) Agreement opposed to public policy
  - (d) Novation --- Essentials --
  - (e) Coercion.

3. What do you mean by 'Acceptance'? How acceptance made in prescribed manner? Discuss the rules regarding valid acceptance.

**Or**

What is proposal? Write down the essentials of a proposal in formation of contract. 4+8=12

4. Define contract. What are the elements of a valid contract? Explain briefly. 4+8=12



*Or*

Write down the different kinds of contract as found under Indian Contract Act 1872. 12

5. "Minor's agreement is void". Discuss the statement in detail. 12

*Or*

Define consideration. State the exceptions to consideration. 12

6. What are different kinds of agreement declared void under the Indian Contract Act 1872 ? 12

*Or*

Define free consent. What are the factors which vitiate free consent ? Explain them briefly.

4+8-12

7. What do you mean by performance and discharge of contracts ? Write in short accordingly. 12

*Or*

Write short notes on : (*any three*) 3×4=12

- (a) Characteristics of Quasi-contract
- (b) Injunction
- (c) Kinds of Govt. Contract
- (d) Specific Relief
- (e) Contingent contract.

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19(1) CNLW (I) 1.5 (O)

**2014**

## **CONSTITUTIONAL LAW -I**

(Old Course)

Paper : 1.5

*Full Marks : 80*

Time : Three hours

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

1. (a) Fill in the blanks with appropriate answer given in brackets. 10×1=10
- (i) Indian Constitution is basically a \_\_\_\_\_ Constitution with strong centralising tendency. (unitary / federal)
- (ii) India is \_\_\_\_\_ state. (Secular / not secular)
- (iii) There is \_\_\_\_\_ citizenship for whole India. (dual / single)

*Contd.*



- (iv) \_\_\_\_\_ operate as limitation upon the state action. (Directive principle / Fundamental right)
- (v) Freedom of speech is Subject to Initiations imposed under Article \_\_\_\_\_. [19(1) (a) / 19(2)].
- (vi) NU person \_\_\_\_\_ of any offence shall be compelled to be a witness against himself. (convicted / accused)
- (vii) Imposing on use of microphones and loud speaker at the Azan is \_\_\_\_\_ of right under Article 25. (violative / not violative)
- (viii) The right to admission into an educational institution conferred by Article 29(2) is a right of individual given to him as a \_\_\_\_\_ (citizen / citizen as well as non citizen)
- (ix) Directive principle of state policy of our Constitution is borrowed from \_\_\_\_\_ constitution. (Irish / English)
- (x) Fundamental Duties of a citizen of India has been added by the Constitution \_\_\_\_\_ Amendment Act, 1976. (42nd / 44th).

- (b) Write short notes on the following : 5×2=10
  - (i) Federal Constitution
  - (ii) Define State
  - (iii) Mention *two* salient features of Foreigners Act 1946
  - (iv) Explain Article 21-A
  - (v) Meaning of Minority

2. What is a state ? Is Judiciary a state ? 6+6=12

**Or**

What are the various modes of acquisition and termination of citizenship under the Indian Constitution. 6+6=12

3. Discuss in detail what is meant by "Equality before law" and "Equal protection of law". 6+6=12

**Or**

Write short notes on : 6+6=12

- (a) Doctrine of eclipse
- (b) Doctrine of waiver

4. What is meant by Double Jeopardy ? Explain the nature and scope of the "rule against double jeopardy" as incorporated in Article 20(2) of the Indian Constitution. 6+6=12

*Or*

Examine the scope of personal liberty as guaranteed by Article 21 of the Constitution. "Right to life" whether includes "Right to die". 8+4=12

5. Write a note on freedom of religion. Is a Uniform Civil Code practical in India ? explain. 8+4=12

*Or*

Write an exhaustive note on different kinds of "Writ" under Constitution of India. 12

6. Justify the incorporation of Fundamental Duties under the Indian Constitution. Whether any changes have been made in the Fundamental Duties. 8+4=12

*Or*

Compare and contrast the Directive Principle of State policy with the Fundamental Right. 12

Total number of printed pages-7

19(1) LWTR 1-4 (N)

2014

**LAW OF TORT INCLUDING MV ACT  
AND CONSUMER PROTECTION LAW**

(New Course)

Paper : 1-4

Full Marks : 80

Time : Three hours

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

*Answer Q. No. 1 & 2 and any five from the rest.*

1. Choose the correct answer : 1×10=10
- (a) The definition of 'Tort' is contained in
    - (i) The Limitation Act 1963
    - (ii) The General Clauses Act 1897
    - (iii) The Indian Contract Act 1872
    - (iv) The Indian Partnership Act 1932

Contd.



(b) Tort is a violation of

- (i) a right in personam
- (ii) a right in rem
- (iii) both right in personam and right in rem
- (iv) Neither right in personam nor right in rem.

(c) 'Ubi jus ibi remedium' means

- (i) Where there is right, there is remedy.
- (ii) There is no remedy without a wrong.
- (iii) There is no wrong without a remedy.

(d) Volenti non fit injuria is

- (i) a defence in an action for torts
- (ii) a ground for initiation for action
- (iii) not a defence in an action for torts
- (iv) both (ii) and (iii)

(e) Inevitable accident means —

- (i) an act of God
- (ii) an unexpected injury which could not have been foreseen and avoided
- (iii) an unexpected injury which could have been foreseen and avoided
- (iv) both (ii) and (iii)

(f) Act of state means —

- (i) an exercise of power against his own subjects.
- (ii) an exercise of power against the alien.
- (iii) an exercise of power against an alien and neither intended nor purporting to be legally founded.
- (iv) None of above.

(g) Under the vicarious liability, the liability is

- (i) Joint and Several
- (ii) Joint only
- (iii) Several only
- (iv) any of the above depending on the facts and circumstances.

(h) The Doctrine of common employment at present is applicable

- (i) In India as well as England
- (ii) Neither in India nor in England
- (iii) In India only
- (iv) In England only

(i) Nuisance can be

- (i) Public
- (ii) Private
- (iii) both private and public
- (iv) Either private or public

(j) Who is liable to pay compensation in case of death or permanent disablement ?

- (i) Owner of vehicle
- (ii) State Govt.
- (iii) Driver
- (iv) Insurance Company

2. Write notes on : 2×5=10

- (a) Damnum Sine injuria
- (b) No fault liability under M.V. Act.
- (c) Act of God
- (d) Requisites of defamation
- (e) Consumer's dispute

3. Define Tort ? What is its nature ?

Distinguish between Tort and Crime. 4+3+5=12

**Or**

What are the general conditions of liability in Tort.  
Discuss fully. 12



4. Write an exhaustive note on general defences of Torts. 12

*Or*

What do you mean by vicarious liability? How it is arisen? Discuss fully. 4+8=12

5. Define nuisance and distinguish between Public and Private Nuisance. 4+8=12

*Or*

What are the essential elements for liability for negligence? Write note on contributory negligence also. 6+6=12

6. Write an essay about objectives of the Consumer Protection Act, 1986. 12

*Or*

Who is consumer under the Consumer Protection Act. How a complaint can be filed? State. 6+6=12

7. Discuss the power and function of the District Forum in disposing complaint filed before it. 12

*Or*

Write on the following :

- (a) State Commission  
(b) National Commission.

6+6=12