

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB
MOHINDRA KOTHI, THE MALL, PATIALA - 147 001**



**B.A., LL.B. (HONS.) FYIC
JUNE - 2010
SECOND SEMESTER
SUBJECT: LAW OF CONTRACT - I
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) Is past consideration valid in Indian Law?
 - (ii) What is an offer and when is it complete?
 - (iii) Distinguish between fraud and misrepresentation
 - (iv) When is a person competent to contract?
 - (v) Explain illegal agreement
 - (vi) When is time the essence of contract?

- (ii) A, a merchant of Agra makes a contract to dispatch 100 quintals of gur to B at Delhi at certain price and B pays Rs. 500 as earnest money. None of the parties knew that the govt. had, sometimes previously passed a law prohibiting transport of Gur from one state to another. A was unable by reason of this law to send the Gur. B claims damages for non-performance, as well as refund of the earnest money. Is he entitled to those remedies?

Unit (V)

- (i) Explain essentials of a partnership?
- (ii) Explain the rights and duties of partner after the dissolution of a firm.

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks.**
- (i) Explain fully the principles on which the court would award damages for breach of contract?
 - (ii) What are the consequences of the dissolution of the firm? How do you describe the rights of the creditors after dissolution?
 - (iii) What are the rules of law relating to the time and place of performance of a contract? When is the time deemed to be the essence of the contract in the performance of contract and with what consequences?
 - (iv) Define consideration why it is essential in a contract? What are the legal rules regarding consideration?

- (vii) What is an anticipator breach of contract?
- (viii) Explain liquated damages
- (ix) Distinguish between Partnership and firm
- (x) Explain the doctrine of “Holding Out”

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i)(a) A offers, by a letter, to sell a certain article to B who receives the letter the next day. B immediately posts a letter of acceptance. The same evening A posts a letter revoking the offer. A’s letter of revocation and B’s letter of acceptance cross in the post. Is there a contract between A and B?
- (b) “A stranger to a contract can not sue” Are there any exception to this rule?
- (ii)(a) A minor fraudulently represented to a money - lender that he was of full Age and executed a mortgage deed for Rs.10, 000. Had the money lender any right of action against the minor for the money lent or for damages for fraudulent misrepresentation?
- (b) Explain the difference between coercion and undue influence.

Unit (II)

- (i) (a) A sold some land to B. At the time of sale both the parties believed in good faith that the area of the land sold was 200 bighas. It however turned out that the area was 150 bighas only. How is the contract of sale affected? Give reasons.
- (b) A promises to pay Rs. 5000 to B who is an intended witness in

Contd.....P.3

suit against A in consideration of B’s absconding himself at the trail. B absconds but fails to get the money. Can he recover?

- (ii)(a) A sells his grocery business, including goodwill to B for a sum of Rs. 50, 000. It is agreed that A is not to open another grocery store in the whole of India for the next 10 years. A opens another store in the same city two months later. What are the rights of the parties?
- (b) What are the void agreements and void contracts if the party who has recieved some benefit under a void contracts bound to restore it to the other party?

Unit (III)

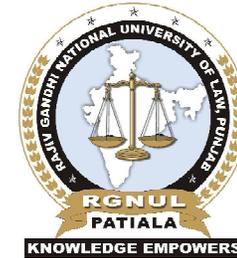
- (i) (a) A and B enter into a contract that A shall do some work for B for Rs. 500 A is ready and willing to do the work, but B prevents him from doing so. Advise A.
- (b) A contacted to make and deliver 500 pairs of shoes to B by January 1. A strikes to A’s employees prevented him from fulfilling his contract in a suit by B for beach of contract. A claimed that the contract was terminated by impossibility of performance. Was his defence good?
- (ii)(a) Explain the “Breach of Contract” as a mode of discharge of contract?
- (b) Discuss the doctrine of frustration and its applicability with reference to the provisions of *Indian Contract Act*.

Unit (IV)

- (i)(a) A contracts to pay B a certain some of money when B marriage C. C dies without married to B. Is the contract valid and enforceable?
- (b) Explain the term “Quasi Contract” and state their characteristics. Illustrate your answer by giving examples.

Contd.....P.4

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**B.A., LL.B. (HONS.) FYIC
JUNE - 2010
SECOND SEMESTER
SUBJECT: HISTORY - II
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) What was a 'Factory' and how it was established by the company?
 - (ii) Explain the term 'Adigar'
 - (iii) Briefly explain Rama Kamati's case
 - (iv) In short explain the constitution and working of the Recorder's Court
 - (v) Why were 'Supervisors' appointed by the Governor Verelst in Bengal in 1781

- (vi) How did code of 1781 make Sadar Dewani Adalat a lively and active institution?
- (vii) Describe the facts of Andrew Hunter v. Raja of Burdwan
- (viii) Enumerate the modifications made by the *Indian High Courts Act, 1911* over the *Indian High Courts Act, 1861*
- (ix) How and when did the Law Commissions were established?
- (x) Who were the 'Justice of the Peace' and how were they appointed?

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) 'Charter of 1661 granted extensive judicial power to the Governor and Council of a factory'. Comment.
- (ii) Why and how the Admiralty Court was established in Madras? Critically evaluate the functioning of this Court.

Unit (II)

- (i) Critically evaluate the functioning of the Supreme Court established under the Charter of 1774 in Calcutta over the judicial system under the Charter of 1753.
- (ii) How does Moro Raghunath's case depict the conflict between the Supreme Court and the Government relating to writ of Habeas Corpus?

Unit (III)

- (i) Critically discuss the provisions of the *Charter Act* of 1813.
- (ii) Do you agree that Privy Council still carries its importance in the Indian Judicial System?

Unit (IV)

- (i) How and why was Federal Court established in India? Discuss its functioning.
- (ii) '*The Government of India Act, 1935* conferred a very dignified status on the High Courts.' Comment.

Unit (V)

- (i) How and when the Law Reporting started in India along with its importance in the Legal Profession?
- (ii) Do you agree that the Legal Profession in India is still carrying the relics of British Regime?

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) Critically discuss various drawbacks in the Judicial System under the Charter of 1753.
- (ii) Discuss and critically evaluate the setting up of a Legislative Council under the *Charter Act* of 1833.
- (iii) 'Trial of Raja Nand Kumar was a Political murder.' Discuss.
- (iv) Discuss the challenge being faced by the Legal education in India in wake of the 'Foreign Education Provider Bill 2010.'

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**B.A., LL.B. (HONS.) FYIC
JUNE - 2010
SECOND SEMESTER
SUBJECT: ENGLISH -II
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

Attempt **All Questions** from this Section. Each Question carry **1 mark.**

(I) Do as Directed:

- (i) He says that he won't go. (Identify the clause)
- (ii) He could not answer the question I asked him. (Identify the clause)
- (iii) I did it because I wanted to. (Identify the clause)
- (iv) He confessed his crime. (Change from simple to complex sentence)
- (v) I called him but he gave me no answer. (Change from compound to simple sentence)

stern masters. They must be fed with coal, and given petrol to drink, and oil to wash with, and they must be kept at the right temperature, And if they do not get their meals when they expect them, they grow sulky and refuse to work, or burst with rage, and blow up and spread ruin and destruction all round them. So we have to wait upon them very attentively and do all that we can to keep them in a good temper already we find it difficult either to work or play without the machines, and a time may come when they will rule us altogether, just as we rule the animals.

And this brings me to the point at which I asked, "what we do with all the time which the machines has saved for us, and the new energy they have given us?" On the whole it must be admitted, we do very little. For the most part we use our time and energy to make more the better machines; will only give us still more time and still more energy and what are we to do with them? The answer, I think, is that we should try to become more civilized. For the machines themselves, and the power which the machine has given us, are not civilization but aids to civilization. But you will remember that we agreed at the beginning that begin civilized meant making and linking beautiful things, thinking freely, and living rightly and maintaining justice equally between man and man. Man has better chance today to do these things than he ever had before; he has more time, more energy, less to fear and less to fight against. If he will give his time and energy which his machines have won for him to making more beautiful things, to finding out more and more about the universe, to removing the causes of quarrels between nations, to discovering how to prevent poverty, then I think our civilization would undoubtedly be the greatest, as it would be the most lasting that there has ever been.

1. Instead of making machines our servants the author says they have become our masters. In what sense has this come about? **(1 Mark)**
2. The use of machines has brought us more leisure and more energy. But the author says that this has been a curse rather a blessing. Why? **(1 Mark)**

Contd.....P.5

Contd.....P.2

- (vi) Throwing off his coat, he plunged into the sea. (Change from simple to compound sentence)
- (vii) He inquired whether his name was not Ahmed. (Change Narration)
- (viii) "Have you anything to say on behalf of the Prisoner?" said the Judge finally. (Change narration)
- (ix) He asked me if I could accompany him (Change narration)
- (x) There is a slavery that no legislation can abolish the slavery of caste (Punctuate)
- (xi) The principal parts of a verb in English are the present tense. the past tense and the past participle (punctuate)
- (xii) My orchard was often robbed by schoolboys and my wife's custards plundered by the cats. (Punctuate)

Give one word Substitute for the following:

- (xiii) To dig up a corpse _____
- (xiv) To keep citizens in confinement _____
- (xv) A statement which is accepted as truth without proof _____
- (xvi) To bring a person before a court of law to answer a charge _____
- (xvii) That which cannot be made plain or understood _____
- (xviii) To pay the piper (use in sentence)
- (xix) A hard nut to crack (use in sentence)
- (xx) Where ignorance is bliss its folly to be wise (use in sentence)
- (xxi) allow/permit (use in sentence)
- (xxii) yoke/yolk (use in sentence)
- (xxiii) Cessante Rationo legis Cesta Lex Ipsa.

Contd.....P.3

- (xxiv) Qui Facit Per Alium Facit per se
- (xxv) Define Ex-post Facto

Section (B)

- (II) Attempt **One Question** from **Unit-I and II** and **Unit-III** is compulsory.

UNIT - I

Write an Essay on any one of the following :

- (i) Honour Killings
- (ii) Legal Education in India
- (iii) A Beggar can never be Bankrupt

(15 Marks)

UNIT - II

Write a letter to the Editor of a Newspaper discussing in detail the role of print media in famous trials.

OR

You are Secretary to the Bar Council of the district . Write a letter to the members, informing them about the annual meeting and inviting points for the agenda of the meeting.

(10 Marks)

UNIT - III

Read the passage below and Answer the question that follow it-

The third great defect of our civilization is that it does not know what to do with its knowledge. Science has given powers fit for the gods, yet we use them like small children. For example, we do not how to manage our machines. Machines were made to be man's servants; yet he has grown too dependent on them that they are in a fair way to become his masters. Already most men spend most of their lives looking after the waiting upon machines. and the machines are very

Contd.....P.4

3 What exactly is the meaning of “Civilization”? Do you agree with the author’s views? **(2 Marks)**

4 The author uses phrases like, “fed with coal”; “given petrol to drink”; “oil to wash with”; “kept at the right temperature” what machines would require these needs? **(1 Mark)**

Section (C)

(III) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) ‘There are two things which guide the conduct of men’. What are like two things and how can they guide a man’s conduct? (The Secret of Work).
- (ii) What are some of the forms of rebelliousness seen in young children? Is rebelliousness unavoidable in adolescence(The Generation Gap)
- (iii) Describe in detail the scene witnessed by the child in the poem ‘Night of the Scorpion’
- (iv) Nani Palkhivala’s convocation Addresses are meant to teach young minds about work, integrity and responsibility. Justify.

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Section (C)

(III) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) Summarize M.K.Gandhi’s ‘A Plea for Severest Penalty’.
- (ii) Both Grismold and Vanderbilt talk about essentials of being a lawyer. Elaborate.
- (iii) What lessons is one able to learn from M.C. Chagla’s Life?
- (iv) Nani Palkhivala’s convocation Addresses are meant to teach young minds about work, integrity and responsibility. Justify.

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**B.A., LL.B. (HONS.) FYIC
JUNE - 2010
SECOND SEMESTER
SUBJECT: SOCIOLOGY - II
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) Define “Bureaucracy”
 - (ii) What are the features of ‘Social change’?
 - (iii) What do you mean by westernization?
 - (iv) Name of the three stages according to Auguste Comte
 - (v) What are the features of social evolution?
 - (vi) Merits of Caste System

- (vii) How does Marx define 'Alternation'?
- (viii) How does Durkheim define 'Social Fact'?
- (ix) What do you mean by social stratification?
- (x) What are the features of "Class"?

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) Critically discuss any one theory of social stratification.
- (ii) Is caste changing into class in India? Explain.

Unit (II)

- (i) Distinguish between 'Sanskritization' and 'Westernization', using appropriate examples.
- (ii) Discuss the positive and negative consequences of modernization in India.

Unit (III)

- (i) Critically discuss Marx's theory of class struggle.
- (ii) Discuss Durkheim's theory of division of labour.

Unit (IV)

- (i) How are population and poverty associated in India? Discuss.
- (ii) What do you mean by social welfare? How does corruption impede it?

Unit (V)

- (i) Discuss the different forms of domestic violence as per the Protection of Women from *Domestic Violence Act, 2005*.

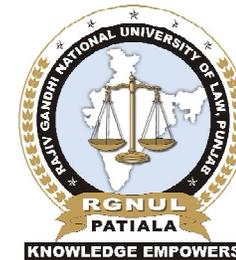
- (ii) Define 'Domestic Violence.' What are the consequences of domestic violence?

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) Illustrate the main arguments of Max Weber in his theory of religion.
- (ii) Discuss the causes and implications of unemployment and poverty as social problems in India.
- (iii) Critically discuss the provisions contained in the Protection of Women from *Domestic Violence Act, 2005*.
- (iv) Enumerate the changes in the importance of caste in post-independence India.

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**B.A., LL.B. (HONS.) FYIC
JUNE - 2010
SECOND SEMESTER
SUBJECT: POLITICAL SCIENCE- II
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) Plato's views on unity of ethics and politics
 - (ii) Aristotle's views on Justice as proportional Equality
 - (iii) Machiavelli's Republicanism
 - (iv) T.H.Green's concept of Liberty
 - (v) Karl Marx's Theory of Alienation
 - (vi) Marxism as ideology

- (vii) Kautilya's views on State
- (viii) Contribution of Manu's ideas to Indian Political Thought
- (ix) Robert Nozick's views on Justice
- (x) Jaya Parkash Narayan's concept of 'Total Revolution'

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) Discuss Plato's views on Communism.
- (ii) Discuss Aristotle as the critique of Plato.

Unit (II)

- (i) Discuss St. Thomas Aquinas views on the Church and the Nation-State.
- (ii) Discuss T.H.Green's views on Liberty.

Unit (III)

- (i) Discuss Lenin's Theory of Imperialism.
- (ii) Explain Karl Marx's view on ideology as false consciousness.

Unit (IV)

- (i) Discuss Kautilya's views on State.
- (ii) Identify the main short coming of Manu Smriti.

Unit (V)

- (i) Discuss Venoba Bhave's ideas on land Reform in India.
- (ii) Discuss M.N.Ray as a Revolutionary.

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.
- (i) Critically examine the basic principles of Maoism as an ideology.
 - (ii) Discuss the political ideology of Mahatma Gandhi. How far it is relevant in contemporary times?
 - (iii) Make a comparative study of 'Dialecticism' on given by Hegel and Marx.
 - (iv) Critically examine 'Plato' concept of Ideal State.

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**B.A., LL.B. (HONS.) FYIC
JUNE - 2010
SECOND SEMESTER
SUBJECT: COMPARATIVE LEGAL SYSTEMS
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

(1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**

Explain:

- (i) The Sources of Law
- (ii) Meaning of Legal Systems
- (iii) Twelve Tables
- (iv) Concept of 'Legal Systems'
- (v) Features of Civil Legal System
- (vi) Leninism

- (vii) House of Lords as a Legal Body
- (viii) Sources of Pakistan's Legal System
- (ix) Legalism
- (x) Concept of *Li* and *Fa* in the Chinese's Legal System

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) Write a short note on the Theories of classify various Legal Systems.
- (ii) "Every Legal System is a Mixed System". Comment.

Unit (II)

- (i) Write a brief note on Romano-Germanic Legal System.
- (ii) Discuss 'Legal Writings' of the Romans.

Unit (III)

- (i) Write a note on Civil Legal System.
- (ii) Trace the differences between the Common Legal System and the Civil Legal System.

Unit (IV)

- (i) Explain the evolution of the Chinese Legal System.
- (ii) Relate the Lenin's Ideology to the Russian Legal System.

Unit (V)

- (i) Write a note on the relevance of Mixed Legal System.
- (ii) Write a note on the present day status of the Religious Legal Systems.

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.
- (i) Explain various theories explaining the classification of various legal systems.
 - (ii) Establish the inter-relationship between the English and the Indian Legal System.
 - (iii) Compare and contrast the Islamic and the Hindu religious systems.
 - (iv) What is 'Comparative Law'? What is the significance and utility of studying Comparative Law?