

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



**B.A., LL.B. (HONS.) FYIC  
NOVEMBER - 2008  
FIFTH SEMESTER  
SUBJECT: PENAL LAW - 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) Define dishonestly
  - (ii) Explain good faith
  - (iii) Capital Punishment. Outline sections of I.P.C providing for punishment of death
  - (iv) Explain Sedition
  - (v) Define affray
  - (vi) What is giving of false information?

- (vii) Explain causing disappearance of evidence
- (viii) What is Water pollution under the I.P.C?
- (ix) Underline essentials of unlawful assembly
- (x) Explain obscenity as an offence under the I.P.C

### **Section (B)**

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

#### **Unit (I)**

- (i) Discuss Intra-Territorial jurisdiction of the I.P.C.
- (ii) Examine the defence of mistake of fact and mistake of law.

#### **Unit (II)**

- (i) Evaluate the offence of Criminal Conspiracy.
- (ii) Discuss the scope of Right of Private Defence.

#### **Unit (III)**

- (i) Outline Unlawful Acts of Public Servants.
- (ii) Explain essential ingredients of the offence of bribery under the I.P.C.

#### **Unit (IV)**

- (i) Explain the offence of fabrication of false evidence.
- (ii) Discuss offences relating to harbouring of offenders.

#### **Unit (V)**

- (i) Explain the offence of Public Nuisance with special reference to noise pollution.
- (ii) Examine the offence of defiling places of worship.

### **Section (C)**

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

- (i) Discuss the offence of unsoundness of mind. Do you want any change in the existing law under section 84 of the I.P.C?
- (ii) Evaluate the Principle of Constructive Criminal Liability and distinguish between common intention and common object.
- (iii) Examine abetment. Distinguish between Abetment by Conspiracy and Criminal Conspiracy.
- (iv) Write critical note on offences affecting public health under I.P.C.

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**B.A., LL.B. (HONS.) FYIC  
NOVEMBER - 2008  
FIFTH SEMESTER  
SUBJECT: CORPORATE LAW -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) Define the term of company
  - (ii) What is an Illegal Association?
  - (iii) What are Pre-incorporation Contracts?
  - (iv) Can a company ratify an act which is ultra vires the company?
  - (v) What constitutes Public Issue of Prospectus
  - (vi) What is the meaning of Deemed Prospectus?

- (vii) Who is a Director?
- (viii) What is meant by share Qualification of a director?
- (ix) Kinds of Resolution
- (x) What is a Statutory Report?

### Section (B)

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

#### Unit (I)

- (i) What is a corporate veil? When can it be lifted?
- (ii) Describe the procedure for effecting the conversion of a private company into a public company.

#### Unit (II)

- (i) What is the effect of issuing a certificate of incorporation? Can a court annul a certificate of incorporation which has been improperly issued?
- (ii) Explain the principle laid down in Royal British Bank v. Turquand. What are the exceptions to this principle?

#### Unit (III)

- (i) Who is a Promotor? Discuss his legal position in relation to the company which he promotes.
- (ii) Discuss the provisions of section 58-A of the *companies Act*, 1956.

#### Unit (IV)

- (i) "Directors are not only agents, but are also in some sense trustees of the company." Discuss.

- (ii) What are the statutory restrictions on the powers of director? Can a director hold an office of profit?

### Unit (V)

- (i) What are the objects of holding an annual general meeting? Who may call it? What are the consequences if a company does not hold such a meeting?
- (ii) When and in what manner and by whom an extra-ordinary general meeting be called?

### Section (C)

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

- (i) "Memorandum of association is a charter of the company." Comment upon the statement and explain the clauses which are included in a memorandum of association of a company.
- (ii) What is a Propsectus? What amounts to a mis-statement in a propectus? Who are liable for mis-statement in a prospectus? Explain the extent of civil and criminal liability for such mis-statement.
- (iii) What is the procedure for appointment and removal of directors of a company? Discuss.
- (iv) Discuss the legal requirements for the notice, quorum and voting in the meeting of a company.

- (ii) Examine the role of higher judiciary of Indian in protecting the environment by applying the principle of Sustainable Development while deciding the cases. Elaborate your answer with the help of latest case law on this point.
- (iii) Critically examine the Noise (Regulation and Control) Rules, 2000. Do you find them sufficient for controlling the Noise Pollution?
- (iv) The Apex Court observed that ‘the functioning of Central and State Boards are not satisfactory due to lack of environment expertise of appellate decision making authorities which has been disturbing the judicial conscience for quite sometime’. Comment.

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**B.A., LL.B. (HONS.) FYIC**  
**NOVEMBER - 2008**  
**FIFTH SEMESTER**  
**SUBJECT: ENVIRONMENTAL LAW**  
**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) Explain the concept of Environment
  - (ii) Explain the Fundamental Duty of the citizens of protect and improve the environment
  - (iii) What do you mean by Sustainable Development?
  - (iv) Discuss the “Polluter Pays Principle”
  - (v) What is the judicial attitude towards the “Noise Pollution”?
  - (vi) Discuss the objectives of “The Bio-Medical Waste (Management and Handling) Rules 1998

- (vii) Explain the Citizen's Suit provisions under the *Water (Prevention and Control of Pollution) Act, 1974*
- (viii) Discuss the provisions relating to Automobile Emissions under the *Air (Prevention and Control of Pollution) Act, 1981*
- (ix) Explain the term "National Parks" under the *Wildlife (Protection) Act, 1972*
- (x) Explain the restrictions in Trade or Commerce in Wild Animals

### Section (B)

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

#### Unit (I)

- (i) With the help of the landmark judgments delivered under Article 21 of the Constitution, illustrate that our Supreme Court has emerged as a champion of the right to healthy and hygienic environment?
- (ii) Discuss in brief the relevant provisions of the Indian Penal Code and the Criminal Procedure Code (Cr.PC) for protection of environment.

#### Unit (II)

- (i) Boutros Ghali commented on the Earth Summit that it "marked an important milestone in awakening the world to the need for development process that does not jeopardize future generations". Comment.
- (ii) Elaborate the relationship between the 'Precautionary principle' and the constitutional provisions on the environment protection.

#### Unit (III)

- (i) Whether a Company or the persons directly responsible for

the conduct of the business of the Company could be held liable for the offences committed under the *Environment (Protection) Act, 1986*? If yes, what penalties can be imposed upon them?

- (ii) Write a detailed note on the powers of the Central Government to protect and improve the environment under the *Environment (Protection) Act, 1986*. Briefly explain the actions so far taken by the Central Government under the EPA, 1986 to protect and improve the Environment.

#### Unit (IV)

- (i) "The fundamental objective of the Water (Prevention and Control of Pollution) Act, 1974 is to provide clean drinking water to the citizens." Discuss this statement in the light of the judgment of the Apex Court in AP Pollution Control Board II v. Prof. M V Nayadu (2000) 2 SCC 62.
- (ii) Elucidate the functions of the Central Board under the *Air (Prevention and Control of Pollution) Act, 1981*.

#### Unit (V)

- (i) State the provisions relating to prevention and detection of offences under the *Wildlife (Protection) Act, 1972*. How the property of a person may be forfeited for illegal hunting and trade?
- (ii) Explain the functions and powers of the Chief Wildlife Warden. How he exercise his powers for protection of Specified Plants?

### Section (C)

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

- (i) Discuss in detail the constitutional provisions for protection and improvement of environment.

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**B.A., LL.B. (HONS.) FYIC  
NOVEMBER - 2008  
FIFTH SEMESTER  
SUBJECT: HUMAN RESOURCES LAW  
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 “Industrial Jurisprudence”
  - (ii) Define “Wages” under the *Minimum Wages Act*, 1948
  - (iii) Explain who is workman under the *Industrial Disputes Act*, 1947?
  - (iv) Write brief note on “Notional Extension Theory of Premises”
  - (v) What rights are available to the recognised Trade Union?
  - (vi) Explain the approaches of the Social Security Legislations

- (vii) Differentiate between scope of '*Workmen's Compensation Act, 1923*' and '*Employees's State Insurance Act, 1948*'
- (viii) Write short note on the 'Disablement of the Worker'
- (ix) Define "Factory" under the *Factories Act, 1948*
- (x) Define 'Industrial Dispute' When does 'Individual Dispute' becomes 'Industrial Dispute'?

#### **Section (B)**

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

#### **Unit (I)**

- (i) Write a note on the evils of 'Industrialisation.'
- (ii) Explain 'Social Security System' in India.

#### **Unit (II)**

- (i) Explain procedure for fixation and revision of 'Minimum Wages.' Can there be different 'Minimum Wages' within a State?
- (ii) Explain consitutional validity of the *Minimum Wages Act, 1948*.

#### **Unit (III)**

- (i) Define Industry. Whether hospitals are Industry or not?
- (ii) Explain 'Retrenchment and Lay off.'

#### **Unit (IV)**

- (i) Explain Employer's liability to pay compensation.
- (ii) Explain various provisions for employment of young persons in factory.

#### **Unit (V)**

- (i) Explain Immunities and Privileges of Registered Trade Union.
- (ii) Define various benefits provided to employees under the *Employees State Insurance Act, 1948*.

#### **Section (C)**

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.
- (i) Explain Industrial Revolution in India.
  - (ii) Explain the various theories of wages.
  - (iii) Write explanatory note on Reference and settlement of Industrial Disputes.
  - (iv) Explain various provisions regarding Health and safety of workers.



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NOVEMBER - 2008  
FIFTH SEMESTER  
SUBJECT: PROPERTY LAWS  
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 do you mean by 'Un-Transferable Right of Occupancy'?
  - (ii) Whether Money buried in the ground is chattel?
  - (iii) What is Rule of Priority?
  - (iv) Define Sale
  - (v) What do you mean by 'Legal Subrogation'?
  - (vi) What is 'Usufructuary Mortgage'?

- (vii) What is the duration of leases in absence of 'Contract' or 'Custom'?
- (viii) What do you mean by Holding over?
- (ix) Whether debt passed into decree is an actionable claim?
- (x) What do you mean by Onerous Gift?

### Section (B)

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

#### Unit (I)

- (i) What are the differences between 'Vested' and 'Contingent' interest? Is vested interest is defeated by the death of the transferee before he obtains possession?
- (ii) Explain the 'Rule against Perpetuity'. Does this rule apply to covenant for pre-emption?

#### Unit (II)

- (i) Write a short note on 'Restrictive Covenant'.
- (ii) What is the effect of the *Benami Transactions (Prohibition of Right to Recover Property) Act, 1988* on transfer made by Ostensible Owner?

#### Unit (III)

- (i) Elucidate the Rules Relating to the Accessions to the Mortgaged Property.
- (ii) Write a short note on the kinds of Charges.

#### Unit (IV)

- (i) Differentiate between 'Lease' and 'Licence' in the light of Supreme Court Judgments.

- (ii) Write a short note on Exchange.

### Unit (V)

- (i) What are the modes of revocation of Gift?
- (ii) Write a short note on Actionable Claim.

### Section (C)

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

- (i) The English Doctrine of Election is based upon the principle of compensation, whereas Indian doctrine is based upon the principle of forfeiture. Explain.
- (ii) Discuss the doctrine of Part-performance. What is the effect of 2001 amendment on this doctrine?
- (iii) 'Once a mortgage, always a mortgage and nothing but a mortgage'. In the light of above statement discuss the right of redemption.
- (iv) Write a note on determination of leases.

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**B.A., LL.B. (HONS.) FYIC  
NOVEMBER - 2008  
FIFTH SEMESTER  
SUBJECT: CIVIL PROCEDURE CODE AND  
INDIAN LIMITATION ACT  
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 decree. Distinguish it from an order
  - (ii) What are mesne profits?
  - (iii) Who may be joined as Plaintiffs and Defendants in a suit?
  - (iv) What do you understand about 'Counter Claim' by defendant?
  - (v) What is discovery by interrogatories?
  - (vi) Explain briefly framing of issues

- (vii) What is 'Caveat'?
- (viii) State objects of law of limitation
- (ix) What is the effect of acknowledgement on limitation of Suits?
- (x) What is acquisition of easement by prescription?

### Section (B)

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

#### Unit (I)

- (i) Explain '*Res Judicata*'. What is 'Constructive *Res Judicata*'?
- (ii) Discuss law relating to place of suing in civil cases.

#### Unit (II)

- (i) What are pleadings? Explain rules relating to pleadings.
- (ii) Explain rules relating to appearance of parties and consequences of non appearance of parties in a suit.

#### Unit (III)

- (i) Discuss the law relating to grant of temporary Injunction in a civil suit.
- (ii) Explain the appointment of Commissions for local investigation in a civil suit.

#### Unit (IV)

- (i) What are mandatory requirements enshrined under *Code of Civil Procedure*, 1908 before filing a civil suit against the Government? What is the effect of non compliance with these provisions?
- (ii) What is 'Reference by a Court'? Explain objects and scope of such Reference.

### Unit (V)

- (i) 'Limitation extinguishes the remedy not the right' Explain.
- (ii) Explain the provisions of the *Limitation Act*, 1963 dealing with exclusion of time spent in pursuing proceedings before a court which lacks jurisdiction.

### Section (C)

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

- (i) Write a detailed note on kinds of Jurisdiction of Civil Courts with respect to institution of civil suits.
- (ii) Explain the following with reference to provisions of the *Code Civil Procedure*, 1908.
  - (a) Mode of service of Summons
  - (b) Pleading 'Set off' in Civil Suit
  - (c) Amendment of pleadings
- (iii) Discuss the law relating to computation of period of limitation in Civil Cases.
- (iv) What is adverse possession? When title to immoveable property is required through adverse possession? Explain different attributes to establish a claim of title to immoveable property through adverse possession.