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Third Year B.S.L. (1998 Pattern) Examination, 2009
(Paper – I) LAW OF CRIMES (New)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) *All questions are compulsory.*
2) *Figures to the **right** indicate **full** marks.*

1. “Offence = mens rea + actus reus”, comment. **16**

OR

Discuss various stages regarding commission of an offence.

2. Explain the offence of culpable homicide amounting to murder. **16**

OR

Write notes on the following :

- 1) Attempt to commit suicide.
2) Death by rash or negligent act.

3. Explain the right of private defence of the body. **16**

OR

Explain the right of private defence of property.

4. Explain the offence of dacoity. **16**

OR

Explain the offence of house breaking by night.

P.T.O.



5. Write notes on **any two** :

16

- 1) Valid consent.
- 2) Voluntarily.
- 3) Mischief.
- 4) Criminal force.

6. Answer **any four** of the following by giving reasons :

20

- 1) A, a person of unsound mind kills B. Discuss his liability.
 - 2) A, puts B in fear of instant death and compels him to kill C. Discuss A's liability.
 - 3) A, finds a valuable ring, not knowing to whom it belongs. A sells it immediately without attempting to discover the owner. Discuss A's liability.
 - 4) A, instigates a dog to spring upon Z without Z's consent. Discuss A's liability.
 - 5) A, instigates B to kill C. B refuses to do so. Discuss A's liability.
 - 6) A, finds the key of Z's house, which Z had lost and commits house trespass by entering Z's house, having opened the door with that key. Discuss A's liability.
-



[3638] – 33

**Third Year B.S.L. (New) Examination 2009
(1998 Pattern)**

**ENVIRONMENTAL LAW
INCLUDING LAWS FOR THE PROTECTION OF THE WILD LIFE
AND OTHER LIVING CREATURES INCLUDING ANIMAL WELFARE
(Paper – III)**

Time : 3 Hours

Max. Marks : 100

Instructions : 1) Question no. 9 is **compulsory**. Attempt **any five** questions out of the remaining.

2) Figures to the **right** indicate **full** marks.

1. Discuss the nature, scope and need of environmental law. **16**
2. What is environmental pollution ? Discuss the causes of it. **16**
3. Explain the powers and functions of Central and State Pollution Control Board under Water (Prevention and Control of Pollution) Act, 1974. **16**
4. Discuss the salient features of Stockholm Conference (1972). **16**
5. What is the effect of development on environment ? Discuss, also how sustainable development can be achieved. **16**
6. Discuss in details the provision relating to environment impact assessment. **16**
7. “No fault liability principle evolved by Indian Supreme Court has statutory recognition today”. Elucidate with reference to appropriate case laws and legislative measures in India. **16**
8. “By 1991 Amendment, the Wild Life (Protection) Act, 1972 has been made more effective”. Comment, by mentioning the important changes made by this Amendment. **16**
9. Write notes on **any two** of the following : **20**
 - 1) National Environment Appellate Authority.
 - 2) Post independence policies on pollution and forest.
 - 3) Taj Trapezium Case.
 - 4) Vellore Citizens Welfare Forum-vs-Union of India.



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Third Year B.S.L. Examination, 2009
(1998 Pattern) (New)
Paper – IV : CONSTITUTIONAL LAW

Time : 3 Hours

Max. Marks : 100

***Instructions :** 1) All questions are **compulsory**.
2) Figures to the **right** indicate **full** marks.*

1. Discuss the composition of Lok-Sabha and Rajya Sabha. **16**

OR

1. What do you mean by collective responsibility ? Give the interaction between Executive and Parliament. **16**

2. Discuss the Writ Jurisdiction of High Court. **16**

OR

2. Write a detailed note on Article 20 of the Indian Constitution. **16**

3. State and explain, equality before law and equal protection of law, with relevant case-laws. **16**

OR

3. Write an exhaustive note on Legislative Relations between Centre and State. **16**

4. Discuss the special leave petition of the Supreme Court. **16**

OR

4. Discuss the Planning and Finance Commission. **16**

P.T.O.



5. Write a detailed note on Article 15 of the Indian Constitution. **16**

OR

5. Discuss fully the principles of Interpretation of three lists. **16**

6. Write short notes on **any two** : **20**

1) State

2) Doctrine of Colourable legislation

3) Freedom from sexual harassment

4) Fundamental Duties.



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Third Year B.S.L. Examination, 2009
Paper – V : FAMILY LAW – II (New)
(1998 Pattern)

Time: 3 Hours

Max. Marks: 100

Instructions : i) *All questions are compulsory.*
ii) *Figures on the **right** indicate **full** marks.*

1. Discuss the role of the Karta in a Joint Hindu Family. **16**

OR

Define 'waqf'. Discuss the essentials of a valid waqf.

2. Define will and explain how an unprivileged will is executed. **16**

OR

Discuss the rules of succession in a case of a Hindu female dying intestate.

3. Write a full dressed note on stridhan and woman's estate under Hindu Law. **16**

OR

Define Hiba and explain various kinds of gifts under Mohameddan Law.

4. Discuss the principles of succession in case of a Christian dying intestate. **16**

OR

Explain the specific legacies and demonstrative legacies under the Indian Succession Act.

5. Write short notes on (**any two**) : **16**

i) Gains of learning

ii) Lapsing of Legacies

iii) Obstructed and unobstructed heritage

iv) Void Bequests.

P.T.O.



6. Write short notes on (**any four**) :

20

- i) Mutawalli
 - ii) Kinds of legacies
 - iii) Onerus bequest
 - iv) Legal necessity and benefit of estate
 - v) Full blood, half blood, uterine blood
 - vi) Essentials of a will under Mohameddan Law.
-



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III Year B.S.L. (1998 Pattern) Examination, 2009
ADMINISTRATIVE LAW (Paper – VI) (New)

Time : 3 Hours

Max. Marks : 100

*Instructions : 1) Question No. 8 is **compulsory**. Out of remaining attempt any five.*

*2) Figures to the **right** indicate **full** marks.*

1. “Administrative law is the law concerning the powers and procedures of administrative agencies, including especially the law governing judicial review of administrative action”-K.C. Davis. Discuss. **16**
2. Discuss in detail the doctrine of Rule of Law. How far it is incorporated under the constitution of India ? **16**
3. Discuss nature, meaning and growth of delegated legislation. Examine the constitutional validity of delegated legislation in the light of important judicial decisions. **16**
4. Critically evaluate the judicial review of administrative tribunals, in the light of recent Supreme Court judgements. **16**
5. Explain the nature, growth, rights and liabilities of public corporations. How the Parliament exercise control over it ? **16**
6. Attempt the following : **16**
 - a) The writs
 - b) Ombudsman
7. “The scope of tortious liability of the State has been substantially widened by the recent Supreme Court judgements”-Discuss. **16**
8. Write a comment on **any two** : **20**
 - a) Contractual liability of State
 - b) Govt. privileges in legal proceedings
 - c) Commission of Inquiry
 - d) Nemo Judex in re causa sua.



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Third Year B.S.L. Examination, 2009
TRUST, EQUITY AND FIDUCIARY RELATIONS
(1998 Pattern)
Optional Paper – VII (New)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) *All questions are compulsory.*
2) *Figures to the **right** indicate **full** marks.*

1. Define “trust” and explain its essential aspects. Enumerate the different kinds of trusts. **15**

OR

Explain the obligations in the nature of trust. Discuss any two of such obligations with examples.

2. Discuss the Liabilities and disabilities of trustees. **15**

OR

Explain the rights of the beneficiary.

3. Write short notes (**any two**) : **10**

- a) Trust and agency
- b) Vacating the office of trustee
- c) Liability of trustees in a breach of trust
- d) Revocation of trust.

4. Discuss the provisions of Bombay Public Trust Act regarding filing suit by or against a public trust or trustees. **15**

OR

Discuss the powers of the Charity Commissioner to remove, appoint or suspend trustees of a public trust.

P.T.O.



5. Enumerate the different types of public trusts. Explain the procedure of registration of a public trust. **15**

OR

Describe the provisions of Bombay Public Trust Act regarding duties of trustees and restrictions on trustees.

6. Write short notes (**any two**) : **10**

- a) Public Trust Administration Fund
- b) Order of surcharge by Charity Commissioner
- c) Change report
- d) Investment of public trust money.

7. Describe the most essential aspects of a fiduciary relationship. Give examples. **10**

OR

Discuss the nature of fiduciary relations between (a) Guardian and Ward (b) Directors of a company and shareholders.

8. Explain “equity” and discuss the recognition of equity under the Indian legal system. **10**

OR

Explain :

- i) Equity looks to the intent rather than the form. **10**
- ii) He who comes into equity must come with clean hands.



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Third Year B.S.L. Examination, 2009
Paper – VII : INSURANCE LAW (Optional) (New)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

N.B.: a) All questions are compulsory.
*b) Figures to the **right** indicate **full** marks.*

1. Examine the functions and benefits of Insurance. **20**

OR

1. State and explain the various types of policies of life Insurance. **20**

2. Distinguish between **any two** : **20**

- a) An assignment and Nomination
- b) Contribution and Subrogation
- c) Pure risks and Speculative Risks.

3. Define the term 'General Insurance Business' and discuss the provisions regarding 'Registration of class of insurance business' under the Insurance Act, 1938. **15**

OR

3. What are the provisions relating to 'Commission Rebates' and 'Licensing of agents under the Insurance Act, 1938 ? **15**

4. Discuss **any two** of the following with reference to Insurance Act, 1938 : **15**

- a) Provisions relating to winding up
- b) Amalgamation of Insurance business
- c) Powers of investigation and inspection by authority.

P.T.O.



5. Examine the functions of Life Insurance Corporation of India under the Life Insurance Corporation Act, 1956. **15**

OR

5. Define the term 'Acquiring Company' and state the provisions relating to transfer to public ownership of 'General Insurance Business' under the General Insurance Business (Nationalisation) Act, 1972. **15**
6. Explain **any two** of the following with reference to the Motor Vehicles Act 1988 : **15**
- a) Requirement of Policy and limit of liability.
 - b) Necessity of Insurance against Third Party risk.
 - c) Settlement between insurers and insured persons.
 - d) Duty of Insurer to satisfy Judgments and settlement with insured.



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Third Year B.S.L. (1998 Pattern) Examination, 2009
Paper – VII Optional Paper
WOMEN AND LAW AND LAW RELATING TO CHILD
(New)

Time : 3 Hours

Max. Marks : 100

- Instructions :** 1) Attempt **any two** questions out of questions 1, 2 and 3 from **Section I** and 4, 5 and 6 from **Section II**.
2) Question No. 4 and 8 are **compulsory**.
3) Figures to the **right** indicate **full marks**.

SECTION – A
Women and Law

1. The constitution makers while drafting the constitution were sensitive to the problems faced by women and made specific provisions relating to them. Art. 14, Art. 15 and Art. 16 aims to provide equal opportunities for women. Discuss these Articles along with important Supreme Court decision. **15**
2. State and explain salient features of the Dowry Prohibition Act, 1961. **15**
3. Discuss relevant provisions of the National Commission for Women Act, 1990. **15**
4. Write notes on **any two** of the followings : **20**
 - a) Uniform Civil Code
 - b) Concept of cruelty under Indian Laws.
 - c) Forced Prostitution
 - d) Immoral Traffic (Prevention) Act.

P.T.O.



SECTION – B
Child and Law

5. What are the constitutional rights of children in India ? How the Indian judiciary has responded to protect and safeguard the interest of the child ? **15**
6. Every suit by a minor shall be instituted in his name by a person who in such suit shall be called the next friend. Discuss in light of the Civil Procedure Code, 1908 as to who may act as next friend. Also discuss the protection given to the child under litigation **15**
7. Discuss the salient features of the Juvenile Justice Act, 2000. **15**
8. Write notes on **any two** of the following : **20**
- i) Right to Education
 - ii) Socio-legal issues relating to child marriages in India
 - iii) The Human Rights Act 1993 and the child protection
 - iv) Right against exploitation.
-



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Third Year B.S.L. Examination, 2009
Paper – VII : CO-OPERATIVE LAW (New) (Optional Paper)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) *All questions are compulsory.*
2) *Figures to the right indicate full marks.*

1. Discuss the historical perspectives of co-operation legislation in India. 15

OR

Enumerate and explain in brief the important recommendations of the A.D. Gorwala Committee on rural credit in India.

2. State and explain the powers of Registrar regarding registration and cancellation of registration of the societies. 16

OR

Explain the grounds and procedure for cessation of membership of a society.

3. “Final Authority of every society shall vest in the General Body of Members in General Meeting”. Discuss. 16

OR

Discuss in brief the procedure of elections of committees and officers of societies specified under Section 73G of the Maharashtra Co-operative Societies Act, 1960.

4. Discuss the power of Registrar to grant a certificate to certain society for the recovery of amount due to such society. 18

OR

State the provisions of the Maharashtra Co-operative Societies Act, 1960 relating to the powers of liquidator.

P.T.O.



5. Write notes on **any four** of the following :

20

- a) Deduction from salary to meet society's claim
- b) Rule of dam duppat
- c) Register's power to seize records of society
- d) Contempt of Co-operative Appellate Court
- e) Appeal against rejection of nomination paper at election
- f) Parties in disputes referred to the Co-operative Court.

6. Discuss the liabilities of the promoter as to the contents of an agreement for sale of flat under the Maharashtra Ownership of Flats (Regulation of Promotion of Construction, Sale, Management and Transfer) Act, 1963.

15

OR

Explain : a) Common areas and facilities b) Limited common areas and facilities
c) Common expenses and d) Common profits, under the Maharashtra Apartment Ownership Act, 1970.



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Third Year B.S.L. (1998 Pattern) Examination, 2009
(Optional Paper)
INTERNATIONAL ECONOMIC LAW
(Paper – VII) (New)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) Question no. 9 is **compulsory**. It carries **20** marks.
2) Out of the remaining questions, answer **any five** questions, each such question carries **16** marks.

1. State main features of the Final Act of Uruguay Round of GATT.
2. Discuss International conventions governing the Bill of Lading.
3. How ICJ and ICSID settle disputes in International Economic Law ? Explain.
4. Explain :
 - a) Theories of International Law.
 - b) Private and Public International Law.
5. Evaluate the role of World Trade Organisation and International Finance Corporation and discuss their contribution in development of International Economic Law.
6. How and why foreign investment is regulated and controlled ? Explain.
7. Examine functions and role of the following :
 - a) World Intellectual Property Organisation.
 - b) United Nations Development Programme.
8. Discuss the sources of International Economic Law.
9. Write notes on **any four** of the following :
 - a) World Bank Inspection Panel
 - b) International Chamber of Commerce
 - c) US-Iran Claim Tribunal
 - d) Most favoured nation treatment
 - e) Trade and Environment
 - f) UNCTAD.



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Fourth Year B.S.L. Examination, 2009
JURISPRUDENCE (NEW) (Paper – I) (1998 Pattern)

Time: 3 Hours

Max. Marks: 100

Instructions : 1) *Question No. 9 is compulsory. Out of the remaining attempt any five questions.*

2) *Figures to the right indicate full marks.*

1. “One version of realism was given by Salmond, who argued that all law is not made by the legislature”. Explain Legal Realism. **16**
2. Kelsen regards Jurisprudence as a normative science as distinguished from a natural science. Explain Kelsen’s pure theory of law. **16**
3. It is a distinguishing feature of the English legal system since most of the common law is unwritten and owes its origin to judicial precedent. Comment. **16**
4. Balancing of competing and conflicting interest is the basic goal or object of social engineering theory. Explain. **16**
5. What is the Hohfeldon theory of legal rights ? Explain the characteristics of Legal Rights. **16**
6. Explain the nature, kinds and theories of liability. **16**
7. Evaluate the necessity of administration of justice and point out the purpose of criminal justice. **16**
8. Explain Law of property and the modes of Acquisition of property. **16**
9. Write notes on **any two** : **20**
 - 1) Ownership
 - 2) Possession
 - 3) Custom
 - 4) Legislation.



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Fourth Year B.S.L. Examination, 2009
COMPANY LAW
(Paper – II) (New) (1998 Pattern)

Time : 3 Hours

Max. Marks : 100

*N.B. : 1) Question No. 9 is **compulsory**, it carries **20** marks.
2) Out of the remaining questions, answer **any five** questions,
each such question carries **16** marks.*

1. Explain Audit with appointment, powers and duties of auditors.
2. Explain the term corporate personality with its advantages and disadvantages.
3. Explain how to obtain membership in company and discuss forfeiture, surrender and lien of shares.
4. Explain the law relating to Winding up of the companies.
5. Discuss compromises, arrangements, reconstruction and amalgamation under company law.
6. Explain the position, duties and liabilities of directors of the company.
7. Discuss the doctrine of ultra vires and its role in memorandum of association.
8. What is prospectus and explain statement in lieu of prospectus with reference to the judicial citations.
9. Write notes on **any four** of the following :
 - a) Promoters
 - b) Foss v. Harbottle
 - c) Debentures
 - d) Annual general meeting
 - e) Article of association
 - f) Shelf prospectus.



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**Fourth Year B.S.L. Examination, 2009
(1998 Pattern)**

Paper – IV : CIVIL PROCEDURE CODE LIMITATION ACT (New)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) *All questions are compulsory.*
2) *Figures to the right indicate full marks.*

1. Write short notes on **any 2** : **20**

- i) Computation of period of limitation
- ii) Legal disability
- iii) Effect of acknowledgment in writing.

2. Explain the concepts 'Judgement, Decree and Order' under CPC. **16**

OR

Discuss the rules of pleadings in a civil suit.

3. Discuss in detail the provisions relating to suit by or against minor and a person of unsound mind. **16**

OR

Write short notes on **any 2** :

- i) Withdrawal and compromise of suit
- ii) Stay of execution
- iii) Affidavits.

4. What are the various modes of execution of a decree under CPC ? **16**

OR

Explain the doctrine of Res Judicata.

P.T.O.



5. Write short notes on **any 2** : **16**

- i) Caveat
- ii) Adjournment
- iii) Withdrawal and compromise of suit.

6. Discuss the following : **16**

- i) Court commissions
- ii) Interpleader suit.

OR

Explain :

- i) Misjoinder and non-joinder
- ii) Attachment before judgment.



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Fourth Year B.S.L. Examination, 2009

**Paper – V : CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE
(CARE & PROTECTION OF CHILDREN) ACT – 2000 AND PROBATION OF
OFFENDERS ACT – 1958
(1998 Pattern) (New)**

Time : 3 Hours

Max. Marks : 100

Instructions: 1) *All questions are compulsory.*
2) *Figures to the right indicate full marks.*

1. Explain the provisions regarding Trial before a court of session.

OR

Discuss in detail summary trial.

15

2. Discuss provisions regarding arrest of persons.

OR

Explain the provisions regarding execution, suspension, remission and commutation on sentences.

15

3. Explain the provisions regarding security for keeping the peace and for good behaviour.

OR

Discuss provisions regarding appeals.

15

4. Discuss the provisions regarding taking cognizance of an offence.

OR

Explain territorial jurisdiction of criminal courts.

15

5. Write notes on **any two** :

10

- 1) Cognizable and non cognizable offences.
- 2) Bailable and Non bailable offences.
- 3) Compoundable and Non compoundable offences.
- 4) Tender of pardon.

P.T.O.



6. Explain the aims and objects of juvenile justice Act with the help of provisions of the Act.

OR

Write notes on **any two** :

- 1) Juvenile Homes.
- 2) Bail and custody of juveniles.
- 3) Juvenile Welfare Board.

15

7. Write notes on **any two** :

15

- 1) Duties of Probation Officer.
 - 2) Procedure in case of offenders failing to observe conditions of bond.
 - 3) Restrictions on imprisonment of offenders under 21 years of age.
-



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Fourth Year B.S.L. Examination, 2009
(1998 Pattern)
Paper – VI : HUMAN RIGHTS AND INTERNATIONAL LAW
(New)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) All questions are compulsory.
*2) Figures to the **right** indicate **full** marks.*

1. Are the human rights a 'grant by the state' or they are inherent in human beings ?
Discuss the philosophy of nature of rights. **15**

OR

1. Discuss right to equality under part III of Indian constitution as a facet of human rights incorporated in International instrument. **15**
2. How covenant on economic, social and cultural rights is applicable in India ? **15**

OR

2. The covenant on civil and political rights incorporates the traditional human or fundamental rights conceived and proclaimed. Explain. **15**
3. Write short notes on **any 2** : **10**

- 1) Rights of aged
- 2) National human rights commission.
- 3) Rights of Tribal.
- 4) Role of legal profession.

4. Define International law by bringing out its nature and scope. Also explain its relevance and utility in the modern world. **15**

OR

4. Discuss the different theories of International law. **15**

P.T.O.



5. Define state succession and discuss the rights and duties arising out of state succession. 15

OR

5. State and explain the coercive methods of settlement of International dispute. 15
6. Give an account of diplomatic immunities and privileges available under International law. 15

OR

6. Treaty is an important source of an International law where in several steps are involved there under. Explain. 15
7. Write short notes on **any two** : 15
- 1) Law of state responsibility.
 - 2) War crimes.
 - 3) Exhaustion of local remedies.
 - 4) Concept of sovereign equality of states.
-



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Fourth Year B.S.L. Examination, 2009
(1998 Pattern)
Paper – VII : INTELLECTUAL PROPERTY LAW
(Optional Paper) (New)

Time : 3 Hours

Max. Marks : 100

*N.B. : a) Question No. 9 (Nine) is **compulsory**. Out of the remaining attempt **any five** questions.
b) Figures to the **right** indicate **full** marks.*

1. Explain the concept of 'Intellectual Property Law' and discuss the nature of intellectual property. **16**
2. Define the term 'Patent' and explain the provisions regarding 'Application for Patents' under Patents Act, 1970. **16**
3. Explain the following with reference to the Patents Act, 1970 :
 - a) Surrender and revocation of patents. **8**
 - b) Suits concerning infringement of patents. **8**
4. Describe the nature and subject matter of copyright. **16**
5. Discuss the following with reference to Copyright Act, 1957 :
 - a) Provisions relating to offences **8**
 - b) Copyright societies. **8**
6. Examine the provisions relating to 'assignment and transmission' under the Trade Marks Act. **16**
7. Explain the following with reference to the Trade Marks Act :
 - a) Rectification and Correction of the Register. **8**
 - b) Effect of Registration of Trade Mark. **8**

P.T.O.



8. Discuss the following (**any two**) :
- a) Patents of addition under the Patents Act, 1970 8
 - b) Rights of Broadcasting Organisation. 8
 - c) Registration of Designs under the Designs Act. 8
9. Write short notes on **any two** of the following : 20
- a) Infringement of copyright under the Copyright Act, 1957
 - b) Opposition to grant of patent under the Patents Act, 1970
 - c) Definitions 'Design' and Proprietor of design under the Designs Act
 - d) Salient features of semi conductor integrated circuits layout design.
-



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Fourth Year B.S.L. Examination, 2009
Paper – VII : CONFLICT OF LAWS (Optional Paper) (New)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

Instructions: 1) *Question No. 9 is compulsory. It carries 20 marks.*

2) *Answer any five out of the remaining. All questions carry 16 marks each.*

1. “Conflict of laws or Private International Law, in civil law countries, concerns, which jurisdiction, in case of legal disputes between private parties should be heard and which jurisdiction law should be applied.” Comment.
2. Explain how the problem of classification arises. Discuss in the light of doctrine of Lex Fori.
3. Discuss the private international law of property.
4. State and explain the rules regarding nationality and domicile in context of private international law.
5. Discuss the theories relating to application of law, with regard to foreign torts, with the help of decided cases.
6. Elucidate the doctrine of proper law of contract and discuss the subjective and objective aspects of the theory with suitable examples.
7. Explain in detail the theory of acquired rights.
8. Elaborate on the concept of ‘Stay of action’/proceeding.
9. Write short notes on **any four** of the following :
 - a) Connecting factor
 - b) Doctrine of Renvoi
 - c) Formal validity of marriage
 - d) Lex Causae
 - e) Re Duke of Wellington case
 - f) Characteristics of status.



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Fourth Year B.S.L. (1998 Pattern) Examination, 2009
INVESTMENT AND SECURITIES LAWS
Paper – VII (Optional Paper) (New)

Time : 3 Hours

Max. Marks : 100

*Note : 1) Q. No. 8 is **compulsory** and it carries **20** marks.*

*2) Answer **any five** of the remaining which carry **16** marks **each**.*

1. Trace the growth of securities legislation prior to independence and after independence.
2. Define Security. What do you mean by marketable Securities ? What securities are issued by the Government ?
3. What is meant by debt instrument ? Define a debenture. Who can issue them ? Is the law different for the issue of debentures regarding a listed and a non listed company ?
4. What do you mean by preference share ? Who can issue them ? Are they capable of being listed ? What are the disclosure norms for the issue of preference shares ?
5. Write a note on :
 - a) Secondary markets
 - b) Players in the secondary market.
6. Write a note on :
 - a) Underwriters
 - b) Brokers to the Issue
 - c) Manager to the Issue

P.T.O.



7. What are the requirements of the Securities Contract Regulation Act for a stock exchange to be recognised ? How can the recognition be withdrawn ?
8. Write a note on **any four** :
- a) Free transferability of listed securities under S. 22A of the Securities Contract Regulation Act.
 - b) Powers and functions of SEBI
 - c) Appeal to Securities Appellate Tribunal
 - d) Disclosures in the prospectus
 - e) Dematerialisation of securities
 - f) Mutual funds



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Fourth Year B.S.L. Examination, 2009
(1998 Pattern) (New)
Paper – VII : COMPARATIVE LAW (Optional Paper)

Time : 3 Hours

Max. Marks : 100

*N.B : a) Question No. 9 is **compulsory**. Out of the remaining attempt
any five questions.
b) Figures to the **right** indicate **full** marks.*

1. “Law as a Science cannot limit itself within its national boundaries but instead can have universal applicability”. In the light of above statement state how comparative law operates as an aid to the legislators. **16**
2. Discuss the origin, development and character of comparative law. **16**
3. Distinguish between comparative law and public International law. **16**
4. Describe the practical benefits of comparative law as an component of legal education by adopting it in the curriculum of universities. **16**
5. What are the comparative dimension of formation of contract ? Discuss the formation along with offer and acceptance. **16**
6. Explain the features or principles of Romano-Germanic family. **16**
7. Negligence is a breach of duty of standard of care. How this principle is applied in India ? **16**
8. Discuss the value of Judicial decision in civil law system and common law system. **16**
9. Write notes on **any two** : **20**
 - 1) Inquisitional/Acquisitional method of trial
 - 2) Vicarious liability
 - 3) Nordic family
 - 4) Subordinate legislation.



Fifth Year B.S.L. (1998 Pattern) (New) Examination, 2009
Paper – I : PROPERTY LAW INCLUDING TRANSFER OF PROPERTY
AND EASEMENT ACT

Time : 3 Hours

Max. Marks : 100

*Instructions : a) Question No. 9 is **compulsory**. Answer **any five** out of remaining.*

*b) Figures to the **right** indicate **full** marks.*

1. What is the 'transferable property' under sec-6 of the Transfer of Property Act, 1882 ? **16**
2. What is the rule of priority ? Explain in which cases this rule is applicable. **16**
3. What are the essential elements of a valid lease ? How does it differ from a licence ? **16**
4. What is mortgage ? What ingredients are essential to create a mortgage ? Discuss mortgage by conditional sale. **16**
5. What is an "exchange" ? Distinguish it from sale. **16**
6. Explain the rule of Lis-pendens. Under what circumstances it is applicable ? **16**
7. What is Gift ? Discuss the essentials of a valid gift. Can a gift be suspended ? **16**
8. Write short notes on **any two** : **16**
 - a) Election
 - b) Fraudulent transfer
 - c) Marshaling and contribution
 - d) Redemption and foreclosure
9. What are the customary Easements ? Enumerate the difference between customary easements and customary rights. **20**

OR

Define 'Easement'. What are the various remedies available when the right of easement is disturbed ?



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Fifth Year B.S.L. (1998 Pattern) Examination, 2009
Paper – II : LAND LAWS INCLUDING CEILING AND ANY OTHER
LOCAL LAWS (New)

Time : 3 Hours

Max. Marks : 100

N.B. : a) *All questions are compulsory.*

b) *Figures to the right indicate full marks.*

1. “Court may fix standard rent and permitted increases in certain cases.” Comment. **15**

OR

Define the term ‘Landlord’ and discuss the provisions relating to members of Armed forces of the union, Scientists or their successor-in-Interest entitled to recover possession of premises required for their occupation under the Maharashtra Rent Control Act, 1999. **15**

2. Explain **any two** of the following with reference to the Maharashtra Rent Control Act, 1999 : **8+7**

- a) Landlords duty to keep premises in good repair
- b) Definitions of tenant and paying guest
- c) Compulsorily Registration of tenancy agreement
- d) Special Provisions for making application of competent authority by landlord to evict tenant or licensee.

3. Examine the powers and duties of ‘Revenue Officers’ under the Maharashtra Land Revenue Code, 1966. **15**

OR

State the provisions relating to ‘Permission for non-agricultural use and Procedure for Conversion of use of land from one purpose to another’ under Maharashtra Land Revenue Code, 1966. **15**

P.T.O.



4. Explain **any two** of the following with reference to the Maharashtra Land Revenue Code, 1966 : 15

- a) Relinquishment of land
- b) Liability for land Revenue and Penalty for default of payment of land Revenue
- c) Appeals and Revision.

5. Examine the provisions relating to the landlord's right to terminate tenancy for personal cultivation and non-agricultural purpose under the Bombay Tenancy and Agricultural Land Act, 1948. 15

OR

Explain duties and powers of the Agricultural Lands Tribunal under the Bombay Tenancy and Agricultural Land Act, 1948. 15

6. Explain **any two** of the following with reference to the Bombay Tenancy and Agricultural Land Act, 1948 : 8+7

- a) Offences and Penalties
- b) Duties of mamlatdar
- c) Summary Eviction

7. Discuss the provisions relating to 'surplus land' under the Maharashtra Agricultural Lands (ceiling on Holdings) Act, 1961. 10

OR

Examine the provisions relating to 'Compensation' under the Maharashtra Agricultural Lands (ceiling on Holdings) Act, 1961. 10



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Fifth Year B.S.L. (1998 Pattern) Examination, 2009
Paper – III : ARBITRATION, CONCILIATION AND ALTERNATIVE
DISPUTE RESOLUTION SYSTEMS (New)

Time : 3 Hours

Max. Marks : 100

*N.B. : a) Question No. 9 (Nine) is **compulsory**. Out of the remaining attempt **any five** questions.*

*b) Figures to the **right** indicate **full** marks.*

1. Examine the provisions relating to ‘making of arbitral award and termination of proceedings’ under the Arbitration and Conciliation Act, 1996. **16**
2. Explain the composition, Jurisdiction and powers of the arbitral tribunals under the arbitration and conciliation Act, 1996. **16**
3. Discuss the following : **16**
 - a) Interim measures by the court.
 - b) Application for setting arise arbitral award.
4. Explain the following (**any two**) : **16**
 - a) Costs and deposits.
 - b) Settlement agreement.
 - c) Submission of statements to conciliator.
5. Examine the role of ‘Lok Adalats’ for amicable settlement of disputes. **16**
6. Evaluate the working of family courts under the family courts Act, 1984. **16**
7. Define the term ‘Consumer’ and discuss the Jurisdiction and procedure on admission of complaint in consumer disputes Redressal forum (District Forum) under the consumer protection Act, 1996. **16**
8. State and explain the various alternative models of settlement of disputes. **16**
9. Write short notes on **any two** : **20**
 - a) Fast-Track Arbitration.
 - b) Legal Aid scheme.
 - c) Panchayat system.
 - d) Need for the establishment of Administrative Tribunals.



Fifth Year B.S.L. Examination, 2009
INTERPRETATION OF STATUTES
(Paper – IV) (New)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

*N.B. : a) Question No.9 is **compulsory**. Out of the remaining attempt **any five** questions.
b) Figures to the **right** indicate **full** marks.*

1. Explain and illustrate the difference between ‘Consolidating Statute’ and ‘Codifying Statute’. **16**
2. What is beneficial construction of a statute ? Explain in detail. **16**
3. Critically examine the rules relating to the interpretation of taxing statutes. **16**
4. Discuss and explain various internal aids to interpretation of statute. **16**
5. Briefly explain the principles of construction in respect of Penal Statute. **16**
6. Discuss the principles of statutes affecting jurisdiction of courts. **16**
7. What are the general consequences of Repeal ? **16**
8. Whether, the penal statutes can operate retrospectively ? State also the general principles of retrospective operation of statutes. **16**
9. Write short notes on **any two** of the following : **20**
 - a) Statute must be read as a whole
 - b) *Pari Materia*
 - c) Rule of *casus omissus*
 - d) Non-obstante clause
 - e) Rule of construction *ex visceribus actus*.



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Fifth Year B.S.L. (1998 Pattern) Examination, 2009
Paper – V : PRACTICAL TRAINING – III
Professional Ethics, Accountancy for Lawyers and Bar Bench Relations

Time : 3 Hours

Max. Marks : 80

*N.B. : a) All questions are **compulsory**.
b) Figures to the **right** indicate **full** marks.*

1. Explain the concept of professional Ethics and discuss the duties of an Advocate towards client and society. **15**

OR

1. Examine the powers of the disciplinary committee of the state Bar council under the Advocates Act, 1961. **15**
2. Explain **any one** of the following with reference to the Advocates Act, 1961 : **10**
- a) Functions of the Bar council of India.
- b) Disqualification of members of Bar council and for enrolment.
3. Write a critical note on **any one** of the following cases : **10**
- a) P.D. Khandekar
Vs
Bar council of Maharashtra
(1984) 2 SCC 556
- b) P.D. Gupta
Vs
Ram Maruti
AIR 1998 SC 283
- c) D.P. Chadha
Vs
T.N. Mishra
AIR. 2001 SC 457

P.T.O.



4. Discuss **any two** of the following : **15**
- a) Kinds of contempt of court.
 - b) Punishment for contempt of court and defences.
 - c) Non-application of the contempt of court.
 - d) Bar-Bench Relations.
5. Pass the necessary journal entries to rectify the following errors : **15**
- 1) Machinery purchased for Rs. 8,000 from Philips Co. was debited to Purchases Account.
 - 2) Wages of Rs. 2,000 paid for construction of Buildings stands debited to Salary Account.
 - 3) Acquisition charges of Rs. 600 paid to Manish on purchased of Land was debited to Manish Account.
 - 4) Rs. 4,500/-paid by cheque to Naresh for purchase of typewriter was charged to office Expenses Account.
 - 5) Machinery Repairs paid to Onkar Rs. 2,700 were charged to Machinery Account.
 - 6) Payment of Rs. 390 for purchases of goods from Pragnesh during last month was debited to Purchases Account.
 - 7) Salary paid to Ritesh, a works Manager amounting to Rs. 4,200/-stands debited to Salary Account.
 - 8) Residential Quarters Rent paid to the Landlord Sambhajiroa Rs. 1,150 was debited to Rent Account.



6. From the following accounting balances available from the books of Ashok and Co. Pune for the year ended 31st March, 2006.

Prepare Trading Account as on that date.

Particulars	Rs.	
Stock as on 1 st April, 2005	2,700	
Purchases-cash	11,300	
Carriage on purchases	1,230	
Turnover-credit	56,700	
Wages	4,800	
Returns outward	1,200	
Import Duty	840	
Royalty on production	1,230	
Coal and coke	710	
Sales-cash	21,200	
Motive Power	920	
Freight Inward	360	
Gas and water	310	
Purchases-credit	23,700	
Sales Return	900	
Stock as on 31 st March, 2006	4,900	15

OR

6. Write short notes on **any two** of the following : **15**
- a) Importance of Book-keeping.
 - b) Concept of Bank Reconciliation statement.
 - c) Rules of 'Debit' and credit for different types of Accounts.



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Fifth Year (1998 Pattern) B.S.L. Examination, 2009
CRIMINOLOGY AND PENOLOGY (New)
(Paper – VII) (Optional Paper)

Time : 3 Hours

Max. Marks : 100

Instructions : 1) *Q. No. 8 is compulsory.*

2) *Attempt **any five** from the remaining questions.*

3) *Figures to the **right** indicate **full** marks.*

- | | |
|---|----|
| 1. Discuss in detail the problems of police in India. | 16 |
| 2. Explain various schools of criminology. | 16 |
| 3. Trace the history of prison system. | 16 |
| 4. Discuss the recommendations of national police commission. | 16 |
| 5. Is criminology a science. Explain. | 16 |
| 6. Discuss William Bonger's theory of criminology. | 16 |
| 7. Discuss the objectives of criminal justice system. | 16 |
| 8. Write notes on any four : | 20 |
| 1) Clinical approach of crime prevention | |
| 2) Open Prison | |
| 3) White collar crime | |
| 4) Enrico Ferris contribution to criminology | |
| 5) Marxist theory | |
| 6) Individual and Environment. | |



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Fifth Year B.S.L. Examination, 2009
Paper – VII : TAXATION LAW
(Optional Paper) (New)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

***N.B :** a) Question No. 9 (Nine) is **compulsory**. Out of the remaining attempt **any five** questions.
b) Figures to the **right** indicate **full** marks.*

1. Discuss the following with reference to Income Tax Act, 1961.
 - a) Previous year b) Capital Assets
 - c) Income d) Return of Income**16**
2. Explain the provisions relating to clubbing of income under the Income Tax Act, 1961. **16**
3. What are the powers of Income Tax Officers under the Income Tax Act, 1961 ? **16**
4. Examine the provisions relating to 'Advance Payment of Tax' under Income Tax Act, 1961. **16**
5. Enumerate the assets which are exempted from the Wealth Tax under the Wealth Tax Act, 1957. **16**
6. Discuss the provisions regarding 'Assessment' under the Wealth Tax Act, 1957. **16**
7. State the provisions relating to 'Levy and Collection of Duty' under the Central Excise Act, 1944. **16**
8. Explain the following with reference to the Central Excise Act, 1944 :
 - a) Appeals **8**
 - b) Utilization of Consumer Welfare Fund. **8**
9. Write short notes on **any two** of the following : **20**
 - a) Refunds under the Income Tax Act, 1961.
 - b) Deductions from salaries.
 - c) Determination of value of assets under the Wealth Tax Act.
 - d) Adjudication of confiscations under the Central Excise Act, 1944.



Fifth Year B.S.L. Examination, 2009
Paper – VII : BANKING LAWS INCLUDING NEGOTIABLE
INSTRUMENTS ACT
(Optional Paper) (New)
(1998 Pattern)

Time : 3 Hours

Max. Marks : 100

*N.B.: a) Question No. 8 is **compulsory**. Out of the **remaining** attempt
any **five** questions.
b) Figures to the **right** indicate **full** marks.*

1. Examine the provisions relating to collection and furnishing of Credit information under the Reserve Bank of India, Act, 1934. **16**
2. Discuss the provisions regarding Non-Banking Institutions Receiving deposits and Financial Institutions under the Reserve Bank of India Act, 1934. **16**
3. Explain the following with reference to Reserve Bank of India Act, 1934.
 - a) Penalties
 - b) Powers and duties of Auditors. **16**
4. Discuss the provisions relating to Acquisition of the Undertakings of Banking Companies under the Banking Regulation Act, 1949. **16**
5. Critically examine powers of Reserve Bank of India. **16**
6. Define 'Cheque' and distinguish between Cheque and Bill of Exchange. **16**
7. Define the term 'Negotiation'. Discuss the various kinds of indorsement under the Negotiable Instruments Act, 1881. **16**
8. Write short notes on **any three** of the following : **20**
 - a) Holder in due course.
 - b) Presentment of Negotiable Instruments.
 - c) Contribution by Central Government to the Reserve Fund under RBT Act, 1934.
 - d) Nomination for payment of depositors money under the Banking Regulation Act, 1949.



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Fifth Year B.S.L. Examination, 2009
Paper – VII : LAW AND MEDICINE
(Optional Paper) (1998 Pattern) (New)

Time: 3 Hours

Max. Marks: 100

*N.B. : a) Answer **any five** questions.*

*b) All questions carry **equal** marks.*

1. Examine the interrelationship between law and medicine.
2. Discuss the following :
 - a) Right to Health and emergency medical care.
 - b) Health of workers under the Directive Principles of Constitution.
3. Examine the role of various authorities controlling medical profession.
4. Explain the concept of medical ethics and duties of a doctor towards patients and profession at large.
5. “Insanity has no technical meaning either in Law or in Medicine”. Comment.
6. Comment the ‘Right to Privacy’ of a H.I.V. affected patient.
7. Explain **any two** of the following :
 - a) Rights of a Patient as a consumer under the Consumer Protection Act.
 - b) Test tube babies
 - c) Genetic Engineering.
8. Write short notes on **any two** of the following :
 - a) Consent
 - b) Medico-Legal aspect of sexual offences.
 - c) Sterilisation
 - d) Rights of husband against the right of the wife for surrogate motherhood.