

NLUJAA

National Law University and Judicial Academy, Assam
B.A., LL.B. (Hons.): III-Year, V-Semester (Academic Year: 2018-19)

Mid Semester Examination (October, 2018)**Subject Code: 5.1 Economics - III**Time: **1:15 Hrs.**Total Marks: **20****INSTRUCTIONS:**

1. Read the questions carefully and answer.
2. Unnecessary queries on the Question Paper shall not be entertained.
3. Do not write anything on the question paper. It will be treated as malpractice.

Answer any two questions from the following. All questions carry equal marks.

1. Give a brief explanation of the pre and post-independence situation that led to the emergence of Land Reforms in India. Mention the recommendations of Congress Agrarian Reform Committee with regard to the issues of land reform.
5+5=10 Marks
2. What do you mean by a financial market? How does the functioning of a money market differ from that of a capital market in an economy?
2+8=10 Marks
3. What do you mean by Balance of Payments? Briefly explain its components.
2+8=10 Marks

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B.A., LL.B. (Hons.): III-Year, V-Semester (Academic Year: 2018-19)

Mid Semester Examination (October, 2018)

Subject Code: 5.2 Constitutional Law - II

Time: 1:15 Hrs.

Total Marks: 20

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. Unnecessary queries on the Question Paper shall not be entertained.
3. Do not write anything on the question paper. It will be treated as malpractice.

Answer any two questions. Question No. 1 is compulsory. All questions carry equal marks.

1. (a) Briefly narrate the constitutional provisions relating to qualifications and disqualifications for membership of the Parliament. Mention the circumstances citing constitutional provisions under which a member shall vacate his/her seat in the Houses of the Parliament.

5+2=7 Marks

- (b) What is the requisite quorum to constitute a meeting of the Houses of the Parliament? Whether a non-member can sit or speak or participate in the discussions of the Houses? Can a proceedings of the Houses be termed as invalid if some person who was not entitled so to do sat or voted or participated in it? Cite relevant constitutional provisions in support of your answer.

1+1+1=3 Marks

2. Briefly mention the types of emergencies that can be proclaimed by the President stating the grounds for such proclamation under the Constitution of India. What amounts to failure of constitutional machinery in a State according to the Constitution of India? State briefly the effects/consequences of proclamation of national emergency.

5+2+3=10 Marks

3. Write short note: (any two)

5+5=10 Marks

- (a) Parliamentary Privileges
- (b) Right to Vote
- (c) Doctrine of Pleasure

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B.A., LL.B. (Hons.): III-Year, V-Semester (Academic Year: 2018-19)

Mid Semester Examination (October, 2018)

Subject Code: 5.3 Family Law - II

Time: **1:30 Hrs.**

Total Marks: **20**

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. Unnecessary queries on the Question Paper shall not be entertained.
3. Do not write anything on the question paper. It will be treated as malpractice.

Answer two questions. It is compulsory to answer the first question. All questions carry equal marks.

1. Vijay was born in 1912 and Veena in 1919. At the age of 15, Veena was married off to Vijay. The couple bore three children Vaibhav, Vayuna and Vallabh in 1936, 1937 and 1938 respectively. Vayuna was married to Mohit in 1957 and had a daughter, Nisha in 1959. Vallabh married three years after his sister. He and his wife Neena had a son Virat in 1961. As Vaibhav chose to remain unmarried, he decided to adopt a child and accordingly, Varun was adopted in 1962. Varun grew up and married his cousin sister Nisha's best friend, Nupur in 1987. Vikas was born to the couple in 1988. Virat also got married to Naina in 1989 and had a son Vishesh who was born posthumously in 1990 as Virat lost his life in a freak accident while on honeymoon in 1989. Neena's husband succumbed to melanoma in 1991. Nisha's mother had died earlier in 1988. Vijay could not bear the death of his children and died of a heart attack in 1992. His only remaining son also died of drowning in 1993. Draw the family tree of the given HUF and compute the shares of the living members with reasons on the basis of statutes and judicial decisions.

2+8=10 Marks

2. Discuss the Hindu Succession (Amendment) Act, 2005 in details and elucidate on its impact on inheritance rights of women.

7+3=10 Marks

3. Suresh was married to Sadhana in 1958 and his three sons Mrinal, Mukesh and Mahesh were born subsequently. Suresh being a businessman was prone to ups and downs in his business activities and hence, borrowed heavily. To make matters worse, Suresh was not only an alcoholic but was addicted to gambling as well. Suresh borrowed an amount of Rs. 2,00,000 in 2001 from Pratap as his godown was gutted in fire and he required cash infusion to re-stock. He further borrowed Rs. 3,00,000 from Prakash next year for the same purpose but ended up losing it on a poker table. In 2006, he borrowed Rs. 5,00,000 from Prabodh for construction purposes. He and his wife decided to go on pilgrimage in 2008 but unfortunately, lost their lives in an accident. Although Suresh religiously paid

the interest accrued on the borrowed sums to his creditors, he had not been able to pay the loans off before his death. Decide on the pious obligation of his sons to repay their fathers' debts applying concepts of Hindu law and provisions of relevant statutes.

10 Marks

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Subject Code: 5.4 Criminal Procedure Code

Time: **1:15 Hrs.**

Total Marks: **20**

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any two questions from the following. All questions carry equal marks.

1. What is First Information Report? What is its evidentiary value? 'A' lodges an F.I. R at a Police Station against named accused for cognizable offence. Upon conclusion of the investigation, the Police files before the concerned Magistrate Report absolving the accused. What steps the Magistrate will take, and what options are open to the informant/complainant in case Magistrate accepts the Report?
2. Examine the rule contained in Section 177 of the Code of Criminal Procedure, 1973 that "Every offence shall ordinarily be inquired into and tried by a court within whose local jurisdiction it was committed."
3. How and when a criminal court can take cognizance of an offence? Explain the law on the topic with reference to the exception provided in the Code of Criminal Procedure, 1973. On complaint made by 'A', Court of Session takes cognizance of the offence under Subsection (2) of Section 199 of the Code of Criminal Procedure Code, 1973 and tries the accused. The court finds that there was no reasonable cause for making the accusation and hence orders 'A' to pay Rs 50000/- to the accused by way of compensation. 'A' challenges the said order. Decide.

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Subject Code: 5.5 Corporate Law

Time: **1:15 Hrs.**

Total Marks: **20**

INSTRUCTIONS:

1. Read the questions carefully and answer.
 2. Unnecessary queries on the Question Paper shall not be entertained.
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Answer any two questions from the following. All questions carry equal marks.

1. What do you mean by Incorporation of a Company? Support your answer with relevant provision from the Companies Act, 2013.
2. “A Memorandum of Association (MoA) represents the charter of the company. It is a legal document prepared during the formation and registration process of a company to define its relationship with shareholders and it specifies the objectives for which the company has been formed. The company can undertake only those activities that are mentioned in the MoA. As such, the MoA lays down the boundary beyond which the actions of the company cannot go.” In the light of the above statements, deliberate on different facets of the Memorandum of Association of a company.
3. Write short notes on **any two** of the following:
 - (a) Doctrine of *Ultra vires*
 - (b) Doctrine of Indoor Management
 - (c) Doctrine of Constructive Notice

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Mid Semester Examination (October, 2018)

Subject Code: 5.6 Property Law

Time: 1:15 Hrs.

Total Marks: 20

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any two questions from the following. All questions carry equal marks.

1. Explain the concept of Ostensible Owner with the help of case law. Also explain Benami Transaction.

7+3=10 Marks

2. Why an anchor of a ship which gets embedded into sea due its own weight is not considered as an immovable property whereas an anchor which supports a bridge comes under the definition of Immovable property? Explain the Doctrine of Fixtures.

10 Marks

3. A sues B in respect of a house in B's possession. During the pendency of the suit, B sells it to C. The result of the case comes out in the favor of A. Decide the faith of transactions between B and C and explain the doctrine which would be applicable.

10 Marks

OR

What are the essentials for transfer of property to unborn person?

10 Marks
