

NLUJAA

National Law University and Judicial Academy, Assam
B.A., LL.B. (Hons.): III-Year, V-Semester (Academic Year: 2019-20)

Mid Semester Examination (September - October, 2019)

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

1. What is the agricultural crop year in India? Explain the various cropping seasons in India and also examples of crops grown during different seasons. What are the impacts of adoption of New Agricultural Strategy in India?
1+4+5=10 Marks
2. What are the difference between formal and informal financial sector? Explain the various components of a formal Financial System.
2+8=10 Marks
3. Explain Wholesale Price Index and Consumer Price Index. Mention the difference between Demand Pull and Cost Push Inflation.
5+5=10 Marks

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Subject Code: 5.2 Constitutional Law - II

Time: **1:15 Hrs.**

Total Marks: **20**

INSTRUCTIONS:

1. Read the questions carefully and answer.
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 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer any two questions from the following. All questions carry equal marks.

1. Briefly discuss the Constitution of Indian Parliament and its principle functions. Discuss the relation between legislative privileges and fundamental rights with the help of relevant cases.
4+6=10 Marks
2. Discuss the powers of the President to grant pardon. Is it subject to judicial review? Critically analyze the role of Governor of States as a link between the Center and the State.
5+5=10 Marks
3. (a) Discuss the jurisdiction of the Supreme Court as reposed to it by the Constitution of India.
(b) Whether the appeal made to the Supreme Court is the right of the appellant or the discretion of the Supreme Court. Justify your answer.
5+5=10 Marks

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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. A married B and had C, D, E, F and G in the given order. C married H and had L and M. E adopted twins, O and P. F married J and G married K. D eloped with I and married I. While G and K had two children, S and T; F and J also had two children, Q and R. D and I had N. L married U and had a child, V. R had a child, W who was married to Z. T adopted X and Y. D lost I to cancer in 1980 while V had previously died in his childhood in 1970. S died in an accident in 1989 and A died of old age related ailments in 1991. E had died of tuberculosis in 1990. A, C, I, F, G, L, O, P, R, S, T, V, W and X are males while the rest are females. Draw the family tree of the given HUF and figure out the shares of the living members with the help of statutory provisions and decided cases while providing reasons for the same.

2+8=10 Marks

2. The Hindu Succession (Amendment) Act, 2005 is hailed as a progressive piece of legislation that aimed at eliminating several inequalities faced by Hindu women due to the application of the provisions of the Hindu Succession Act, 1956. Discuss the provisions of the Hindu Succession (Amendment) Act, 2005 in details and elucidate on its impact on the inheritance rights of women.

7+3=10 Marks

3. Rohan, Rakesh and Ramesh partitioned in 1975. Rajesh is the son of Ramesh, Rakesh's son is Ranjit and Rohan fathered a male child Rajnish. When the partition happened, two sons of Rohan, Rajeshwar and Rahul were minors. In 1980, Rajeshwar attained majority and challenged the partition in a court of law on the basis of inequality of shares assigned at the time of partition. He contended that equal shares should be assigned to him. Rohan contended that he had not acted with malice. Further, on Ramesh's death in 1986, Rajesh inherited his property. As the property partitioned was an agricultural land, Rajesh noticed that their individual productivity and consequently their incomes had depleted over the years. He was studying in the same university as Ranjit and Rajeshwar and was good friends with them. They decided that it was in their best interest to get back

together. Ranjit spoke to Rakesh and Rajeshwar to Rohan but due to Rajeshwar's suit against him, Rohan refused. Ranjit, Rajeshwar and Rajesh moved the court seeking reunion for betterment of the property and increasing their incomes. Decide on the two cases arising from the given facts and circumstances with reasons.

10 Marks

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Mid Semester Examination (September - October, 2019)

Subject Code: 5.4 Criminal Procedure Code

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

1. Distinguish between cognizable and non-cognizable offences. What is the value and use of F.I.R? Is it a substantive piece of evidence? Discuss.
2. Discuss the Law of Remand. Also discuss when an accused may be remanded to judicial custody and police custody with reference to the provisions contained in the Code of Criminal Procedure, 1973. What precautions should generally be taken by a Magistrate while recording a confession?
3. How and when a criminal court can take cognizance of an offence? What are the considerations to be kept in mind at the time of framing of charge with reference to latest case law?

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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.
 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer any two questions from the following. All questions carry equal marks.

1. What is a company? What are the different types of company according to Companies Act 2013? Support your answer with appropriate sections and case laws.
2. What is the importance of Memorandum of Association for a company? What are the contents of Memorandum of Association? Support your answer with appropriate sections and case laws.
3. Write short notes on **any two** of the following:
 - (a) Incorporation of a company
 - (b) Abridged Prospectus.
 - (c) Authorized Capital of a Company.

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Subject Code: 5.6 Property Law

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.

Question No 1 is compulsory. Answer any one question from Question No 2 or 3. All questions carry equal marks.

1. On 11th November 2015 'A' sold a 1400 sq. ft flat L1 in Chandmari for 60 lakhs to her friend 'B'. A plot of land L2 in Jalukbari on 14th February 2013 was purchased by 'X', 'Y' and 'Z' as co-owners for setting up a commercial establishment. 'C' mother of 'A' is the owner of the flat L1 in Chandmari and a piece of land L3 in Noonmati. 'C' along with her two children 'A' and 'D' and her friend 'P' who is a Christian had gone for a picnic to Umiam Lake on 15th January 2017. L3 has a beautiful rose garden 'KR' with a majestic water fountain surrounded by houses. L2 was partitioned by 'X', 'Y' and 'Z' on 16th June 2018 through a deed with stipulation that if anyone of them is issueless then that person among them cannot sell his share and has to leave his portion of the partitioned property to the other co-owners. On 20th December 2018 'C' sold 'KR' situated in L3 for 25 lakhs to 'R' with direction that 'KR' was to be kept intact as an ornamental garden and no building could ever be constructed upon it. 'P' wife of 'N' is gifted a house by 'Z' with direction that she cannot sell it. On 13th March 2019 'R' started construction of a building in 'KR'. On 24th July 2018 'Y' who was issueless sold his share of L2 to 'D' for 35 lakhs. 'C' filed a suit against 'R' on 26th January, 2019. 'Y' died on 2nd September 2018. On 20th September 2019 'P' filed a case against 'Z' for curtailing her right to sell. 'X' and 'Z' sued 'D' to recover the share of the property which 'Y' had sold to her from his partitioned portion in L2. Decide and explain the situations mentioned above in the context of the provisions of law under the Transfer of Property Act, 1882. Support your answer with decided case laws. 10 Marks
2. In the light of judicial decisions discuss the concept of constructive notice. Substantiate your answer with illustrations. 10 Marks
3. Explain the following with illustration and judicial decisions : 5+5=10 Marks
 - i. Standing timber
 - ii. Mere right to sue
