

Q.8. Which of the following administrative thinkers has defined administration as "the organization and direction of human and material resources to achieve desired ends"?
(A) L. D. White (B) J. M. Pfiffner (C) J. A. Veig (D) H. A. Simon

Q.9. Which one of the following statements is not correct in respect of New Public Management?

- (A) It has market orientation (B) It upholds public interest
(C) It advocates managerial autonomy (D) It focuses on performance appraisal

Q.10. The classical theory of administration is also known as the—

- (A) Historical theory (B) Mechanistic theory
(C) Locational theory (D) Human Relations theory

Section B (Short Answer Type)

Note: Attempt any two questions. Each question carries equal marks.

2x10 = 20

Q.11. Discuss the essential characteristics of New Public Management?

Q.12. Principles of analysis and principles of action were not differentiated in Taylor's scientific management. Comment.

Q.13. Explain the composition, functions and role of Union Public Service Commission in India?

Section C (Long Answer Type)

Note: Attempt any two questions. Each question carries equal marks.

2x15 = 30

Q.14. Discuss Administrative Ethics and Integrity in administration?

Q.15. Define the Concept of Good Governance and critically examine role of Citizen Charter in strengthening the good governance in India?

Q.16. What do you mean by Decision Making? Critically examine the Herbert Simon theory of decision making.

iii The main leader of the moderates was

- a. B.G. Tilak
- b. G.K. Gokhale
- c. Lala Lajpat Rai
- d. Bipin Candra Pal

iv The Khilafat movement was led by

- a. Ali Brothers
- b. B.G. Tilak
- c. Mahatma Gandhi
- d. Annie Basant

v. The Kakori Robbery was committed by the members of

- a. congress
- b. Muslim league
- c. Communist party
- d. Hindustan republican association

vi The day of complete Independence was

- a. 24 Jan 1930
- b. 25 Jan 1930
- c. 26 Jan 1930
- d. 27 Jan 1930

vii Who was famous as Frontier Gandhi

- a. Sir Syed Ahmed Khan
- b. Khan Abdul Gaffar Khan
- c. C. Rajgopalachari
- d. Mahatma Gandhi

viii The First Round Table conference was boycotted by

- a. Congress
- b. Muslim league
- c. Hindu Mahasabha
- d. Princely State

ix The Harijan Sevak Sangh was formed by

- a. Vallbhbhai Patel
- b. Vithalbhai Patel
- c. Mahatma Gandhi
- d. Dadabhai Naoroji

x. The slogan DO or DIE was given during the

- a. Non Cooperation Movements
- b. Civil Disobedience Movemets
- c. Anti Simon Commission movements
- d. Quit India Movements

- ii. There is strict separation between religion and State in
 - a. American Secularism b. Indian Secularism
 - c. Both a and b d. None of these
- iii. The proposal for a law is called a
 - a. Bill b. Act c. Amendment d. None of these
- iv. All orders of the Union Executive are issued in the name of
 - a. The President b. The Prime Minister
 - c. The Supreme Court d. None of these
- v. At present how many High Courts there in our country
 - a. 18 b. 20 c. 21 d. 25
- vi. World Environment Day is observed on
 - a. June 5 b. June 10 c. June 20 d. June 30
- vii. Which of the following is not associated with the UNO
 - a. ILO b. WHO c. ASEAN d. All of the above
- viii. Who is the legal advisor to the government of India.
 - a. The Solicitor General b. The state chief legal officer
 - c. The High Court d. The Advocate General
- ix. The age of retirement of a Judge of a High Court in India is
 - a. 58 years b. 60 years c. 62 years d. 65 years
- x. Who was the first woman Judge to be appointed to the Supreme Court of India
 - a. Justice Gyan Sudha Mishra b. Justice M.Fatima Beevi
 - c. Justice Leila Seth d. Justice Ranjana Desai

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BA.LL.B
(II Year, IV SEMESTER) EXAMINATION, 2021-22
Constitutional Law – II (Art. 52 to 395)

Note: This question Paper is divided into three sections A, B and C. Attempt all the sections as per instructions.

[Time: 3 Hours]

[MM: 60 Marks]

Section – A (Long Answer Type)

Attempt any two of the following:

(15x2 = 30)

1. What is the rule of pith and substance? Why is its application necessary in our Constitution? The rule of pith and substance introduces a degree of flexibility into the otherwise rigid scheme of distribution of legislative powers under the Constitution. Justify this statement referring to case laws.
2. Explain the provisions made in the Constitution of India for smooth administrative relationship between the Union and the States.
3. Decide the scope of freedom of trade, commerce and intercourse envisaged under the provisions of the Constitution of India in the light of decided judicial decisions.

Section – B (Short Answer Type)

Attempt any two of the following:

(10x2 = 20)

1. Discuss the nature and scope of the writ Certiorari.
2. What is appellate jurisdiction of Supreme Court in civil and criminal matters?
3. Write short note on financial emergency.

Section – C (Objective Answer Type)

Attempt all parts.

(1x10 = 10)

- (1) Who among the following does not hold his/her office at the pleasure of the President:
- (a) Chairman of the Union Public Service Commission
 - (b) Attorney General of India
 - (c) Speaker of the Lok Sabha
 - (d) Comptroller and Auditor General of India

- (2) In case of violation of fundamental rights the Supreme Court shall have power to issue:
(a) Appropriate Orders (b) Directions (c) Writs (d) All of the above
- (3) Who is responsible for introduction of Public Interest Litigation in India:
(a) Justice P.N. Bhagwati (b) Justice M.N. Venkatachaliah
(c) Justice A.M. Ahmadi (d) Justice V.R. Krishna Iyer
- (4) Members of UPSC are appointed by:
(a) Prime Minister (b) President (c) Chief Justice (d) None of the above
- (5) The famous commission on Centre – State relations is:
(a) Sarkaria Commission (b) Fazil Ali Commission
(c) Gadgil Commission (d) None of the above
- (6) Which Article of the Constitution says: Subject to the other provisions of this part, trade, commerce and intercourse throughout the territory of India shall be free:
(a) Art. 301 (b) Art. 302 (c) Art.303 (d) Art.304
- (7) Proclamation under Art. 352 shall be passed by both the houses of Parliament by a:
(a) Simple majority
(b) Ordinary majority
(c) A majority of total membership of house and 2/3 majority of members present and voting
(d) None of the above
- (8) An amendment to the Constitution can be initiated in the:
(a) Lok Sabha
(b) Rajya Sabha
(c) Vidhan Sabha
(d) Either (a) or (b)
- (9) Which among the following is a basic feature of the Indian Constitution:
(a) Judicial Review
(b) Democracy
(c) Fundamental Duties
(d) Both (a) and (b)
- (10) Which of the following is appointed by the President:
(a) Judges of the High Courts
(b) Lt. Governors of Union Territories
(c) Vice President
(d) All of the above

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B.A.L.L.B.
(2nd Year, IV SEMESTER) EXAMINATION, 2021-22
PRINCIPLES OF TRANSFER OF PROPERTY LAWS

[Time: 3 Hours]

[MM 60 Marks]

Note: This paper is divided into three sections A, B and C. Attempt all the sections as per instructions.

Part A

Q 1. Attempt all questions. Choose the correct option. Each question carries equal marks. [1x10=10]

- I. Which of the following statements is true regarding definitions given under the Transfer of Property Act, 1882?
 - a. Term 'instrument' means both testamentary and non- testamentary instrument
 - b. Term 'actionable claims' include debt secured by mortgage on the residential house
 - c. The term 'attached to earth' will not means trees and shrubs
 - d. The term 'attested' means attested by two or more witness

- II. Which of the following statements is true regarding suit for redemption of mortgaged property under the Transfer of Property Act, 1882?
 - a. Only mortgagor can bring the suit
 - b. Any creditor of the mortgagor who has obtained a decree, can bring the suit
 - c. Any creditor irrespective of decree for the same, can bring the suit
 - d. Any surety for the payment of the mortgage debt, can bring the suit

- III. Based on court rulings in India which of the following activities will qualify for the purpose of provisions of section 18 of the Transfer of Property Act, 1882?
 - a. A gift for maintenance of property for the benefit of distinguished visitors to neighbourhood
 - b. A permanent bequest by a Parsi for the performance of muktad ceremonies
 - c. A gift for dharma
 - d. A gift for the spread of the Hindu religion

- IV. C and B are two brothers living as joint family. They decided to have a partition. In the partition deed the house with well fell on C, and B was allowed to take water from the well out of brotherly love. The right to take water will be in form of:
 - a. Easement
 - b. Revocable license
 - c. Irrevocable license
 - d. Interest in the property

- V. Charge can be created by:
 - a. Act of parties
 - b. Operation of Law
 - c. Both A and B
 - d. Neither A nor B

- VI. Contract of tenancy can be split up by:
 - a. Court in eviction proceedings
 - b. Operation of Law
 - c. Either A or B
 - d. Neither A nor B

- VII. In case a lease is made for a certain period mentioning that it is terminable before its expiration, without mentioning at whose option _____ .
 - a. Only lessee will have the option of termination
 - b. Only lessor will have the option of termination
 - c. The lease will be terminable only in case of mutual agreement
 - d. Both lessor and lessee will have option of terminating the lease

- VIII. In certain areas, the zamindar has a customary right to recover one-fourth of the sale consideration for a house sold by the riyaya. This is a customary right of antiquity mentioned in the wajibularz of the village. It is based not on contract or encumbrance, but arises only on sale. The riyaya has no saleable interest in a house in an agricultural village, but such a right is given to him on the understanding that if he leaves or abandons it, the zamindar gets one- fourth as zare chahorum. This custom was acknowledged because in settling the house, the zamindar had to make certain investments. The custom is not unreasonable or opposed to law. Which of the following statement will apply?

- 22/10/20
- a. The transaction will attract provision of section 55 of the Transfer of Property Act, 1882
 - b. The transaction will be saved by section 2 of the Transfer of Property Act, 1882 from the operation of section 55 of the act
 - c. The transaction is in form of customs, and customs and usage supersede the provisions of the Transfer of Property Act, 1882
 - d. The transaction is in forms of customs, and provisions of the Transfer of Property Act, 1882 supersede the customs and usage

IX. In *Dinendronath Sanyal v Ramcoomar Ghose* it was held that:

- a. The transfer by operation of law occurs in case of testamentary and intestate succession
- b. An involuntary 'sale' is not necessarily a transfer by the operation of law
- c. Legislature can modify, annul and substitute the contracts inter- vivos
- d. None of these

X. In England, express surrenders of the lease are required by the Statute of Frauds to be in writing, in India the express surrenders of the lease:

- a. Must be in writing
- b. Must be registered if there are facts de hors
- c. Both A and B
- d. Neither A nor B

Part B

Attempt any *two* of the following:

[Ten mark each]

Q2. Explain the doctrine of *Lis-Pendens*.

Q3. "A" transfers Rs. 5,000 to "B" on condition that he shall marry with the consent of "C", "D" and "E". "B" marries without the consent of "C", "D" and "E", but obtains their consent after the marriage. Decide the validity of the transfer.

Q4) "A" transfers property of which he is the owner to "B" in trust for A and his intended wife successively for their lives, and, after the death of the survivor, for the eldest son of the intended marriage for life and thereafter his death for A's second son. Decide that when the interest so created for the benefit of the eldest son will take effect.

Part C

Attempt any *two* of the following:

[15x2=30]

Q5. The mortgagors were two *pardahnashin* ladies who did not appear before the attesting witnesses, and consequently their faces were not seen by the witnesses. These two attesting witnesses were, however, well acquainted with the voices of the ladies, when the deed was executed. The mortgagors were, on the occasion of the execution of the mortgage deed, brought from the *zenana* apartments of the house in which they were to an ante-room to execute the deed. In the ante-room the ladies seated themselves on the floor, and between them and these two attesting witnesses there was a *chick*, which was not lined with cloth, hanging in the doorway. These two attesting witnesses recognized the ladies by their voices, and they say that they saw each lady execute the deed with her own hand, although owing to the *chick* they were unable to see the face of either of the ladies. On the other side an attempt was made to prove that there was a *tat* through which nothing could be seen, was hanging in the doorway. Decide the validity of the mortgage.

Q6. Write notes on:

- a) Kinds of easements.
- b) Extinction of easements.
- c) Suspension and revival of easement.
- d) Revocation of license.

Q7. "Standing timber" must be a tree that is in a state fit for these purposes and, further, a tree that is meant to be converted into timber so shortly that it can already be looked upon as timber for *all practical purposes* even though it is still standing. If not, it is still a tree because, unlike timber, it will continue to draw sustenance from the soil." Comment and discuss the validity of the statement in light of the statutory provisions and the case law on the points.

