

10/01/2022

Paper Code : BL-701 B (SVSU:2019-20/R)

Enrollment No.

B.A.LL.B.- (B.A.LL.B.)
(4th YEAR , VIIth SEM.) EXAMINATION
LAW OF CIVIL PROCEDURE

[Max. Marks : 60]

TIME-3 Hours

SECTION-A

Choose the correct option.

1x10=10

1. Which of the following deals with simultaneous issue of summons for service by post in addition to personal service in the Code of Civil Procedure?
a. Order 7, Rule 14 b. Order 9, Rule 12 c. Order 6, Rule 10 d. Order 5, Rule 19A
2. Which of the following deals with the written Statement in the Code of Civil Procedure?
a. Order 8, Rule 1 b. Order 4, Rule 13 c. Order 6, Rule 10 d. Order 10, Rule 22
3. Decree-holder is:
a. Any person in whose favour a decree has been passed b. An order capable of execution has been made
c. Either (A) or (B) d. None of these
4. Which of the following deals with the institution of suits in the Code of Civil Procedure?
a. Section 18 b. Section 20 c. Section 22 d. Section 26
5. Constructive res-judicata is contained in:
a. explanation III to section 11 b. explanation IV to section 11
c. explanation VI to section 11 d. explanation VII to section 11.
6. Principle of res-judicata applies:
a. to suits only b. to execution proceedings
c. to arbitration proceedings d. to suits as well as execution proceedings.
7. A decision on issue of law:
a. shall always operate as res-judicata b. shall never operate as res-judicata
c. may or may not operate as res-judicata d. either (a) or (b).
8. A decision in a suit may operate as res-judicata against persons not expressly named as parties to the suit by virtue of explanation:
a. II to section 11 of CPC b. IV to section 11 of CPC c. VI to section 11 of CPC d. VIII to section 11 of CPC.
9. Res-judicata does not operate:
a. between co-defendants b. between co-plaintiffs c. against a per-forma defendant d. none of the above.

10. On the ground of jurisdiction, under section 13 of CPC:

- a. only a judgment in personam can be challenged
- b. only a judgment in rem can be challenged
- c. both judgment in personam and judgment in rem, can be challenged
- d. neither a judgment in personam nor judgment in rem can be challenged.

SECTION- B

Short answer type question

Attempt any two of the following. **10x2=20 marks**

Q-2. Write a note on Inherent Powers of the court..

Q- 3. Explain the following

- (a) Attachment before judgment
- (b) Arrest before judgment

Q- 4. What do you understand by representative suit? By whom and under what circumstances can such suit be brought?

SECTION- C

Long answer type question

Attempt any two of the following. **15x2=30 marks**

Q-5 Describe the powers of appellate court. Can additional evidence be allowed during appeal. If yes, what are the conditions?

Q-6 what is plaint? What are the necessary particulars to be given in a plaint? Discuss same additional particulars to be written in the plaint.

Q-7 What happens when a party to a suit absents during the hearing of a suit ? What are the remedies available to such a party ? Discuss.

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Paper Code : BL-701 B (SVSU:2021-22/R)

EnrollmentNo.

COURSE NAME: B.A.LL.B IV YEAR VII SEMESTER

SUBJECT NAME: LAW OF CIVIL PROCEDURE

[Time: 03.00 Hrs.

MM. 60]

Note-This question paper is divided in to three sections 'A', 'B' &'C'. Attempt all the questions as per the instructions given

I. Attempt any two

(15×2=30)

1. Explain with reference to the Plaintiff :
 - a) Particulars in a Plaintiff
 - b) Amendment of Plaintiff
2. Discuss the objectives and salient features of Limitation Act, 1963.
3. Discuss the essentials of a decree. Explain the difference between a decree and an order.

II. Short Question (Answer any two)

(10×2= 20)

1. Discuss the difference between revision and review.
2. Who is indigent person. Explain the provisions relating to indigent person under CPC.
3. Discuss the provisions relating to necessary and proper party under CPC, 1908.

III. Attempt all parts.

(10×1=10)

1. Under section 102 of CPC, a second appeal shall not lie from any decree, where the subject matter of the original suit is for recovery of money not exceeding
 - a) 10000
 - b) 25000
 - c) 50000
 - d) 100000
2. In which of the following writs, the doctrine of res judicata is not applicable?
 - a) Certiorari
 - b) Mandamus
 - c) Quo Warranto
 - d) Habeas Corpus
3. Doctrine of Res judicata as contained in section 11 C.P.C. is based on the maxim
 - a) Interest republicae at sit finis litium
 - b) Nemo debet bis vexari pro una eadem causa
 - c) Both (a) or (b)
 - d) Either (a) or (b)
4. In every plaint, under section 26 of CPC, facts should be proved by:
 - a) oral evidence
 - b) affidavit
 - c) document
 - d) oral evidence as well as document.

5. An inter pleader suit is one where the real dispute is between the _____ only.
a) plaintiffs b) defendants c) intervenors d) respondents
6. Litigating parties, _____ upon court jurisdiction of the court, by mutual consent.
a) cannot confer or cannot take away b) can confer or can take away
c) cannot confer but can take away d) can confer but cannot take away
7. The jurisdiction of a court, refers to the power or the extent of the authority, of the court to administer justice, with reference to _____
a) the local limits b) the subject matter of litigation
c) the pecuniary value d) all of the above
8. A _____ is said to take place when the High Court calls for the record of any case decided by a subordinate court and passes an appropriate order.
a) reference b) review c) revision d) appeal
9. Section which deals with the transfer of decree in the Code of Civil Procedure?
a) Section 43 b) Section 39 c) Section 62 d) Section 65
10. In case of Failure to file written statement within 30 days, the defendant can be allowed to file the same on such other day specified by the court for reasons to be recorded in writing, but within
a) 90 Days.
b) 45 Days,
c) 60 Days.
d) 15 Days

- (vi) Press is subjected to the restrictions that are provided under the Article ----- of India constitution-
 - (a) 19 (1)
 - (b) 19 (1)
 - (c) 19 (3)
 - (d) 19 (4)
- (vii) Press council of India is specially for-
 - (a) Media
 - (b) Orienting Industry
 - (c) Advertising Agency
 - (d) None
- (viii) Press council of was established in-
 - (a) 1955
 - (b) 1960
 - (c) 1966
 - (d) 1980
- (ix) Who may be the chairman of the Press Council of India?
 - (a) Any Minister
 - (b) Any eminent person
 - (c) Advocate General
 - (d) None of the above
- (x) Media is called-
 - (a) 2nd Pillar of democracy
 - (b) 3rd Pillar of democracy
 - (c) 4th Pillar of democracy
 - (d) None of (d) None of the above

Section - B (Short Answer Type)

Attempt any two of the following questions. [10x2=20]

2. Define the Meaning and Origin of Ombudsman. What is the relevancy of this concept in India scenario? Explain.
3. "It is strange, unique and paradoxical that what is provided as a right by our Constitution on the one hand is taken away by some sub-clause in the same situation". Explain your view on given statement in the light of Article 19 of Indian Constitution.
4. Explain the meaning of the term 'Obscenity'. How obscenity is different from Vulgarity and Indecency. Also discuss various tests to be followed in judging whether a particular publication is obscene or not.

- Section - C (Long Answer Type)** [15x2=30]
- Attempt any two of the following questions.
5. What are these difficulties which forced an amendment in Cable television Network (regulation) Act, 1995? What is CAS? When it was first proposed in India? Explain the advantages of CAS.
 6. Trace the history of development of Media Law in India.
 7. What is Media Trial? What is the role of Media Trial's in India. Explain the influence of Media on Accused, Witness, Judges and Court and the Public.

iii) Part III of the Act, shows the importance of:

- a) Voluntary conciliation
- b) Involuntary conciliation
- c) directive conciliation
- d) none of the above

iv) Conciliation law is adopted on the pattern of:

- a) ICADR Rules, 1996
- b) Arbitration (Protocol and Convention) Act, 1937
- c) UNCITRAL Rules, 1980
- d) None of the above

v) Which of the following is incorrect statement-

- a) the conciliator shall assist the parties in an independent and impartial manner
- b) the conciliator can make proposals for settlement but it has to be accompanied by the statement of reasons
- c) the conciliator shall be guided by principle of objectivity, fairness and justice
- d) none of the above.

vi) Part I, III and IV of the Arbitration and Conciliation Act, 1996 shall extend to the State of Jammu and Kashmir only in so far as they relates to

- a) Local commercial arbitration
- b) International commercial conciliation
- c) International commercial conciliation
- d) Both (a) and (C)

vii) Arrange these case laws as per their year

- 1) Ramji Dayawala & sons v. Invest Import (a) 1960
- 2) R.M. Investments Trading Co. Pvt. Ltd. V. Boeing Co (b) 1983
- 3) European Grain and Shipping v. Bombay Extraction (c) 1994
- 4) Serajuddin v. Michael Golodetz (d) 1981

- a) (a)1, (b)2, (c)3, (d)4
- b) (a)4, (b)3, (c)2, (d)1
- c) (a)2, (b)3, (c)4, (d)1
- d) (a)3, (b)4, (c)1, (d)2

viii) 'A' and 'B' are neighbours. A is playing her music too loud. B calls A and ask her to stop her playing music too loud. A doesn't think it is loud. She suggests that they contact C President of Neighbourhood association, to help them to resolve their problem. They met with C. C suggests A to keep her volume at 4 past 10. A refuses to agree. They walk away without agreeing to a solution.

What method of ADR is used in the above problem?

- a) Arbitration
- b) Negotiation
- c) Mediation
- d) Trial

ix) Provision related to the fee of an Arbitrator is given in

- a) Schedule I of the Arbitration and Conciliation Act, 1996
- b) Schedule II of the Arbitration and Conciliation Act, 1996
- c) Schedule III of the Arbitration and Conciliation Act, 1996
- d) Schedule IV of the Arbitration and Conciliation Act, 1996

x) What method of ADR does the third party facilitate discussions but does not enter the arena of the dispute as either a Judge or a Conciliator?

- a) Conciliation
- b) Arbitration
- c) Mediation
- d) Negotiation

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Printing Pages :1

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BA.LL.B
(IV Year, VII SEMESTER) EXAMINATION, 2021-22
MEDIA LAW & PUBLIC AWARENESS (NEW)

Time:3Hours]

[Max. Marks:60

Note: This question paper is divided into three sections. Attempt all questions as per instruction.

Section – A

1. Choose the correct option of all the parts: [1*10:10
- i) Freedom of speech and expression includes
 - a)Right to propagate one's ideas b) Right to publish c) Right to communicate d) All of these
 - ii) Press is subject to the restrictions that are provided under the Article _____ of India constitution
 - a) 19 (1) b) 19 (2) c) 19(3) d) 19 (4)
 - iii) In which of the following cases has the the Supreme Court in 2015 has given directions to do away with the practice of publishing politician’s photograph on Government advertisements.
 - a)Manoj Narula vs Union of India b)ADR vs Union of India
 - c) Common Cause v. Union of India d) None of these
 - iv) In 1965, the landmark Ranjit Udeshi judgment of the Supreme Court adopted the Victorian-era
 - a)Hicklin test b)Roth Test c)Voir Dire Test d) None of these
 - v) Who defined defamation as“It is the publication of a statement which tends to lower the reputation of a person in the eyes of right thinking persons of society or which tends to make the society shun or avoid that person” .
 - a) Winfield b) Hoffield c) Atkin d) None of these
 - vi) Appeal shall lie from any order or decision of the single judge High Court to
 - a)Higher bench of High Court b) Supreme Court c) No further appeal c) None of these
 - vii) Section 2(c) of The Contempt of Courts Act, 1971 defines
 - a)Civil contempt b) Revenue contempt c) Criminal contempt d) None
 - viii) Which provision of Constitution says-“High Court shall be a court of record and shall have all the powers of such a court including the power to punish for contempt of itself”?
 - a)Article 129 b)Article 215 c)Article 205 d)Article 225
 - ix) DTH stands for
 - a) Direct-To-House television b) Direct-To-Home television
 - c) Dish-To-Home television d)Dish-To-House television
 - x) . "UA" Certificate by Central Board of Film Certification (the "CBFC") means unrestricted exhibition except for children belowof age.
 - a) 18 years b) 16 years c) 12 years d) 10 years

Section – B (Short Answer Type)

Attempt any two questions of the following:

[10*2=20]

2. Write down the short note on any two:
i) Development of Media Law in India ii) Yellow Journalism iii) Right to Expression and National Flag
3. Write a short note on regulation of the broadcasting sector of media and the self-regulatory code of ethics in this regard.
4. What is defamation? When is a journalist accused of the charge of defamation? What are the exceptions to this law?

Section – C (Long Answer Type)

[15*2=30]

Attempt any two questions of the following:

5. Do you think that Contempt of Court Act can put hindrances to the operation of the independent press? Discuss referring the provisions of the Act and current examples.
6. Explain the scope of freedom of speech and expression in cinematograph films. Justify the pre-censorship of films. What would be the consequences if they are not subjected to pre-censorship?
7. Explain the scope of freedom of speech and expression in India, under Article 19 (1) (a) of the constitution. Refer to the relevant case law.

VII

12/01/2022

Printing Pages : 1

Paper Code : BL-703 A (SVSU:2020-21/R)

Enrollment No.

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COURSE NAME: B.A. LL.B.
IV YEAR (VII SEMESTER) EXAMINATION
Banking Laws (Bankruptcy and Insolvency)

[Time : 3:00 Hours]

[Max. Marks : 60]

I Long Question : Answer Any Two

[15×2=30]

1. Explain the provisions of Recovery of Debts Due to Banks and Financial Institution Act 1993 regarding establishment of Debts Recovery Tribunal.
2. Discuss the power and functions of the Reserve Bank of India.
3. Explain the concept of garnishee order with the help of cases decided by Court.

II. Short Question: Answer any Two

[10×2=20]

1. What is the legal character of banker? Discuss the rights, duties and obligations of banks.
2. What are the different kinds of money lending? Explain.
3. Explain special types of customers of bank.

III. Objectives Question: Answer All Questions

[1×10=10]

1. Which Section of the Reserve Bank of India Act, 1934 provides that the bank shall be a body corporate by the name of Reserve Bank of India-
a) Section 3 (1) b) Section 3 (2)
c) Section 7 (1) d) Section 7 (2)
2. Fixed deposits is otherwise called as
a) Accrued Deposits b) Time Deposits
c) Recurring Deposits d) Demand Deposits
3. A Company who accepts demand deposit is called
a) Joint stock company b) Banking Company
c) IT Company d) Manufacturing company

4. Which banks accepts deposit from the public and lend them mainly to commerce for short periods?
a) Commercial Bank b) Industrial Bank
c) Agricultural Bank d) Central Bank
5. MICR technology used for clearance of cheques by banks refers to
a) Magnetic Ink Character Recognition
b) Magnetic Ink Company Recognition
c) Magnetic Ink Cross Recognition
d) Magnetic Ink Community Recognition
6. Which movement encouraged the formation of the commercial banks-
a) Swadeshi movement
b) Quit India movement
c) Non Cooperation movement
d) Civil Disobedience movement
7. Banking in India is controlled by-
a) Reserve Bank of India
b) Union Finance Commission
c) Union Ministry of Finance
d) Union Ministry of Commerce.
8. Head office of the Reserve Bank of India is located in-
a) Mumbai b) New Delhi
c) Kolkata d) Dehradun
9. Which is the largest commercial bank of the country -
a) Bank of India b) Canara Bank
c) State Bank of India d) Union Bank of India
10. Bank rate is decided by which of the following-
a) Reserve Bank of India.
b) Government of India.
c) State Bank of India.
d) Securities and Exchange Board of India.

- (vi) Which section of I.P.C. deals with dowry death-
- (a) 304 A (b) 498 A
 (c) 489A (d) 304-B
- (vii) How many types of punishments have been prescribed under I.P.C.-
- (a) Three (b) Six
 (c) Five (d) Four
- (viii) Narcotic Drugs and Psychotropic substances Act, came in year-
- (a) 1985 (b) 1987
 (c) 1989 (d) 1983
- (ix) Under section 498 A of IPC cruelty includes-
- (a) Harassment of the (b) Physically cruelty only women
 (c) Mental cruelty only (d) Cruelty by wife
- (x) The maxim 'ignorantia juris non excusat' means-
- (a) Ignorance of law is no (b) Ignorance of fact is no excuse excuse
 (c) Ignorance of law is an (d) Ignorance of fact is an excuse excuse

Section - B (Short Answer Type)

Attempt any two of the following questions. [10x2=20]

2. Write a short note on 'Theory of differential association' propounded by Edwin H. Sutherland.
3. Explain the caused and remedial measures for the prevention of white collar crime.
4. What do you understand by Plea Bargaining? Explain with the help of relevant provisions.

Section - C (Long Answer Type)

[15x2=30]

- Attempt any two of the following questions.
5. Briefly explain different theories related to Punishment.
 6. Write a short note on any two of the following-
 - (i) schools of Criminology
 - (ii) Victim and Criminology Justice
 - (iii) Prison System in India
 7. Discuss the effectiveness of death penalty as a mode of punishment.

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Printing Pages :2

Paper Code: BL-704 A (SVSU: 2021-22/R)

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B.A.LL.B
(4th YEAR, VII SEM.) EXAMINATION, 2021-22
PUBLIC HEALTH LAWS SPECIALIZATION-I
(Constitutional Law group-Paper-2)

[Time: 3 Hours]

[Max. Marks : 60]

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

SECTION-A (Long Answer Type)

Attempt any Two of the following questions.

[2x15=30]

Q.1 In a country like India having huge population, population control is one of the streamline measures adopted by the government. Its growth rate is still higher than the world's average growth rate. Discuss.

Q.2 What measures are adopted for the improvement of reproductive health of women in India? If a woman is infertile, what steps can be taken by her to become a mother, discuss?

Q.3 The Medical Termination of Pregnancy Act, 1972 is a mechanism to prevent medical profession deviance. Discuss.

SECTION-B (Short Answer Type)

Attempt any Two of the following questions.

[2x10=20]

Q.4 The Constitution of India plays a vital role in the protection and promotion of the environment. Even right to life includes the enjoyment of clean and healthy environment. But now-a-days the Parliament is not fulfilling its duties properly and environmental pollution is increasing day-by-day. Illustrate with the relevant provisions of the Constitution of India.

Q.5 In a hit-n-run case where the victim was denied treatment by the nearest hospital and asked to approach another hospital authorized to handle medico-legal cases but situated 20 km away. The victim succumbed to his injury on the way to the other hospital. Discuss the liability of the hospital who denied treatment.

Q.6 Discuss the need of global health legislation as need of hour.

SECTION-C (Objective Type)

7. Choose correct option.

[1x10=10]

i. World Health Day is observed on.....

A. 1 January B. 7 April C. 5 June D. 2 October

ii. World Population Day is observed on.....

A. 11 January B. 11 April C. 11 June D. 11 July

iii. Dispensaries the subject matter of which list of Indian Constitution.

A. Union list B. State list C. Concurrent list D. None of the above

iv. Hospitals is the subject matter of which list of Indian Constitution

A. Union list B. State list C. Concurrent list D. None of the above

v. Articleof the Indian Constitution related with workers to protect their health.
A. 39(a) B. 39(b) C. 39(e) D. None of the above

vi. According toof the Indian Constitution it's a primary responsibility of the state to protect the health of infant & mother by maternity benefit.
A. Article 32 B. Article 42 C. Article 52 D. None of the above

vii. A person who manufactures tobacco products and fails to adhere to the norm related to warnings on packages on first conviction shall be punished with up to
A. 5 years in imprisonment or with fine B. 3 years in imprisonment or with fine
C. 2 years in imprisonment or with fine D. None of the above

viii. Every year on which day World No Tobacco Day is celebrated
A. 31 April B. 31 May C. 31 June D. None of the above

ix. WHO stands for-
A. World Healthy Organization B. World Health Organization C. Word Health Organization D. None

x. Sale of **adulterated drugs** is punishable under which section of IPC.1860
A.275 B.273 C.271 D. None of the above

- (vi) Who of the following are main protagonists of the Lex Situs Theory of intangible movables?
 - (a) Westlake and Dicey
 - (b) Greveson and Pawson
 - (c) Cheshire and Morris
 - (d) Huber and Grotious
- (vii) Which of the following is not a theory of Recognition of Foreign Judgments?
 - (a) The Theory of Community
 - (b) the Obligation Theory
 - (c) Theory of Justice
 - (d) Doctrine of Acquired rights
- (viii) Which is the most important feature of 'Status'?
 - (a) Conference by state
 - (b) Matter of Public Interest
 - (c) Status is not acquired by (d) Universality of Status the will of the party
- (ix) Distinction between essentials or material validity and formalities or formal validity of marriage was made for the first time by the English court in the case of:
 - (a) De Reneville V. De Reneville
 - (b) Brook V. Brook
 - (c) Indyka V. Indyka
 - (d) Ogden V. Ogden
- (x) Smt. Satya V. Teja Singh is a case related to
 - (a) law of contract
 - (b) Validity of marriage
 - (c) Recognition of Foreign divorces.
 - (d) Nullity of a marriage

SECTION-B (Short Answer type)

Attempt any two questions of the following. /10×2=20

- Q.2 State and explain the principles relating to jurisprudence under Private International Law. What is the law regarding actions in personam and actions in rem?
- Q.3 How would you deal with property like Trade-marks, copyrights etc. under The Private International Law for purposes of choice of law and choice of Jurisdiction.
- Q.4 Discuss the manner as to how 'Lex Causae' is selected. Illustrate your answer.

SECTION-C (Long Answer type)

Attempt any two questions of the following. /15×2=30

- Q.5 What do you understand by 'formalities of marriage'? State the law that governs formalities of marriage.
- Q.6 On what principles foreign judgments are recognized? What are the prerequisites of actionability of a foreign judgment? Discuss.
- Q.7 Define the term 'Domicile' and discuss the three major principle which form the basis of the English theory of domicile.

viii. A Company who accepts demand deposit is called

- a) Joint stock company
- b) Banking Company
- c) IT Company
- d) Manufacturing company

ix. Fixed deposits is otherwise called as

- a) Accrued Deposits
- b) Time Deposits
- c) Recurring Deposits
- d) Demand Deposits

x. Which Section of the Reserve Bank of India Act, 1934 provides that the bank shall be a body corporate by the name of Reserve Bank of India-

- a) Section 3 (1)
- b) Section 3 (2)
- c) Section 7 (1)
- d) Section 7 (2)

Section-B (Short Answer Type)

Attempt any two of following questions.

(10x2=20)

2. Define the terms 'banker' and 'customer' and explain the relationship between them.
3. Explain the objectives, constitution and working of the Reserve Bank of India.
4. Which type of account can be opened by the customers? Discuss.

Section-C (Long Answers Type)

Attempt any two of the following questions.

(15x2=30).

5. What do you mean by Banking frauds? Discuss the role of Banking Ombudsman in governance of Banking System in India.
6. Explain the provisions of Recovery of Debts Due to Banks and Financial Institution Act 1993 regarding Establishment of Debts Recovery Tribunal.
7. What aspects are to be taken into consideration by Reserve Bank of India while granting license to a financial institution?

Printing Page(s) : 3

Paper Code : BL - 706

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BA LLB

VII SEMESTER EXAMINATION
ALTERNATE DISPUTE RESOLUTION

Time : 3 Hours]

[Max. Marks : 50

Note: This question paper is dividing into three section. Attempt all question as per instruction.

Section - A

1. Attempt all the parts of question No.1 choose the correct option. [1×10=10]

- (i) In a case relating to arbitration the arbitral award was remitted under section 16 of the Arbitration Act, 1940. The date of award was 1st June, 1992. The arbitration and conciliation Act came into force on 22 August, 1996. The validity of award can be challenged under the -
 - (a) Limitation Act, 1963
 - (b) General Clause Act, 1897
 - (c) Arbitration Act, 1940
 - (d) Arbitration and conciliation Act, 1996 only
- (ii) The present Arbitration and Conciliation Act of 1996 is based on-
 - (a) Constitution of India
 - (b) Guidelines of Supreme Court of India
 - (c) European Commercial (d) UNCITRAL, 1985 Arbitration Procedure
- (iii) Which among the following options is the main purpose of the Arbitration and Conciliation Act, 1996.
 - (a) To comprehensively cover international and commercial arbitration and also conciliation as domestic arbitration and conciliation.
 - (b) To cover only domestic arbitration and conciliation.
 - (c) To cover only international arbitration
 - (d) None of the above

- (iv) The power of court to refer parties for arbitration would and must necessarily include, imply and inhere in it-
 - (a) The power and (b) The power and jurisdiction to the parties jurisdiction to advise review the award
 - (c) The power and (d) The power and jurisdiction to call the arbitrator jurisdiction to appoint for another arbitrator
- (v) Part I of the Arbitration and Conciliation Act, 1996 applies where-
 - (a) The place of arbitration (b) The place of arbitration is outside India, but is in Asia
 - (c) The place of arbitration (d) The place of arbitration is outside India, but is in Europe anywhere in the world
- (vi) An arbitral award made under part I of the Arbitration and Conciliation Act, 1996, shall be considered as a-
 - (a) Domestic award (b) Foreign award
 - (c) General award (d) International award
- (vii) In the matters governed by part I of the Arbitration and Conciliation Act, 1996
 - (a) A judicial authority can intervene generally
 - (b) A judicial authority shall not intervene under any circumstances
 - (c) A judicial authority can not intervene except where so provided in this part
 - (iv) Either (a) or (b) or (c)
- (viii) Arbitral proceedings commence-
 - (a) On the date on which a (b) On the date when the respondent request for a dispute to be referred to arbitration is received by the respondent
 - (c) On the date when the (d) On the date when the statement of arbitrator issues notice claim and written submission of defence is made.

- (ix) The provisions of 1996 act have to be interpreted being uninfluenced by principles underlying under 1940 Act. This observation was laid down in-
 - (a) M.M.T.C. Ltd. V. (b) Sundaram Finance Ltd., V. Sterlite Industries (Mia) Ltd., AIR 1997 SC 605 N.E.P.C. India Ltd., AIR 1999 SC 656
 - (c) Olympus Structures Pvt. Ltd. V. Meena Vijay Khetan, AIR 1999 SC 2102 Super (d) Orna Impex Pvt. Ltd. V. Nissari Arb. Pre. Ltd., AIR 1999 SC 2871.
- (x) 'The validity of an arbitration agreement does not depend on the number of arbitrators specified therein, as the Act does not suggest the requirement of the number of arbitrators for an arbitration agreement'. this was laid down in-
 - (a) Orna Impex Pvt. Ltd. V. (b) Olympus Super Structures Pvt. Nissari Arb. Pre. Ltd., Ltd. V. Meena Vijay Khetan, AIR 1999 SC 2871.
 - (c) M.M.T.C. Ltd. V. (d) None of the above Sterlite Industries (Mia) Ltd., AIR 1997 SC 605

Section - B (Short Answer Type)

- 1. Attempt any two of the following questions. [8x2=16]
- 2. Discuss the Procedure for the appointment of arbitrators.
- 3. When is an appeal maintainable against the orders?
- 4. What are the distinctions between Conciliation & Arbitration?

Section - C (Long Answer Type)

- 1. Attempt any two of the following questions. [12x2=24]
- 2. Discuss the essential ingredients of an "Arbitration agreement" under Arbitration and Conciliation Act 1996.
- 3. Discuss the power & function of arbitrators.
- 4. Write down an essay on "Need of Lokpal in India".

15/01/2022

Printing Pages : 1

Paper Code : BL-706	B (SVSU:2021-22/R)
Enrollment No.	

B.A.LL.B VII Semester
Law of Insurance Specialization-2 (Business Law Group-2)
CODE-BL 706

Time:3 hours

Max.marks: 60

NOTE: This paper is divided into three parts. Attempt all parts as per instructions.

PART A

1. Objective types questions:

[1X10=10]

- i) was constituted as an autonomous body to regulate and develop the business of insurance and reinsurance in India.
a. LIC b. GIC c. IRDA d. NBFC
- ii) The has allowed cooperative societies to carry on insurance business.
a. Insurance (amendment)Act,2000 b. Insurance (amendment)Act,2001
c. Insurance (amendment)Act,2002 d. Insurance (amendment)Act,2003
- iii)..... principle in insurance mention the assured must have insurable interest in the life or property insured.
a. subrogation b. causa proxima c. indemnity d. insurable interest.
- iv)principle in insurance mention the cause of loss must be direct an insured one in order to claim for compensation.
a. subrogation b. causa proxima c. indemnity d. uberrima fides
- v) Principle of utmost good faith is also known as
a. subrogation b. causa proxima c. insurable interest d. uberrima fides
- vi) Which clause specifies the perils insured in a scheduled form of policy?
a. Preamble Clause b. Recital Clause c. Operative Clause
d. Consideration Clause e. Attestation Clause
- vii) The principle of average applies when the value is _____ in the proposal
a. Understated b. Overstated c. Not ascertainable d. Negligible e. Only sentimental
- viii) may be described as a social device to reduce or eliminate risk of loss to life and property.
a. investment b. saving c. insurance d. loan
- ix) As per structured formula under the Motor Vehicle Act, victims of fatal injuries are paid compensation on the basis of:
a. Age and sex b. Age and number of dependents c. Income and size of family
d. Age and income e. Income and number of dependent
- x) In 'Hit and Run' cases, claims are settled from _____.
a. Solatium Fund b. IRDA's contingency Fund
c. Insuring Company's reserves d. Motor Third Party Pool e. State Government's funds

Part-B

Short Answer Type Questions

Attempt any two.

[10x2=20]

Q 1- What do you mean by the principle of proximate cause in law of Insurance.

Q 2- Explain the salient features of Life Insurance Corporation of India.

Q 3- Write short notes on

i. Principle of Co-operation

ii. Theory of Probability.

Part-C

Long answer type question

Attempt any two.

[15x2=30]

Q4- What do you mean by Insurance .What are the kinds of insurance & explain the principles applied in insurance Law?

Q5-What do you mean by the Marine Insurance? What are its essentials & what are the principle applied in marine insurance.

Q6-" It is the duty of the state to provide social security to its citizens" Explain the statement in the light of social insurance with examples of various schemes provided by the government.