

Printing Pages :2

Paper Code : BL-901 A (SVSU:2021-22/R)

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BA.LL.B

(V Year, IX SEMESTER) EXAMINATION, 2021-22
Land Laws Including Tenure and Tenancy System

[Time: 3 Hours]

[MM: 60 Marks]

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

Section-A

Attempt all parts of question No 1.

1. Which one is correct?

(1x10=10).

- i. Under section 24 of the UP Revenue Code, 2006 the boundary dispute is decided on the basis of-
 - a) Existing survey maps.
 - b) Legal or illegal possession.
 - c) Record of rights.
 - d) None of these.
- ii. Agriculture includes -
 - a) Horticulture,
 - b) Animal husbandry,
 - c) Pisciculture,
 - d) All of above
- iii. Chapter II of UP Revenue Code, 2006 deals with-
 - a) Revenue Divisions
 - b) Allotment of Abadi Sites
 - c) Boundary Marks
 - d) All of the Above
- iv. The State Government may, by notification, specify-
 - a) The districts which constitute a division;
 - b) The tahsils which constitute a district
 - c) The villages which constitute a tahsil.
 - d) All of the Above
- v. Revenue Inspectors and Lekhpals may be appointed by-
 - a) Collector
 - b) Assistant Collector
 - c) Sub- Divisional Officer
 - d) Tahsildars
- vi. Procedure for mutation in cases of succession is given-
 - a) Under section 33 of UP Revenue Code, 2006
 - b) Under section 34 of UP Revenue Code, 2006
 - c) Under section 43 of UP Revenue Code, 2006
 - d) Under section 45 of UP Revenue Code, 2006

- 6.3.25/10/07
- vii. The period of limitation for filing a second appeal under UP Revenue Code is-
a) 90 days b) 30 Days c) 45 Days d) 60 Days
- viii. The period of limitation for filing a first appeal under UP Revenue Code is-
a) 30 Days b) 45 Days c) 60 Days d) 90 Days
- ix. Chapter XI of UP Revenue Code is dealt with
a) Assessment of Land Revenue b) Collection of Land Revenue
c) Jurisdiction of Revenue Court d) None of these
- x. As soon as an arrear of land revenue has become due, a writ of demand may be issued against the defaulter by
a) The Tahsildar b) The Collector
c) Sub- Divisional Officer d) Assistant Collector

Section-B (Short Answer Type)

Attempt any two of following questions.

(10x2=20)

2. What are the Classes of Tenure Holders? Discuss rights of Tenure Holders.
3. How the Lease of Land may be made by Gram Panchayat? What are the Consequences of allotment? Discuss.
4. Who can file the Suit for Division of Holding? What is duty of court? Discuss.

Section-C (Long Answers Type)

Attempt any two of the following questions.

(15x2=30).

5. What is jurisdiction of Revenue Court? What is law related to appeal against the judgement of revenue Court?
6. How the lease of land can be made? What is law related to termination of lease? Discuss.
7. What do you mean by allotment of abadi Sites. What is the order of preference for the allotment of abadi site?

- (iii) Principle of prospective overruling is related to the case of
- I.C. Golaknath v. State of Punjab
 - F.N. Balsara v. State of Bombay
 - Keshav Madhav Menon v. State of Bombay
 - None of the above
- (iv) Heydons case deals with _____
- Mischeif Rule
 - Rule of reasonable construction
 - Noscitur a sociis
 - Golden rule
- (v) Preamble contains the main object of the act & is, therefore, a part of the statute. On the basis of this reason it is considered by the court as
- Internal Aid
 - External Aid
 - Presumption
 - None
- (vi) What is doctrine of stare decisis ?
- The Doctrine of Parliamentary
 - The Doctrine of Royal Pardon
 - The Doctrine of Statutory Interpretation
 - The Doctrine of Precedent
- (vii) Construction of Penal laws should made
- Strict
 - Lenient
 - Beneficial
 - None of above
- (viii) A statute has been defined as the
- Will of King
 - Will of the Society
 - Will of the Magistrate
 - Will of the Legislature
- (ix) Internal aid in interpretation of statute includes
- Title
 - Preamble
 - Marginal notes
 - All the above
- (x) When statute do not profess to make any alteration in the existing law ,but merely declare or explain what it is, then such law is known as _____
- Codifying statute
 - Remedial statute
 - Declaratory statute
 - Consolidating statute

Section - B (Short Answer Type)

[10*2=20]

Attempt any two questions of the following:

2. Write down the short note on any two:
 - a) Human Rights and Consumerism
 - b) Human Rights of the differently-abled person
 - c) Human Rights and Mercy Killing
3. What are the human rights provided under the UN Charter? Explain.
4. Discuss the constitution and functions of National Human Rights Commission.

Section - C (Long Answer Type)

[15*2=30]

Attempt any two questions of the following:

5. Discuss in detail the initiatives at international level regarding the rights of transgender and its reflection in the Indian legal system.
6. Explain the composition and functions of American Commission and American Court of Human Rights.
7. Explain the procedure relating to Appeals and Penalties provided under the Right to Information Act, 2005. Also discuss what are the information exempted from disclosure?

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**BA LLB
IX SEMESTER EXAMINATION
INTELLECTUAL PROPERTY LAW**

[Max. Marks : 60

Time : 3 Hours]

Note: This question paper is dividing into three sections. 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) Intellectual Property Rights (IPR) protect the use of information and ideas that are of -
- (a) Ethical value
 - (b) Moral value
 - (c) Social value
 - (d) Commercial value
- (ii) Trade mark -
- (a) Is represented graphically
 - (b) Is capable of distinguish the goods or services of one person from those of others
 - (c) May includes shapes of goods or combination of colours
 - (d) All of the above
- (iii) Which of the following is (are) included in Geographical indications of good-
- (a) Handicraft
 - (b) Foodstuff
 - (c) Manufactured
 - (d) All of the above
- (vi) Which is not a remedy for infringement of intellectual property rights?
- (a) An account of profit
 - (b) An injunction
 - (c) Specific performance
 - (d) Damages
- (v) Berne convention was first established in-
- (a) 1885
 - (b) 1886
 - (c) 1895
 - (d) 1896

- (vi) The first owner of the plan of the building is-
- (a) Client (b) Architect
 (c) Labour (d) Owner of the building
- (vii) _____ shall be the Secretary of the copyright board to perform the function as prescribed-
- (a) Register (b) Chairman
 (c) Vice Chairman (d) Central government
- (viii) Compulsory license for the unpublished work shall be granted by the register only when the author is -
- (a) Dead (b) Not found
 (c) Unknown (d) All the above
- (ix) Geographical Indication is-
- (a) Private right (b) Community right
 (c) Intellectual property (d) Both (a) and (b)
 right
- (x) Certification Property Right-
- (a) Source (b) Quality
 (c) Both (a) and (b) (d) None of the above

Section - B (Short Answer Type)

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

2. What are the legislations covering IPRs in India?
3. What are the rights of a copyright holder (which when violated lead to infringement)?
4. What are the essential requirements for the registration of design under the Design Act, 2000?

Section - C (Long Answer Type)

Attempt any two of the following questions. [15x2=30]

5. What are the essential documents to be generated and submitted by a potential patentee?
6. How novelty, distinctiveness, uniformity and stability have been defined in the protection of plant varieties and Farmer's Right Act, 2001?
7. Who can register geographical indication in India? Differentiate between trademark and geographical indication.

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BA.LL.B

(5th Year, IX SEMESTER) EXAMINATION, 2021-22

EQUITY TRUST AND FIDUCIARY OBLIGATIONS

[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.

Part 'A' (Long Answer Type)

Attempt any two questions from the following.

(2*15=30)

Q.1 Beneficiary is having bundle of right in a trust. Explain the rights of beneficiary in the light of given statement.

A mixes Rs. 10,000/- of trust money with an equivalent amount belonging to himself and deposits the sum of Rs. 20,000 in his own account in a bank. Then he withdraws Rs. 16,000/- and a year later deposits Rs. 8000/-. A then becomes insolvent .State giving reason the right of the beneficiary to the amount in deposit at the bank in preference to A's creditors.

Q.2 Write an essay on the role of equity under Indian Legal System.

Q.3 "Justice demands that a person wrongfully disposed of shall recover it." Explain how is the Specific relief Act, 1963 operating for this purpose.

Part 'B' (Short Answer type)

Answer any two questions from the following

(2*10=20)

Q.4 What do you understand by injunction? What are its types?

Q.5 Write short notes on any two of the following-

a) Declaratory Suit

b) Fiduciary relations

c) Set off and counter claim

Q.6 Explain the nature and scope of equitable remedies.

Part 'C' (Objective Answer Type)

Q. 7 Choose the correct answer for the following questions.

(1*10=10)

i) Rights and liabilities of the beneficiary are given in

a) Chapter II

b) Chapter VI

c) Chapter III

d) Chapter IV

ii) The term *Fiduciarius* stand for-

- a) Beneficiary b) Trustee c) Creator of the trust d) None of these

iii) Aldrich v. Cooper(1803)32 ER 4022 is related to

- a) Beneficiary b) Marshalling c) legal representative d) Trustee

iv) *cestui que est stand for-*

- a) Trustee b) Beneficiary c) Creator d) Agent

v) X transfers his property to Y for benefit of Z. Y here is a passive trustee to hold the property without any active duty to perform and Y is bound to execute the conveyance of the legal estate as Z directs. It is a

- a) Implied or presumed trust b) Constructive trusts c) Simple Trust d) Resulting trust

v) Legatees *pari passu* stands for

- a) Beneficiary b) Trustee c) Equal Footing d) Settler

vi) *Delegatus non potest delegare*

- a) Trustee cannot renounce after acceptance c) Trustee cannot delegate
b) Co-trustees cannot act singly d) Trustee may not charge for services

vii) Pick the odd one

- a) legally binding agreement b) between two individuals
b) trustee d) Consideration

viii) a *fidei commissum* is created in a

- a) Gift b) Will c) Trust d) Sale-Deed

ix) Chapter II Of Indian Trust Act Deals With

- a) Rights And Powers of Trustees c) Duties And Liabilities of Trustees
b) Creation of Trusts d) Rights And Liabilities of The Beneficiary

x) Which one of these **BEST** describes the nature of equitable remedies?

- a) They are only granted where common law remedy would also be due
b) They are discretionary in nature and depend upon the availability and adequacy of Common Law remedies
c) They are awarded as of right once the claim is proven to be meritorious
d) Provided the claimant has not acted unconscionably, they will obtain one.

Section – B (Short Answer Type)

Attempt any two of the following questions

(8 x 2 = 16)

4. "A" has been arrested for offence of mischief. Assume necessary facts and draft a bail application for his release.
5. Draft an Original Petition before the Principal Judge, Family Court, Meerut for grant of Divorce on the ground of Cruelty.
6. "A" is having a Agricultural Land at Hastinapur. The area of land is 10 Beggah. The dimensions of land are mentioned in Khatauni. However, on the east side of plot, there is 30 feet wide Chak road whereas on the west, North and South of the land are fields of "B", "D" and "C" respectively. He was in need of Rs. 20,00,000 (twenty lac) for the marriage of his daughter so he plan to mortgage his agricultural land to "X". On 15.06.2021 there has been agreement between the "A" and "X" for simple mortgage with agreement that "A" shall repay the loan within 5 years and if the "A" defaults in payment then "X" shall have right to sell the said property. Draft a mortgage deed assuming necessary other facts.

Section – C (Multiple Choice Questions)

Attempt all the questions

(1x10 = 10)

- 7.(i) No order under section 47 to be refused or modified unless decision of the case is prejudicially affected under which of the following in the Code of Civil Procedure?
a) Section 90A b) Section 95A c) Section 99A d) Section 100B
- (ii) 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
- (iii) The object of discovery is:
a) To elicit admissions b) To obviate the necessity to produce lengthy evidence
c) To expedite disposal d) All of these
- (iv) Principle of res-judicata is:
a) Mandatory b) Directory c) Discretionary d) All the above
- (v) Suits under section 20 of CPC can be instituted where the cause of action arises:
a) Wholly b) Partly c) Either wholly or in part d) Only (a) and not (b) or (c)
- (vi) In a cognizable offence a police officer
a) Cannot arrest an accused without warrant
b) May arrest an accused without warrant
c) Can keep accused in police custody without a remand order
d) In not required to produce accused before Magistrate
- (vii) A person arrested by a police officer may be kept in custody for
a) Two days b) Three days c) Twenty four hours d) One week
- (viii) In which case the supreme Court held that section 125 Cr. P.C. was applicable to all irrespective of their religion?
a) Mohd. Umar Khan Vs. Gulshan Begum
b) Mohd. Ahmad Khan Vs. Shah Bano Begum
c) Mst. Zohara Khattoon Vs. Modh. Ibrahim
d) Noor Saba Khattoon Vs. Mohd. Quasim
- (ix) An order under section 319 of the Code of Criminal Procedure, 1973-
a) Can only be made on the request of the first informant or one of the witness
b) Cannot be passed unless at least one prosecution witness has been examined
c) Cannot be made suo motu d) Is an administrative order
- (x) Charge can be created by:
a) Act of parties b) Operation of Law c) Both A and B d) Neither A nor B