

viii. The first appeal under UP Revenue Code is filed under-

- a) Section 207
- b) Section 208
- c) Section 209
- d) Section 210

ix. Chapter XV of UP Revenue Code is dealt with

- a) Assessment of Land Revenue
- b) Collection of Land Revenue
- c) Jurisdiction of Revenue Court
- d) Penalties

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

II. Long Question : Answer Any Two

[15×2=30]

- 2. Discuss rights of Tenure Holders. Bhumidhari Rights not to accrue in certain lands. Explain.
- 3. Discuss the procedure for the ejection of trespasser of Gram Panchayat land. What are the remedies for wrongful ejection?
- 4. What are the functions of Gram Panchayat? Discuss

IV. Short Question: Answer any Two

[10×2=20]

- 5. What is the composition of Revenue Board? Discuss the powers, functions and jurisdiction of Revenue Board?
- 6. Discuss the procedure of the collection of land revenue.
- 7. Discuss the procedure of the Revision of the Village Record.

31/12/2022

Printing Pages : 1

Paper Code : BL-902/BL-906(O) C (SVSU:2022-23/S)

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B.A.LL.B.

Vth YEAR IXth Semester Examination
SUB: Drafting of Pleading and Conveyancing
SUB CODE: BL-902/BL-906(Old)

THIS QUESTION PAPER CONTAINS THREE SECTIONS. ATTEMPT ALL THE QUESTION PAPERS AS PER THE INSTRUCTIONS.

Max. Marks-50
(Time : 3 Hours)

PART-A

1x10=10

1) MULTIPLE CHOICE QUESTIONS

- i) The title as a part of the instrument is-
 - a- Required by Law
 - b- Not required by Law
 - c- Title is decisive of its nature
 - d- All the above.
- ii) Power of attorney executed for the purpose of generally representing another person or for performing more than one act is called-
 - (a) General power of attorney
 - (b) Special power of attorney
 - (c) Particular power of attorney
 - (d) Revocable power of attorney
- iii) Section 11 of the Code of Civil Procedure contains:-
 - (a) Six Explanations
 - (b) Seven Explanations
 - (c) Eight Explanations
 - (d) Nine Explanations
- iv) The term pleading is defined under order-
 - a- Order 6
 - b- Order 7
 - c- Order 6 rule 7
 - d- Order 8
- v) Which part of the deed state the purpose and back ground of the deed-
 - a- Testatum
 - b- Hebundum
 - c- Recital
 - d- Testamonium
- vi) Which of the following must be stated in the pleading-
 - a- Facta probantia
 - b- Facta Probanda
 - c- Both
 - d- None of the above
- vii) A party can amend its pleading under order -
 - a- Order 6 rule 14
 - b- Order 6 rule 15
 - c- Order 6 rule 16
 - d- Order 6 rule 17
- viii) The kind of request or intimation to the court not to pass any order without hearing the plaintiff is known as-
 - a- Caveat
 - b- Pre-emption
 - c- Notice
 - d- Injunction
- ix) Plead has to be submitted in-
 - a- Single Copy
 - b- Duplicate
 - c- Triplicate
 - d- Depend on the number of defendant
- x) Who shall produce the evidence first-
 - a- Plaintiff
 - b- Defendant
 - c- Either plaintiff or defendant
 - d- As directed by the court.

PART-B

SHORT ANSWER TYPE QUESTION.

OUT OF THREE QUESTIONS ATTEMPT ANY TWO

08X2=16

- 2- What are the essentials of a Suit. Discuss.
- 3- Draft a notice on behalf of a person, Who's tenant not giving him proper rent and being owner he want his house vacant.
- 4- Seema is wife of Surender and is living separately because of sufficient reasons. Draft a petition for divorce on behalf of Seema.

PART-C

LONG ANSWER TYPE QUESTIONS

OUT OF THREE QUESTIONS ATTEMPT ANY TWO .

12x2=24

- 5- Draft a Bail application on behalf of an accused of theft.
- 6- Define pleading. What are the fundamental rule of pleading? Discuss them in detail.
- 7- What is the meaning of Conveyancing. Discuss the essential parts of a Deed in brief.

Printing Pages :2

Paper Code : BL-903 B (SVSU:2022-23/R)

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B.A.LL.B.
(Vth YEAR IX SEMESTER) EXAMINATION
HUMAN RIGHTS LAW, PRACTICE AND R.T.I

[Time:3 Hours]

[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:

[1x10:10]

i)The African Charter on Human and Peoples' Rights is also known as

- a) Congo Charter b) Banjul Charter c) Malabo Charter d) None of the above

ii)Which one of the following categories of Fundamental Rights incorporates 'Abolition of Untouchability'?

- (a) Right to Religion (b) Right to Equality
(c) Right to Freedom (d) Right against Exploitation

iii)What is the fee for getting information under RTI Act:

- (a) Rs. 20/- (b) Rs. 50/- (c) Rs. 100/- (d) Rs. 10/-

iv)Guidelines for arrest of persons by the police were given by the SupremeCourt in which of the following cases?

- (a) Maneka Gandhi vs. Union of India (b) Auto Sankar vs. State of Tamil Nadu
(c) Hussainara Khatoon vs. State of Bihar (d) D. K. Basu vs. State of West Bengal

v) Which is the world's "Most Translated Document" (370 different languages and dialects)?

- (a) Universal Declaration of Human Rights (b) UN Charter
(c) Vienna Declaration and Programme of Action (d) International Covenant on Civil and Political Rights

vi)The name of 'The Untouchability (Offences) Act' was changed to 'the Protection of Civil Rights Act' with effect from :

- (a)1975 (b)1976 (c) 1981 (d) 1974

vii) The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted on

- (a) 2007 (b) 2008 (c) 2005 (d)2006

viii) Which of the following does not constitute part of the International Bill of Rights?

- (a) Universal Declaration of Human Rights
(b) International Covenant on Economic, Social and Cultural Rights
(c) International Convention on Elimination of All Forms of Racial Discrimination
(d) Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

ix)In 1993 the World Conference on Human Rights was held at

- a) Paris b) Berlin c) Vienna d) None

X)Who can be a Chairperson of NCW?

- a) A person nominated by the Parliament
b) A person nominated by the President of India
c) A person nominated by the Ministry of Defence
d) A person nominated by Central Government

Section – B (Short Answer Type)

Attempt any two questions of the following:

[10*2=20]

2. Write down the short note on any two:
 - a) Human Rights and Social Democracy
 - b) Human Rights of The Accused
 - c) State Human Right Commission
3. What are the human rights provided under the UN Charter? Explain.
4. Discuss the constitution and functions of National Commission for Minorities.

Section – C (Long Answer Type)

Attempt any two questions of the following:

[15*2=30]

5. Discuss in detail the rights of women guaranteed in International Instruments and its reflection in the Indian legal system.
6. "A special feature of the African charter which distinguishes this regional convention from other regional conventions is the enumeration of duties in detail". Analyse this statement along with defects in the African Charter on Human and People's rights.
7. Examine the procedure to get information and the obligation of the Public Authorities to provide information. Also discuss penalties provided under the Right to Information Act, 2005.

IX In the international scenario, if any person moves from one country to another country in search of work or any other avocation, then he or she is described as

- (a) Stateless person (b) Displaced person
(c) Disabled person (d) Migrant worker

X When was the Commonwealth set up?

- (a) 1949 (b) 1930
(c) 1940 (d) 1890

SECTION-B

Answer in long (any two)

[15×2=30]

2. What are the modes of acquisition and loss of nationality according to citizenship act 1955?
3. What do you mean by asylum in international law? Discuss its types.
4. What does being in the Commonwealth mean? What are the benefits of being a Commonwealth?

SECTION-C

Answer in short (any four)

[5x4=20]

5. What statelessness means?
6. What is the meaning of non-resident Indian?
7. What are the four elements of citizenship?
8. What's the difference between migrant and immigrant?
9. What are the 4 types of visas?

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BA.LL.B
(5th Year, IX SEMESTER)
EQUITY TRUST AND FIDUCIARY OBLIGATIONS

MM:- 60]

[Time- 03.00 Hrs

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

Part-A (Long Answer Type)

Attempt any two questions from the following. 15x2=30Marks

- Q.1. What do you understand by trust as it defined in Indian Trust Act 1882. Discuss the classification of trust.
- Q.2 To impose a constructive trust, which of the following relationships will be treated as fiduciary relationships?
- (a) The Queensland Bank mistakenly credits Rahul's account with a cheque for Rs. 1 Crore.
- (b) Manav is a general practitioner doctor. Amit is addicted to heroin. In exchange for sexual favours, Manav prescribes heroin to Amit.
- (c) In 1998 Tina invested her life savings in opening a franchised branch of Udderwise, a lingerie chain on the corner of Market Street and Station Road. Udderwise's documentation predicted that, because of the favourable location, she could expect 10,000 customers a year. She has lost a considerable amount of money since then, because she has only been visited by 2,500 customers a year.
- Q.3 The Judicature Act of 1873-75 was the fusion of two streams. Explain.

Part-B (Short Answer Type)

Attempt any two questions from the following. 10x2=20 Marks

- Q.4 Explain the Maxim, Equity imputes an intention to fulfill an obligation with its application in India.
- Q.5 Write short note on any two of the following-
- a) Doctrine of Cypress b) Equity acts in personam c) Ubi jus ebi remedium
- Q.6 A debtor prior to his proceeding abroad, without communicating to his creditors, vested in trustees on trust properties to pay his debts. Is the trust enforceable by the creditors? Discuss.

Part-C (Objective answer Type)

Q.7 Choose the correct answer for the following questions. 10x1=10Marks

- i) What is the role and purpose of Equity?
- a) To "gloss" over and mollify the injustices of the Common Law
- b) To provide an alternative system of Law for Claimants to choose between
- c) To allow for the recognition of trusts
- d) To provide a quicker system of Justice

- ii) What was the significance of the Earl of Oxford's Case (1615) 1 Ch Rep 1, (1615) 21 ER 485?
- The Case established the principle that where Common Law and Equity conflict, the Common Law prevails
 - The Case established the principle that where Common Law and Equity conflict, Equity prevails
 - The Case established the equitable Maxim that "he who comes to Equity, must come with clean hands"
 - The Case established the practice of Chancellors being appointed from the high-ranking religious officials
- iii) Which of the following statements regarding the Judicature Acts (1873 - 1875) is most accurate?
- The Acts codified the principle that Common Law prevails over Equity
 - The Acts unified the administration of the Courts of Equity and the Common Law Courts
 - The Acts appointed religious officials to sit as Judges to contribute to the decision-making process
 - The Acts provided a criterion to determine which cases should be heard in the Common Law Courts and which should be held in the Equity Courts
- iv) Which of the following is NOT an equitable maxim?
- Equity will not suffer a wrong without a remedy
 - Equity acts in personam
 - Equity sees as done that which ought to be done
 - Equity looks to form, not intent
- v) Which of the following statements is false?
- A beneficiary holds the beneficial interest in the property
 - A person with both the absolute beneficial interest & the legal interest is the absolute owner
 - The trustee and beneficiary can be the same person
 - A trustee owns the legal title to the property
- vi) Following the Judicature Acts (1873 - 1875) equitable remedies are available in which Courts?
- There are no equitable remedies
 - The House of Lords
 - The Chancery Court
 - All of them
- vii) Which of the following is NOT an example of an equitable remedy?
- Injunction
 - Damages
 - Specific Performance
 - Rescission
- viii) Which of the following is NOT an equitable maxim?
- Equity will not suffer a wrong without a remedy
 - Equity acts in personam
 - Equity sees as done that which ought to be done
 - Equity looks to form, not intent
- ix) What is the role and purpose of Equity?
- To "gloss" over and mollify the injustices of the Common Law
 - To provide an alternative system of Law for Claimants to choose between
 - To allow for the recognition of trusts
 - To provide a quicker system of Justice
- x) What was the significance of the Earl of Oxford's Case (1615) 1 Ch Rep 1, (1615) 21 ER 485?
- The Case established the principle that where Common Law and Equity conflict, the Common Law prevails
 - The Case established the principle that where Common Law and Equity conflict, Equity prevails
 - The Case established the equitable Maxim that "he who comes to Equity, must come with clean hands"
 - The Case established the practice of Chancellors being appointed from the high-ranking religious officials.

iii) Who can make a reference on a competition policy in formulating a policy relating to competition or in any other matter, may seek the opinion of the Commission by making a reference to it.

a) The Central Government.

b) The State Government.

c) (A) and (B)

d) Chairperson & other Members of Competition Commission of India.

iv) The Chairperson and other Members shall not for a period of from the date on which they cease to hold office accept any employment in, or be connected with the management or administration of, any enterprise which has been a party to a proceeding before the Commission.

a) 3 years

b) 18 months

c) 2 years

d) 12 months

v) Is there compulsory wait period for a combination to take effect?

a) Yes. The proposed combination cannot take effect for a period of 210 days from the date it notifies the Commission or till the Commission passes an order, whichever is earlier.

b) No. The proposed combination can be take effect from the date of Commission passes an order.

c) Yes. The proposed combination cannot take effect for a period of 60 days from the date it notifies the Commission or till the Commission passes an order, whichever is earlier.

d) No. The proposed combination can be take effect from immediately effect from the date it notifies the Commission or till the Commission passes an order, whichever is earlier.

vi) Merger or amalgamation of enterprises shall be a combination, if the group to the enterprise will belong after acquisition jointly have in India:

a) Assets > Rs. 8000 Cr or Turnover > Rs. 24000 Cr

b) Assets > Rs. 2000 Cr or Turnover > Rs. 6000 Cr

c) Assets > Rs. 1000 Cr or Turnover > Rs. 3000 Cr

d) None of the above

vii) An agreement among the companies at the same level of the production chain is called _____ in competition parlance:

a) Vertical agreement

b) Cross agreement

c) Horizontal agreement

d) Transparent agreement

viii) Which of the following as per the Competition Act, 2002 refers to any agreement to sell goods on condition that the prices to be charged on the resale by the purchase shall be the prices stipulated by the seller unless it is it is clearly stated that prices lower than those prices may be charged?

a) Exclusive distribution agreement

b) Exclusive supply agreement

c) Resale price maintenance

d) Tie-in agreement

ix) The Central Government appointed Hon'ble Justice, aged 61 years Mr. HCJ as the Chairperson of the Competition Commission of India with effect from 1st January, 2005.

a) Invalid Appointment;

b) Can be appointed for a term of 5 years, reappointment for another term of 5 years but will have to step down in between of Second Term.

c) Can be Appointed for a term of 5 years;

d) Can be appointed for a term of 5 years and reappointment for another term of 5 years.

x) Following shall not be presumed to have an appreciable adverse effect on competition:

a) Directly or indirectly results in bid rigging or collusive bidding.

b) Directly or indirectly determines purchase or sale prices.

c) Limits or controls production, supply, markets, technical development, investment or provision of services.

d) Agreement by Joint Ventures to increase efficiency in distribution of goods.

SECTION-B

Q2 Answer in long (any two)

[5x2=20]

I Elaborate upon the importance and application of the following Maxims:

- i) Equity follows the law
- ii) Where equities are equal first in time shall prevail.

II Elaborate upon the remedies available to a beneficiary in case of a breach of a trust by a trustee.

III Discuss in detail the different kinds of injunctions. Elaborate upon cases where the court may refuse to grant an injunction.

SECTION-C

Q3 Answer in short any four.

[5X4=20]

- I. Distinguish between Agency and Contract.
- II. Explain the principles and procedure of Rescission of contract.
- III. Explain the rights of a bonafide purchaser against the vendor having an imperfect title.
- IV. What do you understand by Fiduciary Relations?
- V. Explain extinction of Trust.