

Printing Pages :2

Paper Code :BL-701 B (SVSU:2022-23/R)

Enrollment No.																			
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B.A.LL.B

VII Semester / 4th Year Examination
Law of Civil Procedure & Specific Relief Act

[Time: 03:00 Hours]

[Max. Marks: 60]

Note: Attempt all the questions as per the given instructions.

SECTION-A

I. Multiple Choice Questions (MCQs)

I. A written statement –

- (a) May contain new facts in favor of the defendant
- (b) May contain legal objections to the claim of the plaintiff
- (c) Must be confined to the reply to the plaint
- (d) Both (a) and (b) above.

II. A residing in Jabalpur, beats B in Delhi. B may sue A under the Code –

- (a) Delhi
- (b) Jabalpur
- (c) Either (a) or (b)
- (d) Only (a) not (b).

III. Powers of the court in executing transferred decree are dealt with under-

- (a). Section 40 of CPC
- (b). Section 42 of CPC
- (c) Section 43 of CPC
- (d) Section 41 of CPC.

IV. Settlement of disputes outside the Court deals with-

- (a). Arbitration
- (b). Judicial settlement including settlement through Lok Adalat
- (c). Conciliation and mediation
- (d). All of the above.

V. No second appeal shall lie except on the grounds mentioned in section _____ of the Civil Procedure Code

- (a) Section 104
- (b) Section 101
- (c) Section 100
- (d) Section 103.

VI. Bar to further suit is dealt under which of the following in the Code of Civil Procedure?

- (a). Section 13
- (b). Section 12
- (c). Section 11
- (d). Section 16.

VII. The words 'any court exercising original jurisdiction under s. 96 of the code of Civil Procedure has to be read to mean that:

- (a). If the original jurisdiction has been exercised by any court, the decree passed shall be deemed to be a decree against the court exercising original jurisdiction
- (b). If the original jurisdiction has been exercised by any court, the decree passed shall be deemed to be a decree by a court exercising original jurisdiction
- (c). If the original jurisdiction has been exercised by any court, the decree passed shall be deemed to be void by a court exercising the original jurisdiction
- (d). None of these.

VIII. The words 'it appears to the Central Government which is the consenting authority, make it clear that:

- (a). The decision granting the consent is open to question by the court
- (b). The decision granting the consent is final
- (c). None of these
- (d) Either (A) or (B)

Printing Pages 1

Paper Code: BL-702

B

(SVSU:2023-24/R)

Enrollment No.

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B.A.LL.B.

IVth Year / VIIth Semester Examination

Alternate Dispute Resolution (Theory) CODE: BL-702

Time: 3 Hours

Max. Marks: 50

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

SECTION-A**I. All Questions are compulsory****1×8 =08**

- i. The Provision of Section 8, Arbitration and conciliation act,1996 are-
 - a) Pre-Emptory
 - b) Directory
 - c) Discretionary
 - d) Optional
- ii. In Case of three Arbitrator, the third Arbitrator shall Act as :-
 - a) An Umpire
 - b) A Presiding Arbitrator
 - c) Sole Arbitrator
 - d) None of the above
- iii. An Arbitral Award
 - a) Has to be in writing but need to be signed
 - b) Has to be in writing and signed by the members of the arbitral tribunal
 - c) May be Oral
 - d) Either (a) or (b) or (c)
- iv. Which Section of Arbitration & conciliation Act,1996 define the Arbitration Agreement-
 - a) Sec 2(a)
 - b) Sec 2(b)
 - c) Sec 2(e)
 - d) None of the above
- v. Arbitration and Conciliation Act 1996 came into force on dated-
 - a) 29 Aug 1996
 - b) 19 Aug 1996
 - c) 15 Dec 1996
 - d) None of the above
- vi. As per arbitration Act the Arbitrator shall be in -
 - a) Odd number
 - b) Even number
 - c) May be in any number
 - d) Only single Arbitrator
- vii. Part 4 of the Arbitration and Conciliation Act 1996 deals-
 - a) Place o Arbitration
 - b) Conciliation
 - c) Mediation
 - d) Supplementary provision
- viii. An Arbitral award shall be enforced in the same manner as if it were a decree of
 - a) Local Authority
 - b) The Court
 - c) The Tribunal
 - d) Both (a) and (c)

SECTION-B (Short Answer Type Question)**Out of three questions attempt any two****8×2 =16**

- 2-. Analyze the importance of conciliation in family matters.
- 3- Describe the term International commercial arbitration and give your opinion that how much you are agreed that arbitration is an ultimate remedy in commercial obligation.
- 4- Explain the role of Lok-ayukta in dispute resolution.

SECTION-C (Long Answer Type Question)**Out of three questions attempt any two****13×2 =26**

- 5- Define Arbitration and its origin. What is the need and importance of in present scenario?
- 6- Explain the term foreign award and provisions of its enforcement under arbitration and conciliation Act 1996.
- 7- Describe the objectives of Lok Adalat and its importance in present perspective.

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B.A.LL.B.

**(IVth YEAR VIISEMESTER) EXAMINATION
MEDIA LAW AND PUBLIC AWARENESS**

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:

[1x8= 8

i) Fundamental Rights under Article 19 of the Indian Constitution are conferred on:

- a) Indian citizens b) All persons living within Indian Territory c) Foreigners also d) All of them

ii) Under which case law “Freedom includes right to communicate and circulate information through any medium including print media, audio, television broadcast or electronic media”

- a) Cricket Association of Bengal Vs. Secretary, Ministry of Information & Broadcasting
b) Maneka Gandhi Vs Union of India
c) Sakal Papers (P) Ltd Vs Union of India
d) Tata Press Ltd Vs MTNLs

iii) At present films are certified under _____ categories

- a) 4 b) 3 c) 5 d) 6

iv) Which of the following freedoms is not specifically mentioned in the Constitution of India as a fundamental right but has been subsequently upheld by the Supreme Court as such?

- a) Freedom of trade, occupation and business b) Freedom to reside and settle in any part of the country
c) Freedom of association and union d) Freedom of the press

v) Contempt of Court was enacted for the first time in the year _____

- a) 1952 c) 1962 d) 1972 d) 1982

vi) Which of the following is NOT a correct statement with respect to Freedom of speech and expression in India?

- a) It is enshrined in Part III of the Constitution
b) It is not an absolute right to express one's thoughts freely
c) It can not be curtailed by legislation
d) It can be suspended in emergency

vii) In which of the following cases has 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) ADRvs Union of India
c) Common Cause v. Union of India d) None of these

viii) In 1965, the landmark Ranjit Udeshi judgment of the Supreme Court adopted the Victorian-era

- a) Hicklin test b) Roth Test c) Miller Test d) None of these

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) Yellow Journalism
b) Forms of Media
c) Development of Media Law in India

3. Write a note on Hate Speech and public order.

4. What do you mean by 'Media Trial'? Whether it is the part of freedom of press? Discuss in the light of right of fair trial to accused with the help of relevant case laws.

Section – C (Long Answer Type)

Attempt any two questions of the following:

[16*2=32

5. When does the freedom of speech become subject to reasonable restrictions under Article 19 of the Constitution of India? Discuss

6. “Film must be judged according to the contemporary standards of the country.” What is the test applied by courts in deciding question of obscenity?

7. What do you understand by commercial speech? What is the legislative policy regarding Government advertisements?

OR

Do Indian courts recognize the right to privacy? Is there a difference between state actors, celebrities, and private figures in the exercise of leading a private life? Are sting operations by media considered to be violative of a person's privacy?

Printing Pages :2

Paper Code:BL-704

C (SVSU:2023-24/R)

Enrollment No.																			
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B.A.LL.B
(4th YEAR, VII SEM.)
PUBLIC HEALTH LAWS

*[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.

[16x2=32]

Q.1. Whether Right to Health Care is a fundamental right of the citizens of India or a duty of the government of India under Part IV of Constitution of India, discuss?

Q. 2. The Transplantation of Human Organs Act, 1994 is meant to provide for the regulation of removal, storage, and transplantation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs. Discuss salient features of HOTA, Act 1994.

Q.3. A medical practitioner received Rs.5000/- and conducted the ultrasonography test on pregnant women and said "Gajanan Maharaj ki Jai. A case is lodged against him for disclosing the sex of baby. A argues that he was not committed any offence. Decide the liability of A.

SECTION-B (Short Answer Type)

Attempt any Two of the following questions.

[10x2=20]

Q.4. Smoking in public place is the violation of the fundamental rights of the non-smokers. Discuss with the help of the decided case laws.

Q. 5. Prison jurisprudents recognize that prisoners should not lose all their right because of imprisonment. In this regard discuss reforms related to healthcare for prisoners in India .

Q.6. Discuss the salient features of the Food Safety and Standard Act, 2006..

SECTION-C (Objective Type)

7. Choose correct option.

[1x08=08]

i. In which case The Supreme Court held that if no scale or rate is fixed then in case private clinics or hospitals increase their rate to exorbitant scales, the state would be bound to reimburse the same. The principle of fixing of rate and scale under such a policy is justified, and cannot be held to violate art 21 or art 47 of the Constitution.

P.T.O.

Printing Pages :1

Paper Code: BL-705 A (SVSU:2023-24/R)

Enrollment No.

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Program Name:- B.A. LL.B.

VII Semester / 4th Year Examination

Subject Code ...BL--705

Subject Name ... BANKING LAW

[Time : 03:00 Hours]

[Max. Marks : 60]

Note : 1. Attempt all the questions as per given instructions.

(SECTION-A)**1. Multiple Choice Questions (MCQs)****[01×08=08]**

- (I)** On which rate bases, overnight money is needed by bank from RBI?
 (a) Marginal Standing Facility(MSF) Rate (b) Repo Rate (c) Reverse Repo (d) Bank Rate
- (II)** Who has the power to give directions to other Banking Companies?
 (a) RBI (b) Government of India (c) Registrar (d) Auditor
- (III)** Which section of Banking Regulation Act 1949 relates with the Power of Reserve Bank to issue directions in respect of stressed assets?
 (a) Section 35AA (b) Section 35AB (c) Section 35B(d) (d) Section 35BB
- (IV)** Which bank have given the instructions to the commercial banks regarding the immediate credit of outstation cheques?
 (a) Reserve Bank of India (b) Central Bank (c) World Bank (d) All of the Above
- (V)** Who is primarily liable on a promissory note?
 (a) Holder (b) Maker (c) Drawee (d) Endorser
- (VI)** ----- is a dead cheque
 (a) Post dated cheque (b) Stale cheque (c) Ante dated cheque (d) Pre dated cheque
- (VII)** The following one is a negotiable instrument, negotiable by usage or custom
 (a) Bill of Exchange (b) Accommodation Bill (c) Promissory Note (d) Share warrant
- (VIII)** Cheque is payable on
 (a) Demand (b) Usage (c) Fixed future date (d) After sight

(SECTION-B)**2. Long Answer type. Attempt any two****[16x2=32]**

- I** "The law has failed to provide us with satisfactory definitions of the terms 'banker' and 'customer'." Do you agree with this statement? How have the terms been defined? Elucidate the special features of relationship between a banker and his customer.
- II** Define the term negotiable instrument? What are the different kinds of negotiable instruments?
- III** Describe the Compositions and functions of Reserve Bank of India.

(SECTION-C)**3. Short Answer type. Attempt any two****[10x2=20]**

- I** What is Non Performing Assets? What are the different types of Non Performing Assets?
- II** What are the different types accounts of customers in Banks? Explain in detail
- III** Liability of surety is same as that of the principal debtor. What are the rights of surety?
- IV** One Time Investment Plan is an ideal method of investment for prepared investors who like to put a lump of cash in one go. What are the advantage of One Time Investment Plan? What are the factors affecting the decision of One Time Investment Plan?
- V** Write a detailed note on Banking Ombudsman.

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Paper Code:BL-706 C (SVSU:2023-24/R)

Enrollment No.																			
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BALLB

VII Semester / 4th Year Examination

Subject Code BL-706

Subject Name: Law of Insurance

[Time: 03:00 Hours]

[Max. Marks : 60]

Note: Attempt all the questions as per given instructions.

Section-A

1. Multiple Choice Questions

[01×08=08]

- Insurance works on the principle of
 - Sharing of losses
 - Probabilities
 - Randomness
 - All of the above
- may be described as a social device to reduce or eliminate risk of loss to life and property.
 - Investment
 - Saving
 - Insurance
 - Loan
- Compared to the premium for a Whole Life plan, the premium for an Endowment plan will be ___ for the same age
 - more
 - less
 - the same
 - double
- The minimum paid up capital required for a General Insurance Company is Rs. _____
 - 25 crores
 - 50 crores
 - 75 crores
 - 100 crores
- Select the expanded form of FPA as used in insurance
 - Freight Payable Assured
 - Free of Particular Average
 - Fire Perils Added
 - Fixed Peripherals Added
- Insurance cannot prevent the occurrence of risk but it provides for the.....
 - losses of risk
 - occurrence of risk
 - chance of risk
 - none of these
- The document which embodies the contract in insurance is called.....
 - security
 - policy
 - certificate
 - none of these
- Objective of IRDA includes
 - policy holder protection
 - healthy growth of the insurance market
 - both a and b
 - Only a

SECTION-B (Long Answer Type)

Attempt any Two of the following questions.

[2x16=32]

- Discuss about the composition, powers and functions of claims tribunals under Motor Vehicle Act, 1988
- 'Marine Insurance is the oldest form of insurance. A very important aspect of it is Perils of the Sea.' Comment with suitable examples.
- Write down the note on any **TWO** of the following:
 - Functions and Benefits of Insurance
 - FDI under Insurance Sector
 - Nomination of Life Insurance Policy

SECTION-C (Short Answer Type)

Attempt any Two of the following questions.

[10x2=20]

- "Utmost good faith is an essential element in all insurance contract." Comment.
- Define Life Insurance and discuss the various kinds of Life Insurance.
- What are the characteristics of Fire Insurance? State its scope too.

Printing Pages :2

Paper Code: BL-707 A (SVSU:2023-24/R)

Enrollment No.																			
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Program Name- B.A.LL.B.

Semester- VII / Fourth Year Examination

Subject Code BL- 707

Subject Name- Criminal Psychology

[Time : 03:00 Hours]

[Max. Marks : 60]

Note : 1. Attempt all the questions as per given instructions.

1. Multiple Choice Questions (MCQs)

[01x08=08]

I A scientific study of the nature, extent, causes and control of criminal behavior is called as -----.

- A) Criminology
B) Indian Penal Code
C) Penology
D) None of the above

II Differential Association Theory of Crime was developed by.....?

- A) George Ritzer
B) Howard Becker
C) Edwin Sutherland
D) Lombroso

III Which theory emphasises on the physiology of the criminals?

- A) Theory of evolutionary atavism
B) Psycho-analytic theory
C) Anomic Theory
D) Labelling theory

IV National Crime Records Bureau of India was founded in the year.....

- A) 1986
B) 1982
C) 1950
D) 1996

V Which of the following is a victimless crime?

- (A) Murder
(B) Gambling
(C) Riot
(D) Robbery

VI Crimes conducted over the internet or other computer network are -----

- A) Embezzlement
B) Tort
C) Cybercrimes
D) None of the above

VII Criminal Psychology is defined as the scientific study of:

- a. people and things related to crime
b. emotions and beliefs of criminals
c. perception and religion
d. mind and behavior of criminal

VIII Human trafficking is a form of

- (A) Hate crime
(B) Organised crime
(C) Violent crime
(D) Property crime

2. Answer in long (any two)

[16x2=32]

I Define criminology. Discuss its nature, scope and relation of criminology to the other social sciences.

II Discuss the theory of differential association of understanding criminal behavior and suggest the ways for the treatment of such criminals.

III What is criminal behavior? Explain the various techniques of studying criminal behavior.

3. Answer in short (any four)

[5x4=20]

I Discuss the concept of crime. Make a distinction between motive and intention with suitable examples.

II Make an elaborate discussion on Bio-physical factors and criminal behavior of an individual by analyzing crime.

III Write an essay on the rehabilitation of the accused in society.

IV Write the main tenants of the sociological school of criminology.

V The psychological depravity of a person has an important bearing on criminality, Discuss.

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Program Name: B.A. LL.B.
 IV Year VII Semester / Examination
 Subject Code: BL-708
 Subject Name: Penology & Victimology

[Time : 03:00 Hours]

[Max. Marks : 60]

Note: 1. Attempt all the questions as per given instructions.

- I. Multiple Choice Questions (MCQs) [01×08=08]**
- I Who are considered as Father of Victimology?**
 (a) Garofalo. (b) Mendelsohn and Von Henting.
 (c) Marvin Volfgang. (d) Cohen
 - II Who has postulated the concept of 'Born Criminal'?**
 (a) Lombroso. (b) Godard. (c)Garofalo. (d)Darwin.
 - III Which type of prisoners are admitted to open air jails?-**
 (a) Educated prisoners.
 (b)Prisoners who have completed.a portion of their term.
 (c) Skilled Prisoners.
 (d) Women Prisoners.
 - IV Reduction in sentence in prison administration is called-**
 (a)Remission. (b) Parole. (c)Probation. (d) Furlough
 - V Pre-sentence report is required to release an offender on-**
 (a) Parole. (b)Probation. (c) Bail. (d) Interim Bail.
 - VI Open air jails are setup under what philosophy?**
 (a)Incarceration. (b)Protection of society.
 (c)Reformation of prisoners. (d)Retribution
 - VII Victim Facilitation Theory is given by-**
 (a)Marvin Volfgang. (b) Garofalo. (c) Cohen. (d) Godard.
 - VIII Under Probation of Offenders Act, the pre-sentence report is submitted to**
 (a) Probation officer (b) Police officer
 (c) Judicial officer (d) Prosecution officer

Answer in long (any two) [16×2=32]

- 2 Explain the rights of prisoners under the Indian Constitution.Discuss the problem faced by women prisoners.
- 3 Explain different categories of victims? Discuss the provisions of Code of Criminal Procedure 1973 dealing with compensation to crime victims.
- 4 What do you understand by probation of offender? Explain the origin and concept of probation systems.

Answer in short (any two) [10x2=20]

- 5 Discuss the constitutional validity of hanging as a mode of execution of death sentence.
- 6 What is Parole? Explain the conditions for release on Parole.
- 7 State classification of prisoners. Discuss views of Jail Reforms Committee on classification of prisoners.

04/01/2024

Printing Pages :1

Paper Code: BL-709

B

(SVSU:2023-24/R)

Enrollment No.																			
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B.A.LL.B.

(IVth YEAR VII SEMESTER) EXAMINATION
PRIVATE INTERNATIONAL LAW

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:

[1x8:8

i) The term Renvoi is of _____ origin.

- a. French b. Latin c. Italian d. Dutch

ii) Lex rei situs means

- a. The law of the place where the party is situated b. The law of the place where the person is domiciled
c. The law of the place where the act is done d. The law of the place where the property is situated

iii) _____ is a landmark case of the English Court of Probate and Divorce.

- a. Hyde vs. Hyde b. Le Mesurier Vs. Le Mesurier c. Cohn Vs. Cohn d. Indyka Vs. Indyka

iv) Private international law is also called _____.

- a. Civil Law b. Local laws c. Conflict of laws d. Common law

v) Which of the following is not a type of domicile?

- A. Domicile of origin b. Domicile of choice c. Domicile of race d. Domicile of Dependence

vi) The theory that no court ever applies any other law but its own, nor enforces any rights or obligations other than those created by its own law is based on _____

- (a)The international theory (b)Statutory theory (c) Territorial theory (d) Local law theory

vii) What is the main aspect of conflict in PIL?

- a. Conflicting laws b. Clashing of laws c. Jurisdiction d. Conflict between parties

viii) Which of these is a type of domicile?

- a. Domicile of race b. Domicile of origin c. Domicile by death d. Domicile by adolescence

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) Domicile of Dependents.
b) Doctrine of proper law of contract
c) Forum Shopping.

3. Discuss the meaning, nature and scope of Private International Law. Explain the need of unification of Private International Law in the globalised world

4. What is the meaning of domicile? Differentiate between domicile of choice and domicile of origin.

Section – C (Long Answer Type)

[16*2=32

Attempt any two questions of the following:

5. What is 'Renvoi'? Distinguish the Theory of 'Single Renvoi' from 'Double Renvoi' with Reference to Relevant Case Law in Private of International Law

6. Under what circumstances the courts in India will recognize and enforce the foreign judgment? Discuss in the light of statutory provisions and decided cases.

7. Discuss the rules of Private International Law relating to essential and formal validity of marriage with the help of judicial precedents.
