

*Roll No. ....*

*Time allowed : 3 hours*

*Maximum marks : 100*

*Total number of questions : 6*

*Total number of printed pages : 4*

*NOTE : Answer ALL Questions.*

1. (a) The sovereign power of making laws should be wielded, not to guarantee the selfish desires of individuals, but consciously to secure the common good. Critically examine this statement of Bentham.
- (b) Examine how far the essentials of federal polity is incorporated in Indian Constitution.
- (c) 'A' a state in the Union of India made provisions for district-wise distribution of seats in state medical colleges on the basis of population of a district to the population of the state. Decide the validity of this classification with the help of relevant case law.
- (d) Discuss in brief the power of the court to try offences under Indian Penal Code and any other law as laid down in Criminal Procedure Code, 1973.

*(5 marks each)*

*Attempt all parts of either Q. No. 2 or Q. No. 2A*

2. (a) Explain the exceptions to the rule of strict liability under Law of Torts.
- (b) Explain Heydon's rule of Interpretation of Statute.
- (c) How ratio decidendi differs from obiter dicta ?
- (d) Discuss the provision as to offences punishable under two or more enactments as stated under Section 26 of the General Clauses Act, 1897.

*(4 marks each)*

**OR (Alternate question to Q. No. 2)**

- 2A. (i) Explain the importance of 'time requisite for obtaining a copy' under Limitation Act, 1963 with the help of case law.
- (ii) What are the duties of a police officer while making an arrest under Section 41B and the right of an arrested person under Section 41D of Criminal Procedure Code, 1973 ?
- (iii) Discuss the remedies available to the defendant when an ex-parte decree is passed against him.
- (iv) Briefly discuss the intra-territorial and extra-territorial application of Indian Penal Code, 1860 with exceptions.

(4 marks each)

3. (a) Define and distinguish between declaratory and persuasive precedents.
- (b) Explain any four powers of National Company Law Tribunal (NCLT) with regard to inspection, inquiry and investigation.
- (c) Explain the conditional order for removal of nuisance issued by executive magistrate under Section 133 of Criminal Procedure Code, 1973.
- (d) Discuss the liability of network service providers in Information Technology Act, 2000.

(4 marks each)

4. (a) State the acts for which Public Information Officer may be punished under Section 20 of Right to Information Act, 2005.

(4 marks)

- (b) It is the substance of the transaction as contained in the instrument that determines the stamp duty. Elucidate.

(4 marks)

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(c) When lease of immovable property is compulsorily registrable ?

(4 marks)

(d) State the types of information, other than those exempted information in Section 8, a public authority is not under an obligation to furnish to an applicant under Right to Information Act, 2005.

(4 marks)

5. (a) Critically examine the applicability of liability rule in the tort applied in cases of enterprises engaged in a hazardous industry in India.

(b) Discuss the fundamental duties as enumerated in Article 51A of the Constitution of India. Can it be enforced through writs ? Give reasons.

(8 marks each)

*Attempt all parts of either Q. No. 6 or Q. No. 6A*

6. (a) The rule of Ejusdem generis must be applied with great caution. Critically examine the merits and demerits of this rule.

(b) Examine the necessity of administrative discretion.

(c) Companies can no longer claim immunity from criminal liability on the ground that they are incapable of possessing the necessary *mens rea* for commission of offences. Critically examine.

(d) 'A' under a bonafide belief that certain property belongs to him and purchaser also under the same belief purchased the property from A. Subsequently real owner 'C' filed a complaint of cheating against 'A' for having executed a false sale deed. Whether A is liable for punishment under Indian Penal Code, 1860 ? Discuss.

(4 marks each)

**OR (Alternate question to Q. No. 6)**

- 6A.** (i) How far confession differs from admission as defined in Indian Evidence Act, 1872 ?  
(ii) State the form and contents of Arbitral award.  
(iii) Which are the cases relating to property that can be instituted under Section 16 of Civil Procedure Code, 1908 ? State the limitations, if any.  
(iv) State the physical and psychological fact with suitable examples as enumerated in Indian Evidence Act, 1872.

*(4 marks each)*

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