

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB
MOHINDRA KOTHI, THE MALL, PATIALA - 147 001**



**B.A., LL.B. (HONS.) FYIC
NOVEMBER - 2008
THIRD SEMESTER
SUBJECT: CONSTITUTIONAL LAW -I
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) Explain the term “We the People” as used in the Preamble
 - (ii) Distinguish between citizens and aliens
 - (iii) Explain Money Bills
 - (iv) What do you mean by Bicameral Legislature?
 - (v) What are the qualifications for being elected as President?
 - (vi) Discuss the duties of the Advocate General

- (vii) Describe the qualifications for appointment as a judge of the High Court
- (viii) Discuss the Original Jurisdiction of the Supreme Court
- (ix) Explain the Doctrine of Colourable Legislation
- (x) How long a State can be kept under President Rule?

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) “Preamble is the key to open the mind of the makers.” Discuss and explain its relevance in the interpretation of the Constitution.
- (ii) Who were the citizens at the time of the commencement of the Constitution?

Unit (II)

- (i) Explain the provisions of the Constitution under which the Parliament can make the laws on matters in the State List.
- (ii) Discuss the disqualification of the members of the Parliament and the State Legislatures under the Tenth Schedule of the Constitution.

Unit (III)

- (i) Discuss in brief the powers and position of the President of India.
- (ii) Discuss the powers and functions of the Governor of a State.

Unit (IV)

- (i) Briefly discuss the appellate jurisdiction of the Supreme Court.

- (ii) Explain the Writ Jurisdiction of the High Courts.

Unit (V)

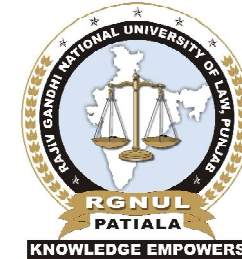
- (i) Critically examine the principles of Pith and Substance and Harmonious Construction as evolved by the judiciary for the interpretation of the lists in the VII Schedule.
- (ii) Explain the effects of National Emergency on the Fundamental Rights.

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) Discuss the concept of Secularism as envisaged in the Constitution. Whether it constitutes a basic structure of the Constitution? Explain.
- (ii) Write short notes on the following:
 - (a) Vote on Account
 - (b) Vote of Credit
 - (c) Supplementary Grants
 - (d) Excess Grants
- (iii) With the help of case law discuss the procedure for appointment and removal of the Judges of the Supreme Court.
- (iv) It is said that “Article 356 is the most used and misused Article in the Constitution.” Explain the statement in the light of S.R.Bommai v. Union of India AIR 1994 SC 1918.

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**B.A., LL.B. (HONS.) FYIC
NOVEMBER - 2008
THIRD SEMESTER
SUBJECT: ECONOMICS -I
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) Differentiate between Cardinal Utility and Ordinal Utility analysis
 - (ii) Differentiate between Pure and Perfect competition
 - (iii) Mention price discrimination and its conditions
 - (iv) Differentiate between 'Money' and 'Near Money'
 - (v) Define 'National Income'
 - (vi) Differentiate between 'Devaluation and Depreciation' of Rupee

- (vii) Mention important features of Industrial Policy
- (viii) Mention 'Pareto Optimality'
- (ix) Distinguish between 'Nominal Wages' and 'Real Wages'
- (x) Differentiate between 'Shift in Demand' and 'Movement along the Demand Curve'

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) Explain the important properties of indifference curve analysis.
- (ii) Explain the law of variable proportions.

Unit (II)

- (i) Explain main features of Monopolistic Competition.
- (ii) Explain Cournot's Model of Duopoly

Unit (III)

- (i) Critically explain the Ricardian Theory of Rent.
- (ii) Explain Loanable Theory of Interest.

Unit (IV)

- (i) Explain High Powered Money.
- (ii) Explain various methods of measurement of National Income.

Unit (V)

- (i) Explain convertibility of rupee on current account.
- (ii) 'Public' or 'Private Sector' - To whom do you prefer and why?

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) How Central Banks control credit?
- (ii) Critically explain 'Keynesian Theory of Interest'.
- (iii) How price is determined under Monopoly?
- (iv) Critically explain law of equimarginal utility analysis.

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**B.A., LL.B. (HONS.) FYIC
NOVEMBER - 2008
THIRD SEMESTER
SUBJECT: FAMILY LAW - I
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) X, a new born baby, was found lying in front of the gate of a temple. He was brought up in an orphanage run by a Christian Missionary. Is he a Hindu?
 - (ii) H, a 45 year old sikh man got married to a 14 year old Hindu Brahman girl by performing saptapadi ceremony. Is it a valid marriage?
 - (iii) Dower is a debt, but unsecured debt. Explain.
 - (iv) What would be the consequences of non compliance of decree of restitution of conjugal rights?

- (v) Differentiate between theories of divorce and grounds of divorce
- (vi) P, a Hindu husband deserted Q his hindu wife, converted to Islam and got married to a Muslim woman by performing Nikaah. What are the remedies available to the Hindu wife Q?
- (vii) Write a short note on “Talaq-ul-biddat.”
- (viii) What do you understand by the “theory of relating back in adoption”?
- (ix) X an old neglected Hindu father wants to seek maintenance from his daughter D who is a successful professional, married and well settled. X also has a son who is not doing well in his career and life. Can X make a valid claim of maintenance from his daughter?
- (x) Where can a Hindu wife file a petition for divorce?

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) Discuss the sources of Mohammadan Law.
- (ii) What are the essential requirements of a valid Hindu marriage?

Unit (II)

- (i) Discuss the scope of guardianship in marriage under Muslim law?
- (ii) Discuss the constitutionality of restitution of conjugal rights with respect to Article 14, 16 and 21 of Constitution of India.

Unit (III)

- (i) Discuss the effect of unilateral withdrawal of consent by a party in a case of divorce by mutual consent?
- (ii) Citing relevant case law, explain the scope and relevance of irretrievable breakdown of marriage as a ground of divorce under Hindu law.

Unit (IV)

- (i) Discuss divorce by mutual consent under Muslim law.
- (ii) What are the essentials of a valid adoption under Hindu law?

Unit (V)

- (i) Explain Muslim wife’s Right to maintenance under *Muslim Woman (Protection of Rights on Divorce) Act, 1986*.
- (ii) Discuss the jurisdiction and procedure under the *Family Courts Act, 1984*.

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) Who is a “Hindu”? To whom does Hindu law apply?
- (ii) What are the essentials of a valid marriage under *Special Marriage Act, 1954*? What is the effect of registration of marriage under *Special Marriage Act, 1954*?
- (iii) Discuss various bars to matrimonial reliefs under the *Hindu Marriage Act, 1955*.
- (iv) Discuss the law relating to maintenance of spouse in India.

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**B.A., LL.B. (HONS.) FYIC
NOVEMBER - 2008
THIRD SEMESTER
SUBJECT: LAW OF CONTRACT - II
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) Define the 'Contract of Indemnity'
 - (ii) Explain surety's 'Right of Indemnity against the principal debtor'
 - (iii) Define Pledge
 - (iv) Define Principal and Agent
 - (v) Define Goods
 - (vi) What is difference between sale and bailment?

- (vii) Who is an unpaid seller?
- (viii) Write a note on suit for price for breach of contract
- (ix) Explain power of Court to enforce specific performance of contract
- (x) Write a note on Rectification of instruments

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) Explain the nature and extent of liability of surety.
- (ii) What are the rights of indemnity holder?

Unit (II)

- (i) What are the Rights of Pawnee?
- (ii) Explain the duties of Bailee.

Unit (III)

- (i) What are the duties of Buyer?
- (ii) Define 'Delivery'. Explain the kinds of Delivery.

Unit (IV)

- (i) Write note on 'Stoppage in Transit'.
- (ii) What suits can be filed by the buyer against the seller?

Unit (V)

- (i) Write note on Rescission of Contracts.
- (ii) What do you understand by 'Declaratory Decrees'?

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.
- (i) What are the modes of discharge of a surety as recognised by Indian Contract Act?
 - (ii) What do you understand by Contract of Agency? How Agency can be terminated?
 - (iii) What do you mean by 'Conditions and Warranties'? Explain in detail.
 - (iv) Write a detailed note on 'Temporary' and 'Perpetual' injunctions.

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**B.A., LL.B. (HONS.) FYIC
NOVEMBER - 2008
THIRD SEMESTER
SUBJECT: PUBLIC INTERNATIONAL LAW - I
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) Explain the principle of 'Pacta Sunt Servanda'
 - (ii) What is the difference between Public International Law and Private International Law?
 - (iii) Discuss the consequences of State Succession
 - (iv) What are the modes of acquisition of State territory?
 - (v) Discuss the concept of Double Nationality
 - (vi) Discuss the rule of speciality

- (vii) What is the difference between mediation and conciliation?
- (viii) Explain the meaning and definition of blockade.
- (ix) Write a short note on International Bill of Human Rights
- (x) Discuss the importance of individuals as subjects of international law

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) Define International Law. 'Whether International Law is the vanishing point of jurisprudence'? Discuss.
- (ii) Discuss the basis of International Law.

Unit (II)

- (i) Define State. What are the essentials of a State? Discuss the status of Palestinian Liberation Organization.
- (ii) Explain the meaning and theories of Recognition.

Unit (III)

- (i) What are the modes of acquisition of Nationality? Can a woman acquire it by marriage?
- (ii) 'Asylum and Extradition are mutually exclusive' Explain.

Unit (IV)

- (i) Define Intervention. Discuss the legality of intervention by third states in case of civil wars or non-international armed conflict.
- (ii) What are the duties of a Neutral State?

Unit (V)

- (i) Explain the concept of Human Rights. What are the provisions of charter concerning Human Rights?
- (ii) Discuss the emergency provisions in the International Covenant on Civil and Political Rights and the Indian Constitution.

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) Discuss in detail the sources of International Law. What are the essentials of a custom? Explain the difference between Customs and Treaties.
- (ii) What are the different kinds of States and Non-State entities? Discuss the status of Commonwealth of Nations and Holy See and Vatican City.
- (iii) Discuss the Pacific means of settlement of International Disputes. How can Enquiry help in settlement of International Disputes.
- (iv) Write a note on Universal Declaration of Human Rights. What is its legal significance?

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NOVEMBER - 2008
THIRD SEMESTER
SUBJECT: JURISPRUDENCE - I
TIME DURATION: THREE HOURS
MAXIMUM MARKS: EIGHTY (80)**

Note: The Question Paper consists of **Three Sections - A, B and C.**

Section (A)

- (1) Attempt **All Questions** from this Section. Each question carries **2.5 marks.**
- (i) Ethical jurisprudence
 - (ii) Is jurisprudence science of law?
 - (iii) Distributive justice
 - (iv) Social contract
 - (v) Positive morality
 - (vi) Volksgeist

- (vii) Living laws
- (viii) Certainty of law
- (ix) Administration of justice
- (x) Expiatory theory of punishment

Section (B)

- (2) Attempt **One Question** from each **Unit** of this Section. Each Question carries **6 Marks**.

Unit (I)

- (i) Differentiate between jurisprudence and legal theory with suitable explanations.
- (ii) How would you distinguish *ratio decidendi* from *obiter dictum*.

Unit (II)

- (i) Who pioneered the revival of natural law in India?
- (ii) How do you relate public interest litigation with development of natural law school?

Unit (III)

- (i) Write a short note on Hart-Fuller debate on law and morality.
- (ii) Do you agree that law can not be made but only evolves? Explain in Indian context.

Unit (IV)

- (i) Why realist school is considered to be the left branch of sociological jurisprudence?
- (ii) Draw a comparison between Scandinavian and American realism.

Unit (V)

- (i) Discuss the relationship between civil and criminal justice system.
- (ii) Evaluate the effect of deterrent theory of punishment in India.

Section (C)

- (3) Attempt any **Two Questions** from this section. Each question carries **12.5 marks**.

- (i) Define customs and describe its essentials. Differentiate customs from legislations. Can a custom become law in India by the decision of Supreme Court?
- (ii) Discuss the basic tenets of natural law school. Are these tenets responsible for the origin and development of analytical school propounded by *Bentham* and *Austin*?
- (iii) Write a short notes on following
 - (a) Social solidarity
 - (b) Social engineering
 - (c) Static and progressive societies
- (iv) Discuss justice according to law. Is it different from natural justice? If yes substantiate your answer in the Indian context.