UP PCS-J (Mains) 2012

Law Paper III: Penal, Revenue and Local Laws · compulsory paper

Candidates answer six questions in all. Question Nos. 1 and 2 are compulsory and the rest two each from Section A and Section B.

1. Write short notes on the following:
(a) Duties of Medical Officer of Municipality. [10 Marks]
(b) Compulsory acquisition of land by Municipality. [10 Marks]
(c) Duties of Municipality. [10 Marks]
(d) Power of Municipality to impose tax. [10 Marks] 40 Marks

2. Discuss the following:
(a) Constitution and function of Gram Panchayat. [10 Marks]
(b) Assistant Consolidation Officer. [05 Marks]
(c) Salient features of U.P. Panchayat Raj Act. [10 Marks]
(d) Tenure-Holders. [05 Marks] 30 Marks

Section A

3. (a) Discuss the provisions under the U.P. Zamindari Abolition and Land Reforms Act for the prevention of fragmentation of holding and acquisition of large holdings. 20 Marks

3. (b) Write brief note on different classes of tenures under the U.P. Zamindari Abolition and Land Reforms Act. 20 Marks

4. (a) Who is a trespasser? Discuss the procedure for the ejectment of a trespasser of a land belonging to Gram Sabha. 20 Marks

4. (b) Write short notes on any two of the following (10 marks each):
(i) The procedure for the recovery of arrears of land revenue.
(ii) Board of Revenue.
(iii) Intermediary. 20 Marks

5. (a) Discuss the duties of Compensation Officer and Rehabilitation Grants Officer under U.P. Zamindari Abolition and Land Reforms Act. 20 Marks

5. (b) State the procedure to be followed by the Court when the plea that the land is or is not being used for the purposes connected with agriculture, horticulture or animal husbandry is raised in any suit relating to land held by a Bhumidhar and the declaration has not been made in respect of such land under Sec. 143 or Sec. 144 of the Act. 20 Marks

6. (a) Discuss the powers of the Commissioner under U.P. Land Revenue Act. 20 Marks

6. (b) Distinguish between Revenue Court and Revenue Officer. 10 Marks

6. (c) Distinguish between mutation and correction proceedings. 10 Marks

Section B

7. (a) Critically examine the maxim "Actus non facit reum nisi sit rea" and state its exceptions. 15 Marks

7. (b) Discuss the circumstances under which unsoundness of mind is a defence under Indian Penal Code. 05 Marks

7. (c) 'A' entered the house of 'B' with the intention of committing theft. 'B' and other members of his family surrounded and attacked 'A' with lathies. Finding his life in danger, 'A' whipped out a revolver and fired causing death of 'B'. Explain what offence 'A' has committed. 05 Marks

8. (a) Explain the law relating to constructive criminality and bring out the distinction between "common intention" and "common object". 15 Marks

8. (b) 'X' gave a kick to 'Y', who had enlarged spleen. As a result of the kick, the spleen was ruptured and 'Y' died. Giving reason, state what offence has been committed? 05 Marks

8. (c) Discuss the essentials of 'wrongful confinement' and distinguish it with 'wrongful restraint'. 05 Marks

9. (a) Discuss the law relating to "grave and sudden provocation" as laid down in the Indian Penal Code and state the extent to which it may mitigate the responsibility of the accused for the offence of murder. Refer the case laws to illustrate your answer. 15 Marks

9. (b) Distinguish any two of the following (5 marks each):
(i) Kidnapping and abduction
(ii) Assault and criminal force
(iii) Riot and Affray 10 Marks

10. (a) A student leader of a University declared himself for self-immolation. He got logs piled up in front of the main gate of the University and sprinkled kerosene oil over it. Thereafter he climbed over the pile of wood and sprinkled kerosene oil upon himself too. In the mean time the police came and registered a case of "attempt to commit suicide". Answer, giving reason whether the student is guilty of committing the said offence. 10 Marks

10. (b) Write note on any two of the following (5 marks each):
(i) Mistake of fact
(ii) Grievous hurt
(iii) Forgery 10 Marks

10. (c) Explain criminal misappropriation and distinguish it from criminal breach of trust. 05 Marks