UP PCS-J (Mains) 2016

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

1. As per the provisions of the UP Consolidation of Holdings Act, 1953, explain the following:

1.(a) Consolidation area 10 Marks

1.(b) Tenure holder 10 Marks

1.(c) Aims and objectives of consolidation of holdings 10 Marks

1.(d) Essential requirements of consolidation scheme 10 Marks

2. As per the provisions of the UP Panchayat Raj Act, 1947, write notes on the following:

2.(a) Nyaya Panchayat 10 Marks

2.(b) Gram Panchayat 10 Marks

2.(c) Disqualifications for the membership of Gram Sabha 5 Marks

2.(d) Election for Gram Pradhan and Upapradhan 5 Marks

Section A

3. Explain the following as provided under the UP Municipalities Act, 1916:

3.(a) Municipality, Municipal Area and Municipal Council 15 Marks

3.(b) Dissolution of Municipality and its consequences 15 Marks

3.(c) Regulations for offensive trades 10 Marks

4.(a) Discuss the restrictions on the rights of the Bhumidhar having transferable rights. 20 Marks

4.(b) Can a Bhumidhar with non-transferable rights acquire rights of a Bhumidhar with transferable rights? If yes, how and when? 20 Marks

5.(a) In relation to lease his holding, who is disabled person under the UP Zamindari Abolition and Land Reforms Act, 1950? Explain.
A cultivator who is not disabled leases out his holding. What would be the consequences of such lease? Explain. 20 Marks

5.(b) Mention the restrictions which the UP Zamindari Abolition and Land Reforms Act, 1950 has imposed on transfer of agricultural land in UP. 20 Marks

6.(a) Can a Bhumidhar with transferable rights bequeath his holding or any part of it?
If such Bhumidhar belongs to a Scheduled Caste or Scheduled Tribe, what shall be his position in this regard? Explain. 20 Marks

6.(b) Point out the order of inheritance in the following cases:
(i) A male Bhumidhar dies leaving behind his
(1) unmarried daughter [4 Marks]
(2) mother [3 Marks]
(3) father [3 Marks]
(ii) A female landholder dies leaving behind her
(1) husband [4 Marks]

(2) son [3 Marks]
(3) daughter [3 Marks]

Section B

7.(a) What do you understand by mens rea? What is the importance of mens rea under the Indian Penal Code, 1860? Discuss. 15 Marks

7.(b) A is married to a female B. B does not remain satisfied by her husband A. One day leaving her husband A's house she goes to the house of her paramour C and there she remains with C as husband and wife. Discuss here C's offence. 10 Marks

8.(a) Define and distinguish between forgery and cheating. 10 Marks

8.(b) A picks up a bearer cheque signed by B from a bank counter. No amount is shown in the cheque. A inserts ten thousand rupees in the cheque. Has A committed any offence? Answer with reasons. 10 Marks

8.(c) A takes a golden ring from a goldsmith for showing it to his wife but does not return it to the goldsmith. A retains it against the debt due to him from the goldsmith. Has A committed any offence? Answer by giving reasons. 5 Marks

9.(a) Explain the different forms of outraging of modesty of a woman which in recent past the Criminal Law (Amendment) Act, 2013 has enumerated under Section 354 of the Indian Penal Code, 1860. 10 Marks

9.(b) Explain 'preparation to commit crime' and 'attempt to commit crime', and point out the distinction between them. Answer with the help of suitable illustration or decided cases. 10 Marks

9.(c) A goes to a three-star (***) hotel and there consumes foods and drinks to the sum of ₹ 600 knowing that his pockets are empty. He could not pay the amount. What offence has been committed by A? Answer with reasons. 5 Marks

10.(a) What is Criminal Breach of Trust? What facts are to be proved for such offence? Point out the difference between 'Criminal Breach of Trust' and 'Criminal Misappropriation'. Support your answer with examples. 15 Marks

10.(b) A climbed upon the roof of his house with the help of a ladder. B intentionally pulls the ladder. What offence has been committed by B? 10 Marks