UP PCS-J (Mains) 2023

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

1.(a) Define and discuss the term 'Consolidation'. What are tenure-holders ? To whom it is applicable? Also discuss the benefits of consolidation. 20 Marks

1.(b) Explain the Provisional Consolidation Scheme in detail. Are changes possible in the Provisional Consolidation Scheme ? If so. when and by whom? 20 Marks

2. (a) Elaborate the composition and function of Nyaya Panchayat under U.P. Panchayat (Raj Act, 1947. What will be its jurisdiction in criminal cases ? Discuss. 20 Marks

2.(b) Distinguish between Gram Sabha and Gram Panchayat. 10 Marks

2.(c) Distinguish between rent and revenue. 10 Marks

Section A

3.(a) Discuss the composition, jurisdiction and powers of Revenue Board under Uttar Pradesh Revenue Code. 2006. 20 Marks

3.(b) As per the provisions of Uttar Pradesh Revenue Code. 2006, write notes on the following:
(i) Field Work and Records of Rights. [08 Marks]
(i) Field Work
(ii) Records of Rights
(ii) Mutation of Property. 07 Marks

4.(a) What are the provisions for fixing rent under the Uttar Pradesh Urban Building (Regulation of Lotting, Rent and Eviction) Act, 1972 ? Explain fully with the help of decided cases. 20 Marks

4.(b) Elucidate the proceeding for release of building from occupation of tenant under the Uttar Pradesh Urban Building (Regulation of Lotting, Rent and Eviction) Act, 1972. [15 Marks] .

5.(a) Discuss the powers, functions and duties of municipalities. 15 Marks

5.(b) What is the procedure of appointment and removal of a Mayor under the Uttar Pradesh Municipality Act? Explain. 10 Marks

5.(c) What are the powers of a municipality regarding compulsory acquisition of land? 10 Marks

6. (a) What do you understand about the Master Plan ? Also distinguish between Master Plan and Zonal Development Plan. 20 Marks

6.(b) How can the acquisition and disposal of land be made under the Uttar Pradesh Urban (Planning and Development) Act, 1973? Elucidate. 15 Marks

Section B

7.(a) How and when a person can take the unsoundness of mind as a defence against criminal liability ? Explain it while defining unsoundness of mind. Also discuss how legal insanity is different from medical insanity? 20 Marks

7.(b) Distinguish between house-trespass and house-breaking. 05 Marks

8.(a) "It is often said that there is a very thin but fine distinction between culpable homicide not amounting to murder and culpable homicide amounting to murder because the difference is merely a

question ol different degree of probability of death ensuring." Examine the correctness of the aforementioned statement with the help of statutory provisions and judicial pronouncements. [20 Marks] .

8.(b) A, knowing that B is labouring under such a disease that a blow is likely to cause his death, strikes him with the intention of causing bodily injury. B dies in consequence of the blow. Decide whether A is liable for culpable homicide not amounting to murder culpable homicide amounting lo murder. 05 Marks

9.(a) Discuss the law relating to "grave and sudden provocation" as laid down in 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 law to illustrate your answer. 15 Marks

9.(b) Discuss the criminal law relating to 'necessity' as a ground of excuse from criminal liability. 10 Marks

10. Explain the essential elements of robbery. When does it amount to dacoity ? What offence is committed when the offender while committing the above offence, causes the death of any person? 20 Marks

10.(b) A meets B on the high roads, shows a pistol and demands B's purse. B in consequence, surrenders his purse. Hero A has extorted the purse from B by putting him in fear of instant hurt, and being at the time of committing the extortion in his presence. Decide what offence A has committed. 05 Marks