Uttarakhand Civil Judge (Mains) 2013

Law III (Revenue and Criminal Law) · compulsory paper

Time allowed : Three Hours · Maximum Marks : 200

Note: Candidate should answer six questions in all, out of which they should answer question No. 1 and any other two questions from group 'A' and question No. 6 and any other two questions from group 'B'. Marks carried by each question are indicated at its end. The parts of same question must be answered together.

Group A

1(a) [20 marks]

Describe briefly the essential features of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 (as amended by the Uttaranchal Adoptation and Modification, Order, 2001) and explain how far the Act has proved as an instrument to fulfill the ideals of socio-economic justice enshrined under the Constitution of India.

1(b) [10 marks]

Write short notes on the following :
(i) Land
(ii) Mine

1(c) [10 marks]

Explain the functions and duties of the Land Management Committee.

2(a) [20 marks]

Who is Bhumidhar with transferable rights ? Discuss the Bhumidhari rights of Bhumidhar with transferable rights and Bhumidhar with non-transferable rights.

2(b) [10 marks]

Describe the procedure for ejectment of trespasser on the suit of Gram-Sabha.

3(a) [20 marks]

Describe the circumstances under which a tenure holder can let-out his land. Explain also whether the list under the Act is sufficient.

3(b) [10 marks]

Discuss the consequences of the vesting of an estate in the State.

4(a) [20 marks]

How can a Bhumidhar get his holding divided ? Is there any restriction on this right ? Explain.

4(b) [10 marks]

Distinguish between the following :
(i) Revenue Court and Revenue Officer.
(ii) Arrest and Detention

5(a) [20 marks]

What is procedure of ejectment of Assami ? Discuss the consequences of this ejectment.

5(b) [10 marks]

Illucidate with illustrations the following :

(i) Exchange
(ii) Merger

Group B

6(a) [15 marks]

What do you mean by the 'Principle of Constructive Liability' ? Illustrate this principle with regard to the legal provisions enumerated under the Indian Penal Code. Has the principle of vicarious liability been accepted in the Indian Penal Code ? Explain.

6(b) [15 marks]

Discuss the exceptions of the "guilty mind" (mens-rea). Is it necessary to prove guilty mind in statutory offences ? Explain.

6(c) [10 marks]

Explain the following :
(1) Illegal
(2) Document

7(a) [10 marks]

"Good faith is considered to be an important factor for exonerating the accused from criminal liability." Explain and support your answer with illustrations.

7(b) [10 marks]

When does intoxication provides an excuse from criminal responsibility ? Substantiate your answer with decided cases.

7(c) [10 marks]

'A' is at work with a hatchet; the head flies off and kills a man who is standing by. Is 'A' guilty of any offence ? Explain.

8(a) [20 marks]

Distinguish between culpable homicide and murder with the help of legal provisions and decided cases. Do you agree with the view that the determinants established in the leading case of R. V. Govinda (1876) is a guide for the courts today also ? Comment.

8(b) [10 marks]

"The offence of Abetment depends upon the intention of the abettor, not upon the act committed by the abetted." Discuss the statement with the help of illustrations.

9(a) [20 marks]

"In all robbery there is either theft or extortion." Critically examine the statement and distinguish between dacoity and robbery.

9(b) [10 marks]

Explain the following :
(i) Dishonest Misappropriation of Property
(ii) Mischief

10(a) [10 marks]

"Preparation to commit an offence is generally not punishable under the Indian Penal Code." Discuss and explain the exceptions to this general rule.

10(b) [10 marks]

"The offences relating to marriage under the Indian Penal Code held more responsible to males rather than females." Discuss the statement in the context of the offence of adultery.

10(c) [10 marks]

'A' makes an attempt to steal some jewels by breaking open a box and finds, after so opening the box, that there is no jewel in it. Has 'A' committed any offence ? Explain.

De Facto IAS