Uttarakhand Civil Judge (Mains) 2023

Law - III (Revenue and Criminal) (Third Paper) · compulsory paper

CJR · Time allowed: Three Hours · Maximum Marks: 200

Note: Candidates should answer six (6) questions in all, out of which they should answer question No. 1 and any other two questions from section 'A' and question No. 6 and any other two questions from section 'B'. Marks carried by each question are indicated at its end.

Section—A

1. (a) Explain the classes of tenure-holders under the U.P. Zamindari Abolition and Land Reforms Act, 1950. Point out difference between Bhumidhar with transferable rights and Bhumidhar with non-transferable rights. State the lands in which Bhumidhari rights shall not accrue. 20
(Words limit : Maximum 200 Words)

1. (b) Explain the following with legal provisions : (i) Procedure of ejectment of Asami (ii) Evacuee Property 10
(Words limit : Maximum 100 Words)

1. (c) Narrate the consequences of the 'vesting of certain lands etc.' in Gaon Sabhas. 10
(Words limit : Maximum 100 Words)

2. (a) Under what circumstances transfer of holding by a Bhumidhar shall be deemed to be a sale ? Explain with the help of legal provisions. 10
(Words limit : Maximum 100 Words)

2. (b) Describe the composition and jurisdiction of Mines Tribunal. 10
(Words limit : Maximum 100 Words)

2. (c) Discuss the provisions as to use of holding for industrial or residential purposes. 10
(Words limit : Maximum 100 Words)

3. (a) Define 'Sir' land and distinguish it from 'Khudkasht' land. Explain the privileges related to 'Sir' land. 10
(Words limit : Maximum 100 Words)

3. (b) Discuss the procedure for ejectment from land of public utility. 10
(Words limit : Maximum 100 Words)

3. (c) What are the principles of assessment of Land Revenue under the U.P. Zamindari and Land Reforms Act, 1950 ? Explain with relevant legal provisions. 10
(Words limit : Maximum 100 Words)

4. (a) What is mutation ? Describe the procedure for mutation on ground of succession. 10
(Words limit : Maximum 100 Words)

4. (b) Explain the following concept : (i) Gaon Sabha & Gaon Panchayat (ii) Functions of Land Management Committee 10
(Words limit : Maximum 100 Words)

4. (c) Discuss the provisions relating to sale of defaulter's holdings as a mode of land revenue collection. 10

(Words limit : Maximum 100 Words)

5. (a) Describe the provisions of succession of Asami and Bhumidhar under U.P. Zamindari Abolition and Land Reforms Act, 1950. 15
(Words limit : Maximum 150 Words)

5. (b) Describe the contents of application under Section 79 of U.P. Zamindari Abolition and Land Reforms Act, 1950. 15
(Words limit : Maximum 150 Words)

Section—B

6. (a) Section 34 of Indian Penal Code, 1860 is only a rule of evidence and does not create a substantive offence. Explain with examples. Differentiate between common intention and common object. 20
(Words limit : Maximum 200 Words)

6. (b) 'A' instigate a child to put poison into the food of 'Z', and gives him poison for that purpose. The child in consequence of the instigation, by mistake puts the poison into food of 'Y', which is by the side of that of 'Z'. Discuss the liability of 'A'. 10
(Words limit : Maximum 100 Words)

6. (c) Discuss the unsoundness of mind as a defence to criminal liability. How is legal insanity different from medical insanity ? Refer to decided cases. 10
(Words limit : Maximum 100 Words)

7. (a) Critically examine the maxim 'Actus non facit reum, nisi mens sit rea' and state its exception. 10
(Words limit : Maximum 100 Words)

7. (b) State the law relating to 'necessity' as a ground of excuse from criminal liability. 10
(Words limit : Maximum 100 Words)

7. (c) Discuss the various modes of punishment provided under Indian Penal Code, 1860. 10
(Words limit : Maximum 100 Words)

8. (a) Discuss and illustrate the provisions of 'right to private defence' as embodied in the Indian Penal Code, 1860. 10
(Words limit : Maximum 100 Words)

8. (b) Giving statutory provisions explain "Voyeurism". 10
(Words limit : Maximum 100 Words)

8. (c) What do you understand by abetment ? Describe various modes of abetment. 10
(Words limit : Maximum 100 Words)

9. (a) Discuss the essentials of 'wrongful confinement' and distinguish it with 'wrongful restraint.' 10
(Words limit : Maximum 100 Words)

9. (b) Distinguish between the two following offences : (i) Kidnapping and Abduction (ii) Theft and Robbery (iii) Rioting and Affray 10
(Words limit : Maximum 100 Words)

9. (c) Define the offence of defamation. What are its essentials ? Explain with illustrations. 10
(Words limit : Maximum 100 Words)

10. (a) What do you understand by the culpable homicide ? When it is murder and when it is not murder ? Explain. 15
(Words limit : Maximum 150 Words)

10. (b) Point out the difference between 'Criminal breach of trust' and 'Criminal misappropriation'. Support your answer with examples. 15
(Words limit : Maximum 150 Words)

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