

2017-18

History of Courts

Sem III

AIK-1

Q.P. Code : 304802

(3 Hours)

Marks : 80

N.B. : 1) All questions are compulsory.

1. Answer the following is not more than **two** sentences :- 20
- What was the role of Choultry Courts in 1639?
 - What was the purpose of the Government of India Act, 1935?
 - Why is the Supreme Court considered the Apex Court of India?
 - What is the purpose of Law Reporting in India?
 - What is the theory on which the concept of rule of Law is based?
 - What is the contribution of the first Law Commission in India?
 - What is 'Lex-Loci'?
 - What is the object of writ of "Quo-Warranto"?
 - Why is independence of judiciary necessary in the administration of justice?
 - Who is empowered to punish the Advocates for mis-conduct?
2. Write short notes on any **four** of the following :- 20
- Dyarchy in India.
 - Principles of Natural Justice.
 - Conditions for becoming an Advocate under the Bar Council of India.
 - Importance of Mayor's Court.
 - Major Reforms made by Cornwallis code.
 - Working of the Supreme Court at Calcutta.
3. Attempt any **two** of the following :- 12
- The conflict between the Supreme Court and the Supreme Council reached a climax in this case. The Supreme Court claimed its jurisdiction over the whole native population while the Supreme Council opposed it. The Parliament passed the Act of Settlement, 1781 on the basis of the detailed report presented by the Committee appointed for this purpose.
 - Identify the case and give the facts of the case.
 - Describe the main conflict in this case.

[TURN OVER]

- (2) The judgement of the Supreme Court in this case provoked the members of the Council. It increased the conflict and also created panic among the local population of Calcutta. In this case, the jurisdiction of the Supreme Court and right of the Court to try action against the judicial officers of the company for an act done in their official capacity was questioned.
- What was the main issue in this case?
 - What were the effects of the decision held by the Supreme Court in this case?
- (3) Raja Nand Kumar's trial was a very decisive event which led to the growing enmity between the Supreme Court and the Governor in Council. The judges insisted on the independence of judiciary and in spite of interference of the Council, the Supreme Court began to exercise the administration of justice in India in its own way.
- Describe the facts of the case.
 - Give reasons for the charges framed against him.
4. Attempt any **four** of the following :-
- What are the salient features of the Government of India Act, 1935?
 - Describe the role of Law Commission in modern India and explain its contributions towards law reforms.
 - Explain the dual system of Courts prevailing in India between 1834 to 1861?
 - Explain the concept of Writ jurisdiction under the Constitution of India. Elucidate the same?
 - Explain the provisions of Advocates Act, 1961 with special reference to its disciplinary powers over Advocates.
 - Discuss the working of the Mayor's Court with special reference to the conflict between Mayor's Court and Governor-in-Council.
 - Explain the growth of legal profession in India and how it necessitated the enactment of the Advocates Act, 1961?

[Time: Three Hours]

Please check whether you have got the right question paper.

- N.B:
1. All questions are compulsory.
 2. Figures in the right shows full marks.

Q.1 Answer the following briefly in not more than two sentences:-

20

- i) Why did the Mayor's Court in Madras cease to exist in 1746?
- ii) What was the reason for the enactment of the Advocates Act of 1961?
- iii) Define Writ of Prohibition under Constitution of India?
- iv) Why is codification important?
- v) State the object of Indian High Courts Act of 1861?
- vi) On which theory is the concept of 'Rule of Law' based?
- vii) What was the objection taken by Raja Nand Kumar regarding the jurisdiction of the Supreme Court?
- viii) Why is Independence of Judiciary considered as one of the pillars of democracy?
- ix) Name the people who constituted the corporation in the Mayor's Court under the charter of 1688.
- x) State the principles of Natural Justice?

[Time: Three Hours]

[Marks:100]

Q.2 Write short notes on any four of the following:-

20

- N.B:
1. All questions are compulsory.
 2. The right shows full marks.
- I) Doctrine of precedent
 - II) Working of the Supreme Court at Calcutta.
 - III) Separation of Powers.
 - IV) Working of the Admiralty Court.

Q.1 Answer the following briefly in not more than two sentences:-

20

- V) Writ of Mandamus.
- VI) Professional misconduct under the Advocates Act 1961?
- ii) What was the reason for the enactment of the Advocates Act of 1961?
- iii) Define Writ of Prohibition under Constitution of India?

Q.3 Attempt any two of the following:-

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- iv) Why is codification important?
- a) The Patna case pointed out that the administration of justice under the charter of 1773 was inadequate. This case was directly responsible for many provisions of the Act of Settlement, 1781, to remove the evil effects of the Regulating Act.
- 1) What was the main issue involved in this case?
- 2) Describe the facts of the case?
- ix) Name the people who constituted the corporation in the Mayor's Court under the charter of 1688.
- b) He was a surety responsible for the payment of revenue of the company from Dacca. The balance due was fixed at Rs.10,000/- He disputed the balance in his capacity as a treasurer of revenues of the Dacca provincial division. He was found in default to the treasury to the tune of Rs.66,745/-

Q.2 Write short notes on any four of the following:-

20

- N.B:
1. All questions are compulsory.
 2. The right shows full marks.
- I) 2) What was the decision taken by the Supreme Court?
 - II) Working of the Supreme Court at Calcutta.
 - III) Separation of Powers.
 - IV) Working of the Admiralty Court.

Q.1 Answer the following briefly in not more than two sentences:-

20

- V) Writ of Mandamus
- VI) Professional misconduct under the Advocates Act 1961?
- ii) What was the reason for the enactment of the Advocates Act of 1961?
- iii) Define Writ of Prohibition under Constitution of India?

Q.3 Attempt any two of the following:-

12

- iv) Why is codification important?
- a) The Patna case pointed out that the administration of justice under the charter of 1773 was inadequate. This case was directly responsible for many provisions of the Act of Settlement, 1781, to remove the evil effects of the Regulating Act.

d) The trial of Raja Nand Kumar was the first decisive event which led to the growing enmity between the Supreme Court and Governor-in Council. The Judges insisted on the independence of judiciary and inspite of interference of the council, the Supreme Court began to exercise the administration of justice in India in its own way.

- 1) Write in detail the facts of the case?
- 2) Why is it called as the 'Judicial Murder of Raja Nand Kumar'?

Q.4 Answer **any four** of the following.

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- a) Describe the development of Legal profession beginning from Company's courts to advocates Act of 1961.
- b) Discuss the working of the Mayor's court with special reference to the conflict between the Mayor's Court and the Governor in Council.
- c) Discuss the concept of the Rule of law and its impact on Indian judiciary.
- d) Describe the role of Law Commissions in Modern India towards the Law reforms.
- e) Describe the salient features of the Government of India Act 1935 with special reference to the administration of justice.
- f) Explain the provisions of the Advocates Act, 1961, especially those pertaining for punishing an advocate for misconduct.
