

LAW COLLEGE DHANBAD

Instructions to prepare Assignment for Internal Examination for the students of
Three Year LL.B. (Hons.), Semester-V (Session: 2017-20)

1. Attempt all questions.
2. Attempt questions on a page of A4 size.
3. Mention at top of each page name, roll number, paper name and semester.
4. Answer must be in handwritten.
5. Scan your work and save it in PDF format.
6. Mail your work to the email id – lcdprojectwork@gmail.com on or before 10th December, 2020.
7. You can also post your work through registered/speed post to the college which will must reach on or before 15th December, 2020.
8. In the subject column of mail write your name, roll number and semester.

For any clarification contact:-

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Assignment for the students of Three Year LL.B. (Hons.), Semester-V (Session: 2017-20)

Banking Law

1. Attempt all the objective questions:-
 - i. The primary relationship between a Bank and customer starts from the time
 - a. When customer visits that bank
 - b. When customer opens account
 - c. When customer visits that bank to made queries
 - d. All of the above
 - ii. Which one of the following is the most important relationship between banker and customer
 - a. Debtor and Creditor
 - b. Bailee and Bailor
 - c. Agency and Principal
 - d. Trustee and Beneficiary
 - iii. Which bank have given the instructions to the commercial bank regarding the immediate credit of outstation cheques?
 - a. Reserve Bank of India
 - b. Central Bank
 - c. World Bank
 - d. All of the above
 - iv. A Company who accepts demand deposit is called
 - a. Joint stock company
 - b. Banking company
 - c. Manufacturing company
 - d. IT company
 - v. In Negotiable Instrument Act 1881, which section define Promissory Note?
 - a. Section-1
 - b. Section-2
 - c. Section-3
 - d. Section-4
 - vi. A drawer in the bill of exchange can also be a
 - a. Paymaster
 - b. Payee
 - c. Banker
 - d. Creditor

- vii. Foreign Exchange Management Act passed in the year
 - a. 1995
 - b. 1997
 - c. 1999
 - d. 2001
- viii. According to the which section of the RBI Act 1934, RBI liable to pay the value of bank note to its holder
 - a. Section 22
 - b. Section 24
 - c. Section 26
 - d. Section 28
- ix. is a person entitled in his own name to the possession of a promissory note, bill of exchange or cheque and to receive or recover the amount due thereon from parties.
- x. The definition of 'Banking' is given?
 - a. Negotiable Instrument Act, 1881
 - b. RBI Act 1934
 - c. Banking Regulation Act, 1949
 - d. Indian Contract Act 1872

2. Short notes on

- a. Banking Business
- b. Holder in due course

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Labour and Industrial Law-II

Ten objective types questions:-

- (1) The ceiling on wage or salary for calculation of Bonus under the payment of Bonus Act 1965 is
 - (a) Rs. 2,500/-
 - (b) Rs. 3,500/-
 - (c) Rs. 4,500/-
 - (d) Rs. 6,500/-
- (2) Which section states about the classes of employees where payment of Bonus Act is not applicable ?
 - (a) Section 16
 - (b) Section 32
 - (c) Section 22
 - (d) Section 30
- (3) Under the Minimum Wages Act 1948 the appropriate government shall fix the minimum notes of wages payable to the employees employed in an employment specified in
 - (a) Schedule-I, Part-I
 - (b) Schedule-I, Part-I
 - (c) Schedule-I, Part-I, II and the employments and added under section-27
 - (d) Schedule-I and II
- (4) What are the methods mentioned in section-5 of the Minimum Wages Act 1948 for fixation/revision of minimum wages.
 - (a) Comittee method
 - (b) Notification method
 - (c) Voting method
 - (d) Both (a) & (b)
- (5) Which of the following benefits have not been provided under the Employee's State Insurance Act 1948?
 - (a) Sickness Benefit
 - (b) Unemployment Allowance
 - (c) Children's Allowance
 - (d) Disablement Benefit

- (6) Who is an 'exempted employee' under the Employee's State Insurance Act 1948?
- (a) Employee who is minor
 - (b) Employee who is not liable under the Act to pay the employee's contribution
 - (c) None of the above
- (7) Which of the following is not included under the definition of wages given under the payment of Wages Act 1936?
- (a) Basic Wage
 - (b) Dearness Allowance
 - (c) Incentive
 - (d) Gratuity
- (8) The total amount of deduction from Wages of employees should not exceed the percentage under the payment of Wages Act 1936?
- (a) 50%
 - (b) 70%
 - (c) 25%
 - (d) 40%
- (9) As per Factories Act, child means a person who has not completed his year of age
- (a) 18th
 - (b) 21st
 - (c) 15th
 - (d) 14th
- (10) Which section of the Factories Act 1948 defines the term of occupier of a factory as a person also has ultimate control over the affairs of the factory?
- (a) Section-2 (n)
 - (b) Section-2 (m)
 - (c) Section-2 (h)
 - (d) Section-2 (k)

Two short types of questions

1. Define the term Factory as per the Factories Act 1948?
2. Explain the different types of benefits under the Employees State Insurance Act 1948?

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Comparative Constitution

- A. Multiple-Choice Questions:-
1. The American Revolution (1775-1783) arose between residents of Great Britain's thirteen American Colonies and the Colonial Government representing_____.
 - a. The British Crown
 - b. The Englishmen
 - c. The United Kingdom
 - d. None of these
 2. When was the Declaration of Independence signed?
 - a. 5 March 1770
 - b. 16 December 1773
 - c. 19 April 1775
 - d. 2 August 1778
 3. The American Constitution was adopted in the year _____
 - a. 1776
 - b. 1778
 - c. 1787
 - d. 1789
 4. Which is the oldest existing constitution of the world?
 - a. Indian
 - b. American
 - c. British
 - d. Norwegian
 5. A written instrument under which governmental powers are both conferred and circumscribed, is a _____.
 - a. Federal Government
 - b. Limited Government
 - c. Parliamentary Democracy under Constitutional Monarchy
 - d. None of these
 6. Under which constitution, Parliament is an absolute sovereign legislature?
 - a. American
 - b. British
 - c. Indian
 - d. Norwegian

7. Which among the given options describes the federal government?
 - a. It has only those powers which the people have specifically authorized
 - b. Its powers are shared between the three arms of government namely the Legislative, Executive and Judiciary
 - c. It has absolute power
 - d. Either a or c
8. The _____, is one of the earliest pieces of evidence of a limited government
 - a. Magna Carta
 - b. Declaration of Independence
 - c. Bill of Rights
 - d. U. S. Constitution
9. What do we call the first ten amendments to the U. S. Constitution?
 - a. The Articles of Confederation
 - b. The inalienable rights
 - c. The declaration of Independence
 - d. The Bill of Rights
10. What were the changes that began to restrain the power of government & create a more limited government?
 - a. Separation of powers between branches of government
 - b. Democracy which granted people authority
 - c. Creation of constitutional monarchies
 - d. All of the above

B. Short Answer Type Questions.

11. What is a limited government ?
12. Write briefly about the British Constitution ?

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Special Contract

Choose the correct answer:-

1. A partnership can be
 - (a) A general partnership
 - (b) A particular partnership
 - (c) Either (a) or (b)
 - (d) Only (a) and not (b)
2. A partnership firm is
 - (a) A distinct Legal entity from its partners
 - (b) Not a distinct Legal Entity from the partners
 - (c) A juristic person
 - (d) Either (a) or (b)
3. The term 'partnership' has been defined
 - (a) Section-3
 - (b) Section-4
 - (c) Section-5
 - (d) Section-6
4. The mode of determining the existence of partnership has been laid down in
 - (a) Section-6
 - (b) Section-5
 - (c) Section-9
 - (d) Section-10
5. Under section-2(b) of the Indian Partnership Act business includes
 - (a) Every trade and occupation
 - (b) Every occupation and profession
 - (c) Every trade, occupation and profession
 - (d) Every trade and profession
6. 'Goods' within the meaning of section-2(f) of the Sale of Goods Act 1930 is-
 - (a) Descriptive
 - (b) Exhaustive
 - (c) Exhaustive and Descriptive
 - (d) Declaratory
7. 'Goods' within the meaning of Section-2(f) of the sale of Goods Act 1930 includes-
 - (a) Actionable Claims
 - (b) Money
 - (c) Both (a) and (b)
 - (d) Neither (a) nor (b)

8. Which of the following documents is a document of title to goods-
- (a) Bill of exchange
 - (b) Promissory Note
 - (c) Dock Warrant
 - (d) All the above
9. 'Mercantile Agent' means the person
- (a) Who sell goods or consignee for the purpose of sell or buy goods or raise money on security of goods.
 - (b) Who only sell or purchase
 - (c) Who only consign goods
 - (d) Who only transfer goods
10. The distinctions between a contract for work or service and a contract for sale has been summarized by the supreme court in
- (a) Safdarjung Sugar Mills Ltd. –Vrs.- The State of Mysore & others AIR-1972 SC 87.
 - (b) New India Sugar Mills Ltd. –Vrs.- Commissioners of Sale Tax, Bihar, AIR 1963 SC 1207.
 - (c) Commissioner of Sales Tax, Madhya Pradesh –Vrs.- Purushottam Premji-1970 STC-287.
 - (d) Chittarmal Narain Dass –Vrs.- Commissioner of Sales Tax, Uttar Pradesh, AIR-1970 SC-2000.

Write Short Notes

- (a) Doctrine of 'Caveat Emptor'.
- (b) Doctrine of 'Holding Out'.

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Direct Taxation

A. Objective Type Questions:-

1. _____ is/are empowered to levy and collect income tax.
 - a. State Government
 - b. Central Government
 - c. RBI
 - d. Local Government
2. C.B.D.T. is controlled by-
 - a. Central Government
 - b. State Government
 - c. Both
 - d. None of them
3. Income tax is a-
 - a. Business Tax
 - b. Profession Tax
 - c. Direct Tax
 - d. Indirect Tax
4. The highest administrative authority for Income Tax in India is-
 - a. Finance Minister
 - b. C.B.D.T.
 - c. President of India
 - d. Director of Income Tax
5. Gratuity received by Government Employee is-
 - a. Fully exempted
 - b. Partly exempted
 - c. Fully Taxable
 - d. Exempted upto Rs. 1 Lakh
6. Exempted Incomes are defined under Section _____
 - a. Section 15 of Income Tax Act
 - b. Section 18 of Income Tax Act
 - c. Section 10 of Income Tax Act
 - d. Section 20 of Income Tax Act

7. Short term capital gain on sale of listed shares are _____.
 - a. Taxable
 - b. Exempted
 - c. Partially exempted
 - d. Partially taxable
8. Dividend from an Indian Company is _____
 - a. Fully taxable
 - b. Fully exempted
 - c. Partially taxable
 - d. None of above
9. An Indian Company's residential status is that is always _____
 - a. Resident
 - b. Non Resident
 - c. Ordinarily resident
 - d. None of these
10. Income from a Farm house is-
 - a. Income from house property
 - b. Income from Business
 - c. Agricultural Income
 - d. Income from other sources.

B. Write short Notes on the following:-

1. Income from House Property
2. Historical Development of Income Tax Law in India.

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Humanitarian and Refugee Law

- A. Multiple-Choice Questions:-
1. Humanitarian Law is concerned with _____.
 - a. Who started the war
 - b. The reasons behind war
 - c. The effects of war
 - d. Its Legality
 2. Dunant and Lieber both built contemporary international humanitarian law on an idea put forward by Jean-Jacque Rousseau in _____.
 - a. Discourse on Inequality
 - b. The Social Contract
 - c. The Confessions
 - d. Les Reveries of the Solitary Walker
 3. ICRC was constituted in the year _____.
 - a. 1863
 - b. 1864
 - c. 1868
 - d. 1899
 4. Which among the given would not be synonymous with international humanitarian law?
 - a. Jus in bello
 - b. Jus ad bellum
 - c. Jus contra bellum
 - d. Human rights law
 5. Who are protected persons under international humanitarian law?
 - a. Sick people
 - b. Sick and wounded persons
 - c. Sick, wounded and shipwrecked persons
 - d. Sick, wounded and shipwrecked soldiers not taking part in hostilities
 6. International Humanitarian law can be enforced _____.
 - a. At all times
 - b. Only during times of armed conflict
 - c. Only during times of peace
 - d. Whenever the government wishes

7. Identify the source of international humanitarian law
 - a. Geneva Conventions
 - b. International Conventions
 - c. International Customs
 - d. General principles of law recognized by civilized nations
8. The International Red Cross and Red Crescent Movement consists of _____.
 - a. The ICRC
 - b. The International Federation of Red Cross and Red Crescent Societies
 - c. The National Red Cross and Red Crescent Societies
 - d. All of the above
9. What are the principles of international humanitarian law?
 - a. Prohibition on the infliction of unnecessary suffering; the principle of necessity; the principle of proportionality; the principle of humanity
 - b. Attainment of peace, prosperity, respect of human rights, and protection of the natural environment
 - c. Honour the obligations undertaken by the State when it become party to treaties of international humanitarian law
 - d. Humanity, neutrality, impartiality and independence
10. Which of the following is not a protected emblem?
 - a. Red Crescent
 - b. Red Cross
 - c. Red Crystal
 - d. Red Diamond

B. Short Answer Type Questions

11. What is International Humanitarian Law?
12. What treaties make the international Humanitarian Law?