

Karnatak Law Society's
RAJA LAKHAMGOUDA LAW COLLEGE

Tilakwadi, BELAGAVI - 590 006
(Affiliated to Karnataka State Law University, Hubballi)

Dr. A. H.Hawaladar
B.COM., LL.M., Ph.D.
Principal



Ph. No. 0831- 2405501
Mobile: 9449070959
rlawcollege@gmail.com
www.rllc.klsbelgaum.org

REF: KLS/RLLC/IA/EVEN.SEM/2022-23

DATE: 01 -07-2023

STAFF NOTICE

INTERNAL ASSESSMENT TEST- 2022-23 (EVEN SEMESTER)

All the members of teaching and non-teaching Staff are hereby required to note that Internal Assessment tests for the students of the **Even Semester-2022-23** will be conducted as per the following Time-Table.

FIRST YEAR LL.B., B.A., LL.B. AND B.B.A., LL.B.

Date	Time	II Sem. LL.B.	II Sem. B.A., LL.B.	II Sem. B.B.A., LL.B.
20-07-2023	8.30 am – 9.30am	Constitutional Law-I	Economics- II	Entr. Dev.
	11.30 pm –12.30 pm	Contract -II	Political Science- II	Prin. of Mgt.
21-07-2023	8.30 am – 9.30am	Family Law –II	Sociology-II	Eco. Dev.
	11.30 pm –12.30 pm	Property Law	Law of Tors	Law of Tors
22-07-2023	8.30 am – 9.30am	Labour Law –I	-----	-----
	11.30 pm –12.30 pm	Kanoon Kannada / Kannada Kali	Kanoon Kannada / Kannada Kali	Kanoon Kannada / Kannada Kali

SECOND YEAR B.A., LL.B. AND B.B.A., LL.B.

Date	Time	IV Sem. B.A., LL.B.	IV Sem. B.B.A., LL.B.
20-07-2023	8.30 am – 9.30am	Constitutional Law-II	Constitutional Law-II
	11.30 pm -12.30 pm	Economics- V	Financial Mgt.
21-07-2023	8.30 am – 9.30am	Economics- VI	Intern. Business
	11.30 pm –12.30 pm	Contract-I	Contract-I
22-07-2023	8.30 am – 9.30am	IPC –Cr. Law-I	IPC–Cr. Law-I

SECOND YEAR LL.B.

Date	Time	IV Sem. LL.B.
20-07-2023	10.00 am – 11.00am	Public International Law
	1.00 pm –2.00 pm	-----
21-07-2023	10.00 am – 11.00 am	Insurance Law/HRLP
	1.00 pm –2.30 pm	Prof. Ethics (40 marks)
22-07-2023	10.00 am – 11.00 am	Banking Law / RTI
	1.00 pm –2.15 pm	ADRS (30 marks)

THIRD YEAR LL.B., B.A., LL.B. AND B.B.A., LL.B.

Date	Time	VI Sem. LL.B.	VI Sem. B.A., LL.B.	VI Sem. B.B.A., LL.B.
20-07-2023	10.00 am – 11.00am	-----	-----	-----
	1.00 pm –2.00 pm	Law of Evidence	Labour Law –II	Labour Law –II
21-07-2023	10.00 am – 11.00 am	Land Laws	Family Law-II	Family Law-II
	1.00 pm –2.00 pm	Environ. Law	Property Law	Property Law
22-07-2023	10 am - 11 .00 am	IPR-II / WCC	Company Law	Company Law

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FOURTH YEAR B.A., LL.B. AND B.B.A., LL.B.

Date	Time	VIII Sem. B.A., LL.B.	VIII Sem. B.B.A., LL.B.
20-07-2023	10.00 am – 11.00am	-----	-----
	1.00 pm –2.00 pm	Law of Evidence	Law of Evidence
21-07-2023	10.00 am – 11.00am	Insurance Law / HRLP	Insurance Law /HRLP
	1.00 pm –2.00 pm	-----	-----
22-07-2023	10 am - 11 .00 am	Banking Law /RTI	Banking Law /RTI
	1.00 - 2.15pm	ADRS (30 marks)	ADRS (30 marks)

FIFTH YEAR B.A., LL.B. AND B.B.A., LL.B.

Date	Time	X Sem. B.A., LL.B.	X Sem. B.B.A., LL.B.
20-07-2023	10.00 am – 11.00am	-----	-----
	1.00 pm –2.00 pm	Land Laws	Land Laws
21-07-2023	10.00 am – 11.00am	Environ. Law	Environ. Law
	1.00 pm –2.00 pm	-----	-----
22-07-2023	10.00am – 11.00am	IPR-II / WCC	IPR-II / WCC

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NOTE:

1. The concerned course teachers are required to set the test question paper in **English with Kannada version and submit** the Question paper to Prof. Prahlad A. Yajurvedi, I.A. Cordinator on or before **12th July 2023**.
2. Question paper will be in the form of Descriptive Type Questions.
3. QP Pattern – One essay type question with one option for 7 marks and one short note/problem with one option for 3 marks. (Model Question paper enclosed).
4. Course teachers are required to collect answers sheets of tests immediately after the test.
5. **Last date for submission:** Course teachers are required to submit the consolidated Marks sheet (Test, Assignment and Seminar), Attendance sheets and duly valued answer sheets and assignment books to the College/Principal on **31-08-2023 without fail**.
6. O. S. and other non-teaching staff members are required to make necessary arrangements viz., Answer sheets/scripts, attendance sheets, allotment of Junior Supervisors, seat arrangements (writing seat Nos.), etc. for smooth conduct of tests as per above time table,
7. Co-operation of all staff members is highly solicited.

Internal Assessment
Co-ordinator

-SD-
PRINCIPAL

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THIRD YEAR

Date	Time	V sem. LL.B.	V sem. B.A., LL.B.	V sem. B.B.A., LL.B.
31-05-2022	9 am - 10 am	Company Law	Jurisprudence	Jurisprudence
	11am-12 noon	C.P.C	Administrative Law	Administrative Law
	1 pm - 2 pm	IPR-I/Penology & Victimology	Labour Law -I	Labour Law -I
01-06-2022	9 am - 10 am	Intpn. of Statutes	Family Law -I	Family Law -I
	11am-12 noon	Contract-II	Contract-II

FOURTH YEAR

Date	Time	VII Sem. B.A., LL.B.	VII Sem. B.B.A., LL.B.
31-05-2022	9 am - 10 am	Public International Law	Public International Law
	11am-12 noon	Cr. P. C. (Criminal Law-II)	Cr. P. C. (Criminal Law-II)
	1 pm - 2 pm	Law of Taxation	Law of Taxation

NOTE:

1. Question paper will be in the form of Descriptive Type Questions.
2. QP Pattern - One question with one option for 7 marks and one short note with one option for 3 marks.
3. Students must attend test physically during the specified time as per above Time-Table.
4. Students should write answers either in English or in Kannada completely.



Amrta
Principal
R.L. Law College
Belagavi

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REF: KLS/RLLC/55A-IA/ODD.SEM/2021-22

DATE: 29-04-2022

NOTICE - INTERNAL ASSESSMENT OFFLINE/PHYSICAL TEST

As per the directions of KSLU, all the students of 3-Year LL.B. Course and First to Fourth year of 5-Year B.A.,LL.B./B.B.A., LL.B. Courses(80-20 batches) are hereby informed that Internal Offline/Physical test for 10 marks (descriptive) for the Odd semester - 2021-22 will be conducted as per the following Time-Table.

Attendance for the test is compulsory. Students are required to note that there will be no second chance to appear for the test. Marks obtained in this test will be considered as part of I.A. total marks.

TEST TIME -TABLE

FIRST YEAR

Date	Time	I sem. LL.B.	I sem. B.A., LL.B.	I sem. B.B.A., LL.B.
13-05-2022	9 am - 10 am	Constitutional Law-I	Economics- I	Business Environment
	11 am-12 noon	Contract -I	Sociology -I	Managerial Economics
	1 pm - 2 pm	Law of Torts	Political Science- I	Financial Accounting
14-05-2022	9 am - 10 am	Family Law -I	Legal Methods	Legal Methods
	11 am-12 noon	General English	General English	General English
	1 pm - 2 pm	Cr. Law -I -I.P.C.

SECOND YEAR

Date	Time	III sem. LL.B.	III sem. B.A., LL.B.	III sem. B.B.A., LL.B.
31-05-2022	9 am - 10 am	Jurisprudence	Constitutional Law-I	Constitutional Law-I
	11 am-12 noon	Cr. P. C.	Economics -III	Business Communication
	1 pm - 2 pm	Law of Taxation	Economics -IV	Cost & Mangt. Accountg
01-06-2022	9 am - 10 am	Administrative Law	Sociology- III	HRM
	11 am-12 noon	Labour Law-II	Political Science -III	Business Statistics

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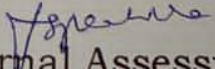
REF: KLS/RLLC/IA/EVEN.SEM/2021-22

DATE: 23-06-2022

STAFF NOTICE – INTERNAL ASSESSMENT

All the members of the teaching staff are hereby required to note the following dates of the Internal Assessment activities for the academic year 2021-22 (Even Semester):

1. Course teachers are required to give assignment topics to students in their respective subjects on or before **10th July 2022**.
2. Internal (offline/physical) Tests will be conducted from **18th to 20th August 2022** (separate Time-Table will be notified).
3. Students will be informed to submit the assignments to the concerned course teachers **on or before 5th September 2022**.
4. Course teachers are required to submit Mark sheets (Test, Assignment and Seminar), Attendance sheets and Assignment books to the college/Principal **on 17th September 2022**.


Internal Assessment
Co-ordinator


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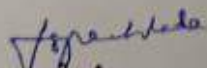
NOTICE - INTERNAL ASSESSMENT - 2021-22 (Even Semester)

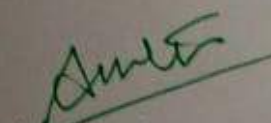
All students of LL.B., B.A.,LL.B. and B.B.A.,LL.B. (80-20 Batch) are hereby informed to note the following guidelines/instructions for the purpose of writing Assignments:

GUIDELINES/ INSTRUCTIONS FOR WRITING ASSIGNMENTS

1. INTRODUCTION
2. EXPLANATION OF THE TOPIC
3. CONCLUSION
4. REFERENCES / END NOTES - Students are required to mention/write the Books, Case laws, websites, articles, journals, etc., referred for the purpose of completing the Assignments.

NOTE: Students are informed to follow above guidelines compulsorily otherwise their assignments may be not considered.


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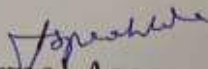
DATE: 23-06-2022

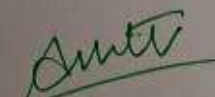
NOTICE

INTERNAL ASSESSMENT - 2021-22 (Even Semester)

All students of LL.B., B.A.,LL.B. and B.B.A.,LL.B. (80-20 Batch) are hereby informed to note the following for the purpose of submission of Assignment and attending Internal Tests :

1. Assignment topics will be given to the students on or before **10th July 2022.**
2. Internal Tests (offline/physical) will be conducted from **18th to 20th August 2022.** Separate Time-Table will be notified.
3. Duly completed Assignments should be submitted to the course teacher **on or before 5th September 2022.** The late submission will not be accepted.


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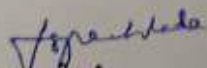
NOTICE - INTERNAL ASSESSMENT - 2021-22 (Even Semester)

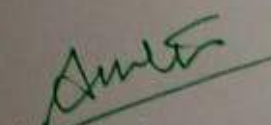
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NOTE: Students are informed to follow above guidelines compulsorily otherwise their assignments may be not considered.


Internal Assessment
Co-ordinator


Principal



Subject : Contract - II		
Course : LL.B./B.A., LL.B./B.B.A., LL.B.	Student's Thumb Impression	Supervisor's Signature
Semester : II Sem 3 rd LLB		Medium : ENG / KAN.
Reg. No.: 10222 112042	Student's Signature	Date : 20/07/2023

FOR VALUATION

Q.No.	Max. Marks	Marks obtained	
1	7	5	Signature of Valuer
2	3	2	
Total	10	7	

1) ನಷ್ಟಭರ್ತಿ ಕೆರಾರು (Contract of Indemnity) And
ಖಾತರಿ ಕೆರಾರು (Contract of Guarantee)

⇒ ನಷ್ಟಭರ್ತಿ ಕೆರಾರು (sec 125):

ಭರತೆಯ ಕೆರಾರು ಉದಯವೆದ್ದ ಕಾಲ - 125 ರ ಪ್ರಕಾರ ನಷ್ಟಭರ್ತಿ ಕೆರಾರು ಎಂದರೆ ಅನ್ವಯಿಸುವ ಉದ್ದೇಶದ ವ್ಯಕ್ತಿಯವರ ಕ್ಷಮೆಯಿಂದ ಓದಿ ದಾನಿಗೆ ನಷ್ಟಭರ್ತಿಯನ್ನು ತುಂಬಿಕೊಡುವುದನ್ನು ನಷ್ಟಭರ್ತಿ ಕೆರಾರು ಎನ್ನುತ್ತಾರೆ.

ನಷ್ಟಭರ್ತಿ ಧಾರಕನಿಗೆ ಒಂದಾದ ದಾನಿಗೆ / ನಷ್ಟಕ್ಕೆ ನಷ್ಟಭರ್ತಿಗಾರನ ನಷ್ಟವನ್ನು ತುಂಬಿಕೊಡುವುದು.

⊕ ನಷ್ಟಭರ್ತಿಗಾರನಿಗೆ ಎಂದರೆ, ಯಾವುದೇ ನಷ್ಟ ಭರ್ತಿಯನ್ನು ತುಂಬಿಕೊಡುತ್ತೇನೆ ಎಂದು ವ್ಯಾಜನ ಮಾಡುತ್ತಾನೋ ಅವನೇ ನಷ್ಟಭರ್ತಿಗಾರನ ಎನ್ನುತ್ತಾರೆ.

⊕ ನಷ್ಟಭರ್ತಿ ಧಾರಕನಿಗೆ ಎಂದರೆ ಯಾವ ನಷ್ಟ ಭರ್ತಿಯನ್ನು ತುಂಬುತ್ತೇನೆ ಎಂದು ವ್ಯಾಜನ ಮಾಡಿಕೊಡುತ್ತೇನೆ ಎಂದನ್ನು ನಷ್ಟಭರ್ತಿಗಾರನ ಎನ್ನುತ್ತಾರೆ.

- ನಕ್ಷೆಗಳಿಗೆ ಕಾರಕನಿಗೆ ಇರುವ ಹಕ್ಕುಗಳು:
- 1) ನಕ್ಷೆಗಳಿಗೆ ಕಾರಕನಿಂದ ನಕ್ಷೆವನ್ನು / ಪರಿಷ್ಕರವನ್ನು ಭರಿಸಿಕೊಳ್ಳುವ ಹಕ್ಕು.
 - 2) ಭಾವಮುಖ್ಯತೆಗಳನ್ನು ಕಲ್ಪಿಸುವ ಹಕ್ಕು.
 - 3) ನಕ್ಷೆಗಳಿಗೆ ಕಾರಕನು ರಾಜಿ ಮಾಡಿಕೊಡಬೇಕೆಂದು ಸೂಚಿಸಿದರೆ ಖಚಿತಗಳನ್ನು ಕೂಡ ವಶಪಡಿಸುವ ಹಕ್ಕು.

→ ಖಾತಂ / ಜಾಲೀನುದಾರ್ ಕೆರಾರು (Sec. 127)

ಭಾರತೀಯ ಕೆರಾರು ಅಧಿನಿಯಮದ ಕೆಲಂ 127 ರ ಪ್ರಕಾರ ಖಾತಂ / ಜಾಲೀನುದಾರ್ ಎಂದರೆ ಮೂರನೆಯ ವರ್ಷಕ್ಕೆ ಮತಲವಾಪಾದಿ ಮೂರನೆಯ ವರ್ಷಕ್ಕೆ ಕ್ರೋಗೊಲಿಸಮನ್ನು ನೀಡುವುದನ್ನು ಖಾತಂ / ಜಾಲೀನುದಾರ್ ಕೆರಾರು ಎನ್ನುತ್ತಾರೆ.

ಮುಖ್ಯಸ್ಥನಾಗುವುದು ಸಾಲಿನಿಂದ ಕೂಡುವುದು ಪರಿಷ್ಕರಿಸಬೇಕಾದ ಜಾಲೀನುದಾರನು ಅತ್ಯವಶ್ಯಕವಾಗಿದೆ.

⊙ ಖಾತಂ / ಜಾಲೀನುದಾರ್ ಕೆರಾರಿನಲ್ಲಿ ಮೂರು ವ್ಯಕ್ತಿಗಳು ಇರುತ್ತಾರೆ.

- 1) ಮುಖ್ಯಸ್ಥನಾಗಾರ - ಸಾಲ ತೆಗೆದುಕೊಂಡವನು.
- 2) ಸಾಲಿಗೆ - ಸಾಲ ಪುಸ್ತಕವನ್ನು.
- 3) ಜಾಲೀನುದಾರ - ಸಾಲ ತೆಗೆದುಕೊಂಡವನು & ಸಾಲ ಪುಸ್ತಕವನ್ನು ಪರಿಷ್ಕರಿಸಬೇಕೆಂದು (ಕ್ರೋಗೊಲಿಸಮ) ಒಪ್ಪಿಕೊಳ್ಳುವ.

⊕ ಖಾತಂ ಕೆರಾರಿನಲ್ಲಿ ಪ್ರಮುಖವಾಗಿ ಮೂರು ಅಂಶಗಳಿರುತ್ತವೆ, ಟೈಪ್ ಮತ್ತು ಅವಶ್ಯವಾದ ಕೆರಾರುಗಳಿರುತ್ತವೆ.

- 1) ಮುಖ್ಯಸ್ಥನಾಗಾರ ಮತ್ತು ಸಾಲಿಗೆ ನಡುವೆ ಒಪ್ಪಂದ
- 2) ಜಾಲೀನುದಾರ ಮತ್ತು ಸಾಲಿಗೆ ನಡುವೆ ಒಪ್ಪಂದ
- 3) ಜಾಲೀನುದಾರ ಮತ್ತು ಮುಖ್ಯಸ್ಥನಾಗಾರ ಒಪ್ಪಂದ

* ಮೊದಲನೆಯ ಖಚಿತ ಕೆರಾರುಗಳನ್ನು ವ್ಯಕ್ತಿಯಾದ ಕೆರಾರುಗಳಿರುತ್ತವೆ.
 * ಮೊದಲನೆಯ ಕೆರಾರು ಅಂದರೆ ಮೂರನೆಯ ಕೆರಾರು ಅತ್ಯವಶ್ಯಕವಾಗಿದೆ.

* ಖಾತಂ ಕೆರಾರು (Sec. 127) ಜಾಲೀನುದಾರನು ಕೆರಾರಿನ ಅವಶ್ಯಕತೆಗಳು:

- 1) ಪ್ರಯೋಗ.
- 2) ಮುಖ್ಯಸ್ಥನಾಗಾರ.
- 3) ಅತ್ಯವಶ್ಯಕತೆ / ಮುಖ್ಯಸ್ಥನಾಗಾರ.
- 4) ಬಹುವೇದಿ / ಅದೇ ರೂಪದಲ್ಲಿರಬೇಕು.

⇒ ನಕ್ಷೆಗಳಿಗೆ ಕೆರಾರು ಮತ್ತು ಖಾತಂ ಕೆರಾರುಗಳ ನಡುವಿನ ವ್ಯತ್ಯಾಸಗಳು:

ಕ್ರ.ಸಂ.	ನಕ್ಷೆಗಳಿಗೆ ಕೆರಾರು Sec 125	ಖಾತಂ ಕೆರಾರು Sec 127
1)	ಭಾರತೀಯ ಕೆರಾರು ಅಧಿನಿಯಮದ ಕೆಲಂ 125 ರ ಪ್ರಕಾರ ನಕ್ಷೆಗಳಿಗೆ ಕೆರಾರಿನಲ್ಲಿ ಇಬ್ಬರು ವ್ಯಕ್ತಿಗಳಿರುತ್ತಾರೆ i) ನಕ್ಷೆಗಳಿಗೆ ಕಾರಕ ii) ನಕ್ಷೆಗಳಿಗೆ ಭರಿಸುವವರು.	1) ಭಾರತೀಯ ಕೆರಾರು ಅಧಿನಿಯಮದ ಕೆಲಂ 127 ರ ಪ್ರಕಾರ ಖಾತಂ ಕೆರಾರಿನಲ್ಲಿ ಮೂರು ವ್ಯಕ್ತಿಗಳಿರುತ್ತಾರೆ i) ಮುಖ್ಯಸ್ಥನಾಗಾರ ii) ಸಾಲಿಗೆ iii) ಜಾಲೀನುದಾರ
2)	ನಕ್ಷೆಗಳಿಗೆ ಕೆರಾರಿನಲ್ಲಿ ಒಂದೇ ಕೆರಾರು / ಒಂದೇ ರೀತಿಯಲ್ಲಿ ಇರುತ್ತವೆ. i) ನಕ್ಷೆಗಳಿಗೆ ಕಾರಕ ಮತ್ತು ನಕ್ಷೆಗಳಿಗೆ ಭರಿಸುವವರು ನಡುವೆ.	2) ಖಾತಂ ಕೆರಾರಿನಲ್ಲಿ ಮೂರು ಕೆರಾರುಗಳು / ಒಂದೇ ರೀತಿಯಲ್ಲಿ ಇರುತ್ತವೆ. i) ಮುಖ್ಯಸ್ಥನಾಗಾರ ಮತ್ತು ಸಾಲಿಗೆ ii) ಜಾಲೀನುದಾರ & ಸಾಲಿಗೆ iii) ಜಾಲೀನುದಾರ & ಮುಖ್ಯಸ್ಥನಾಗಾರ
3)	ನಕ್ಷೆಗಳಿಗೆ ಕೆರಾರಿನಲ್ಲಿ ಕ್ರೋಗೊಲಿಸಮ ಕ್ರೋಗೊಲಿಸಮ ಪ್ರಕ್ರಿಯೆ ಇಲ್ಲ. ಅದೇ ಕೆರಾರಿನಲ್ಲಿ ತೆಗೆದುಕೊಂಡ ಒಂದು ರೀತಿ ವ್ಯಕ್ತಿಯಾದ ಕೆರಾರು ನಕ್ಷೆಗಳಿಗೆ ನೀಡಬೇಕು.	3) ಖಾತಂ ಕೆರಾರಿನಲ್ಲಿ ಕ್ರೋಗೊಲಿಸಮ ಕ್ರೋಗೊಲಿಸಮ ಪ್ರಕ್ರಿಯೆ ಇರುತ್ತದೆ. ಜಾಲೀನುದಾರನು ಕ್ರೋಗೊಲಿಸಮ ನಕ್ಷೆಗಳಿಗೆ ಅವಶ್ಯಕತೆಗಳನ್ನು ಕ್ರೋಗೊಲಿಸಮ ಇರುತ್ತವೆ.
4)	ನಕ್ಷೆಗಳಿಗೆ ಕೆರಾರಿನಲ್ಲಿ ಕ್ರೋಗೊಲಿಸಮ ಪ್ರಕ್ರಿಯೆ ಇರುತ್ತದೆ.	4) ಖಾತಂ ಕೆರಾರಿನಲ್ಲಿ ಕ್ರೋಗೊಲಿಸಮ ಪ್ರಕ್ರಿಯೆ ಇರುತ್ತದೆ.

5) ನಷ್ಟಭರ್ತಿ ಕೆಲಸಗಳ ನಷ್ಟಭರ್ತಿ
 - ಕಾರಕನು ನಷ್ಟಭರ್ತನು ನಷ್ಟಭರ್ತ
 - ಕಾರಕನಿಗೆ ನೀಡಿಸಿಕೊಳ್ಳುವ ಮೊತ್ತ
 ಪಡೆಯುವ ಅವಕಾಶವು
 ನಷ್ಟಭರ್ತಿ ಕೆಲಸಗಳಲ್ಲಿ ಇಲ್ಲ.

6) ನಷ್ಟಭರ್ತಿ ಕೆಲಸಗಳ
 ಕ್ರಿಯಾಂಗಿಕತೆಯು
 ನಷ್ಟಭರ್ತಿ ಕಾರಕನಿಗೆ ಪ್ರಾಯೋಗಿಕ
 ಮಾತ್ರ ಇರುತ್ತದೆ.

ಖಾತರಿ ಕೆಲಸಗಳಲ್ಲಿ ಉಪನಿವಾರಣ
 ಮುಖ್ಯವಾಗಿರುವಂತೆ ಪ್ರತಿಭಾ ಸಾಧನಗಳ
 ಸಾಲವನ್ನು ಕಟ್ಟಿಸಿಕೊಳ್ಳುವ ಅವಕಾಶ
 ಮೊತ್ತ ಮುಖ್ಯವಾಗಿ ಕಾರಕನಿಂದ
 ಪಡೆಯುವ ಅವಕಾಶವು
 ಖಾತರಿ ಕೆಲಸಗಳಲ್ಲಿ ಇದೆ.

ಖಾತರಿ ಕೆಲಸಗಳಲ್ಲಿ ಕ್ರಿಯಾಂಗಿಕತೆಯು
 ಅಸ್ತಿತ್ವದಲ್ಲಿ ಇರುತ್ತದೆ. ಮುಖ್ಯವಾಗಿ
 ಸಾಲಕನಿಂದ ಸಾಲವನ್ನು ಕೊಡಿಸಿಕೊಡ
 - ಇವೆಂದೆ ಅಸ್ತಿತ್ವದಲ್ಲಿ ಇರುತ್ತದೆ.

- ಉತ್ತರಿಸಿ:
- ನಷ್ಟಭರ್ತಿ ಕೆಲಸ ಮೂರನೇ ಪ್ರಕ್ರಿಯೆಯಾದ್ದರಿಂದ ಇದರ ಪರಿಣಾಮ ನೀಡುತ್ತದೆ. ಇದರಿಂದ ನಷ್ಟಭರ್ತಿ ಕಾರಕನಿಗೆ ಉಪನಿವಾರಣವು ಇದೆ.
 - ಖಾತರಿ ಕೆಲಸಗಳಲ್ಲಿ ಮೂರನೇ ಪ್ರಕ್ರಿಯೆಯ ಉಪನಿವಾರಣವು ಇರುವುದನ್ನು ನೀಡುತ್ತದೆ.

2) ನಷ್ಟಭರ್ತಿ ಕೆಲಸಗಳ ಕಾರಕನ ಹಕ್ಕುಗಳು. SEC. 126

- ಇದರಲ್ಲಿಯೇ ಕೆಲಸ ಉಪನಿವಾರಣ SEC 125 ರ ಪ್ರಕಾರ ನಷ್ಟಭರ್ತಿ ಕೆಲಸ ಎಂದರೆ. ಇದರಿಂದ ಉಪನಿವಾರಣ ಕೆಲಸದಿಂದ ಉಂಟಾದ ಇತರ ಜವಾಬ್ದಾರಿ ನಷ್ಟಭರ್ತಿ ಕೆಲಸದಿಂದ ಉಂಟಾದ್ದರಿಂದ.

ನಷ್ಟಭರ್ತಿ ಕಾರಕ ಎಂದರೆ: ಯಾವ ಪ್ರಕ್ರಿಯೆಗೆ ನಷ್ಟಭರ್ತಿ ಕೆಲಸವನ್ನು ಕೊಡುತ್ತಾನೆ ಎಂದು ವಾಗ್ದಾನೆ ಮಾಡಿಕೊಳ್ಳುವುದರಿಂದ ಅವನನ್ನು ನಷ್ಟಭರ್ತಿ ಕಾರಕ ಎನ್ನುತ್ತಾರೆ.

* ಹಕ್ಕುಗಳು SEC 126

ಇದರಲ್ಲಿಯೇ ಕೆಲಸ ಉಪನಿವಾರಣದ SEC 126 ರ ಪ್ರಕಾರ ನಷ್ಟಭರ್ತಿ ಕಾರಕನಿಗೆ ಹಕ್ಕುಗಳಿವೆ.

- 1) ನಷ್ಟಭರ್ತಿ ಕಾರಕನಿಂದ ಇನ್ನೊಬ್ಬರಿಗೆ ನಷ್ಟವನ್ನು ಭರಿಸಿಕೊಳ್ಳುವುದು.
- 2) ಧನವು ಖಾತುಗಳನ್ನು ಕೇಳುವ ಹಕ್ಕು.
- 3) ರಾಜಿ ಮಾಡಿಕೊಂಡು ರಾಜಿ ಸಂಬಂಧಿಸಿದ ಖಾತುಗಳನ್ನು ಪಡೆಯುವ ಹಕ್ಕು.

1) ನಷ್ಟಭರ್ತಿ ಕಾರಕನಿಂದ ಇನ್ನೊಬ್ಬರಿಗೆ ನಷ್ಟವನ್ನು ಭರಿಸಿಕೊಳ್ಳುವುದು.
 - ಇದರಲ್ಲಿಯೇ ಕೆಲಸ ಉಪನಿವಾರಣದ ಪ್ರಕಾರ ನಷ್ಟಭರ್ತಿ ಕಾರಕನು ಇತರ ಜವಾಬ್ದಾರಿ ನಷ್ಟಭರ್ತಿ ಕೆಲಸದಿಂದ ಉಂಟಾದ್ದರಿಂದ ಉಪನಿವಾರಣ ಕೆಲಸದಿಂದ ಉಂಟಾದ ಇತರ ಜವಾಬ್ದಾರಿ ನಷ್ಟಭರ್ತಿ ಕೆಲಸದಿಂದ ಉಂಟಾದ್ದರಿಂದ.

- 2) ಧನವು ಖಾತುಗಳನ್ನು ಕೇಳುವ ಹಕ್ಕು:
 ನಷ್ಟಭರ್ತಿ ಕಾರಕನು ನಷ್ಟ ಉಂಟಾದ ನಷ್ಟವೆಂದಾಗಿದ್ದರೆ ಧನವನ್ನು ಕೇಳಿಕೊಳ್ಳುವ ಅವಕಾಶ ಇರುತ್ತದೆ. ನಷ್ಟವನ್ನು ಕೇಳುವ ಹಕ್ಕು ನಷ್ಟಭರ್ತಿ ಕಾರಕನಿಗೆ ಇರುತ್ತದೆ.



Karnatak Law Society's

Roll No: 01

Raja Lakhamgouda Law College, Belagavi

CENTRE CODE - 102

INTERNAL ASSESSMENT TEST

Answer
Booklet No.

2172

Subject : LABOUR LAW		
Course : LL.B./B.A., LL.B./B.B.A., LL.B.	Student's Thumb Impression	Supervisor's Signature 22/7/23
Semester : II		Medium : ENG /KAN.
Reg. No.: 10222111031	Student's Signature Sparsh	Date : 22-07-2023

FOR VALUATION

Q.No.	Max. Marks	Marks obtained	
1	7	5	
2	3	5	
Total	10	10	Signature of Valuer Jr

1. Explain the term "Industrial Dispute" with the help of decided cases under the IDA.

Industrial Dispute.

- The main object of the ID Act as state in the preamble is to "make provisions for the investigation and settlement of industrial disputes."
- The definition of Industrial Dispute has a special significance under the Act.

sec 2(K) : Industrial Dispute

Industrial dispute means

- any dispute or difference
 - between employers and employees,
 - between employers and workmen, & or
 - between workmen and workmen
- which is connected to
 - the employment
 - non-employment
 - the terms of the employment or
 - the conditions of the employment of any person.

- Essentials of Substantial Dispute.
1. Existence of dispute or difference
 2. Parties to the dispute
 3. Subject matter of the dispute
 4. Dispute must be in an industry.

1. Existence of dispute or difference.
 The existence of dispute or difference is the key expression to the term 'Industrial Dispute'. The parties to the dispute shall have the difference arisen in regards to employment and non-employment of the workmen.

Case: Workmen of Hill v/s Hindustan Lever Ltd
 - Ordinarily for a dispute to arise there should be a difference of opinion between the employer & the workmen. The difference should be such that the employer can be able to fulfil.
 - The difference should be a fairly defined and of real substance and not merely but of possible grumbling or agitation.

Case: I.O.S. Insulators v/s Industrial Tribunal
 - For an industrial dispute to arise there should be a demand made by the workmen which the employer is unable to fulfil.

2. Parties to the Contract.
- The dispute or difference to must arise between - employer and employees
 - workmen and workmen or
 - workmen and workmen.

- The maximum disputes arising in an industry is between employer & the workmen.
- The dispute must arise from the workmen on its union or federation.
- There should be community of interest among the workmen.
- The Industrial Dispute cannot be a 'Statistical Dispute' unless it is supported by its union or substantial number of workmen.

Case: Central Province Transport Service v/s R.G. Petrosalhan.
 - Individual Dispute cannot be an industrial dispute.
 - For an individual dispute to become an industrial dispute the ~~workmen~~ should be supported by its union or substantial number of workmen.

Case: Newspaper Stalabadi Ltd v/s Industrial Tribunal

3. Subject matter of the dispute
 The dispute or difference in an industry must arise in connection with the - the employment,
 - the non-employment,
 - the terms of the contract or
 - the conditions of the contract or of any person.

The dispute or difference must be in connection with the employment, the non-employment, the terms of the contract or the conditions of the contract of any person.

Case: Western India Association Ltd vs. Industrial Tribunal.

- In this case the employment 'and' 'non-employment' was explained by the Federal Court.
- Employment consists of
 - contract of employment
 - employer
 - employee
- The term employment means if any the union insist the employer not to appoint the workman it will be considered as employment of the workman.
- The term non-employment means if the employer refuses to take back the employee dismissed or it is said to be non-employment of the workman.
- It depends on the employer's refusal or failure of employing in workman.

4. Dispute must be in an 'industry'. The condition present to an 'industrial dispute' is there should be an 'existing' industry.

Case: P. Prich Sugar Mills vs. P. G. M. Mazdoor Union.
It was held that for an industrial dispute to exist there should be an 'existing industry' and the industry should not be closed altogether.

2A. Statistical Dispute

of any person ---
Case: Jharna workmen of Dinakuli Tea Estate vs. Dinakuli Tea Estate

- It was held that it is not that any person can be an industrial dispute. That any person should be connected with the industry.

2B. Individual Dispute

Sec 2A Individual Dispute
When an employer dismisses, discharges, retrenches or terminates any workman from his service, the difference arising out of for in connection with the dismissal, discharge, retrenchment or termination in between the workman and the employer is called individual dispute. Notwithstanding that the workman is not supported by other workmen or his union.

Case: Central Province Transport Service vs Industrial Tribunal.

- Individual dispute is not an industrial dispute.
- For an individual dispute to become industrial dispute he should be supported by a substantial number of workmen or his union.

• Individual Dispute becomes industrial if industrial disputes when the other workmen thereas has community of interest.

Sec 2(5) sec 2(5)

2. Workman

Sec 2(5) : Workman includes

- any person (including an apprentice) employed in a industry
- for manual, unskilled, skilled, technical, operational, clerical and supervisory work for hire or award.
- whether the terms of the employment or employment are expressed or implied, for the purpose of any proceeding under this Act in relation to that dispute.
- (workman) includes
- any person who has been discharged, dismissed, or stricken in connection with or arising out of that dispute
- or
- any person whose dismissal, discharge or stricken has led to the dispute
- excludes
- any person who is subject to Air Force Act, Army Act or Navy Act,
- who is employed as a police officer or as an employee of a prison.
- who is employed in managerial or administrative capacity.
- who is being employed under supervisory capacity and who draws wages exceeding Rs 1000, functions mainly of managerial nature

Essential

1. Employed in an industry
2. Person employed
3. Hire or award
4. Nature of the work
5. Standards
6. Excludes.

1. Employed in an industry -
For a person to be called as a workman he must

1. Employed in an industry.
The person employed must be connected with the work employment incidental to the work that is provided by his employer.
Case: K Spinning & Weaving Co. v. Mills & v/s The Workman.

2. Person employed

- For a person to be called as a workman he must be employed by an employer.

- There should be relation of employer & employee supported by contract of employment
Case: Bhaswanthra Chavara v/s State of Karnataka

3. Hire or award

The person employed must be paid wages.

4. Nature of the work.

The workman definition includes only those who fall under following categories of work.

- 1) Manual
- 2) Skilled
- 3) Unskilled
- 4) Technical
- 5) Operational

④ Clerical

① Supervisory work.

- who are not considered to be a workman?
- A teacher is not a workman
- A medical representative is not a workman
- A temple priest is not a workman
- A bank manager is not a workman
- An independent contractor is not a workman.

Case: 1) A. Sunderamal v/s Govt of Goa 1988
(Teacher whether a workman?)

2) A. H.R. Adyanthaya v/s. State of Orissa.
(medical representative whether a workman)

5. Includes

6. Excludes

} stated in defn

B



Subject : Labour Law - I	Student's Thumb Impression	Supervisor's Signature 22/7/23
Course : LL.B./B.A., LL.B./B.B.A., LL.B.		
Semester : II nd Sem 3 years LLB	Bharat Nayak Student's Signature	Medium : ENG / KAN-
Reg. No.: 10222111012		Date : 22-7-23

FOR VALUATION

Q.No.	Max. Marks	Marks obtained	
1	7	7	Signature of Valuer
2	3	3	
Total	10	10	

Synopsis

Q n. 1] Introduction

Labour court's constitution [S. 7]

Function's

Jurisdiction S. 10 1 CC)

Power" & Procedure [S. 11]

Duties [S. 15]

Publication of Awards [S. 17]

case:- State of Bombay v/s S.P. Krishnan

case:- Bombay Union of Journalist" v/s State of Bombay

Conclusion

Introduction

The Industrial Dispute Act of 1947 deal" with the disputes arising between the Employer & workmen where it promotes collective Bargaining between them. The Preamble of this Act is to make provisions for the "Investigation & Settlement of Industrial Disputes" & to establish Industrial peace & a healthy workplace for both the employer as well as workmen.

Labour Court's

The matter or disputes referring in the IInd Schedule are considered for Adjudication in the labour court".
e.g:- Strikes & lockout" etc.

Constitution [S. 7]

The Appropriate Government by the way of an official Gazette can establish 1 or more Labour court's for the Adjudication of the dispute

The Appropriate Government by the way of an official Gazette appoints 1 Presiding officer to look into the matter and consider the fact & circumstances & provide an Adjudication.

Qualification of an Presiding officer [S. 7]

- 1] He is or must have been the Judge of an High Court.
- 2] He is or must have been an Additional District Judge [for a term of 3 years]
- 3] He must be an Presiding officer of Labour Court [for 5 years]
- 5] He must be a Judicial officer.
- 3] He must be an officer of D.L.CC at the [Center] & S.L.L at the [State].
- 1] He must have been an Grade III officer of Labour court.

Disqualification [S. 7 CC]

- 1] He is not an Independent person.
- 2] He has crossed the Age of 65 years.

Function of Labour court's

The Labour court's when established by the appropriate Government to Adjudicate the dispute or differences arising between the employer & workmen have certain functions to be performed by them under the I.O.A 1947
They are :-

- 1] Consider the situation or circumstances which have been mentioned under the IInd Schedule of the I.O.A 1947 and try to resolve the disputes.
e.g:- "Strike" or "lockout",
wages or Bonus, etc.
- 2] Any other function mentioned under the I.O.A Act 1947.

Jurisdiction [S. 10, 11 CC]

The Labour court's have certain Jurisdiction or limit when referring certain disputes or differences in the Industry.

- 1] If the Matter is referred in IInd Schedule &
- 2] If the Industry has < 100 workmen [less than 100 workmen].

Power's & Procedures (S. 11)

The Labour court or the officer (presiding officer) is given with certain powers & procedures under the I.D. Act 1947 they are:-

- 1] The presiding officer has the power to enter the premises.
[& check for attendance, workplace etc.]
- 2] Such Labour court is deemed to be a civil court under the Act.
- 3] The court can appoint 1 or more Assessors for the Adjudication.
- 4] The presiding officer is deemed to be a civil servant vs S. 21 of the Indian Penal Code [IPC 1860]
- 5] The Award procedure or settlement has to be given or Awarded under the Order 21 of the C.P.C.

Duties (S. 15)

Under the I.D.A Act 1947 the presiding officer or Labour court has been provided certain duties :-

- 1] To decide the case or Adjudication in the earliest case as early as possible
- 2] If Reference is required then vs 10 it can be referred.

Publication of Award (S. 17)

When the Labour court provides its decision of the Adjudicated matter it is called as an "Award", Award is the interim or the compensation to the parties

- 30 Day's Time period from the date of the Receipt.

Case:- State of Bombay vs S.P. Krishnan
→ In this case Labour court had provided an Award which was not approved or accepted by the employer so by the help of Labour court they wanted Reconsideration, but the appropriate Govt denied it, so under the writ of Mandamus an order was issued to reconsider it for adjudication.

Case:- Bombay Union of Journalists vs State of Bombay

→ In this case court held that Labour court can only look up into the matter to provide adjudication and as well as refer the case to Appr Govt vs 10 but it cannot Prima-Facie decide the Merit of a case.

Conclusion :-

From the above all circumstances finally we can conclude that I.D.A 1947 appoints Labour court for adjudication of matters referred in IInd Schedule, with it Motto to "Investigate & Settle Industrial Disputes or Differences"

2]

workmen [S. 2 (2)]

Definition → [S. 2 (2) I.D.A 1947]
3 part Definition

The term workmen includes (an apprentice) can temporary workmen the person employed in an industry to do an Manual, Labour, & skilled, Un-skilled, Clerical, Supervisory or Managing work. For Hire or reward it also includes.

An workmen who has been discharged, removed, dismissed, retrenched or taken out of the service or his duty providing in the Industry earlier.

The term workmen excludes, such person"
 who are under,
 i] The Army Act 1950
 ii] The Airforce Act 1950
 iii] The Navy Act 1957 or

- i] An Public officer or Prison Employee.
- ii] An Government Servant.
- iii] A person providing services under the Capacity of Managerial or Supervisory Functions & get's paid more than ₹ 10,000 then such person is totally excluded.

The Essential of an workmen are:-

That person must be employed in an Industry.

For the condition to be considered it as an industry it must satisfy S. 2 (2) "Industry" then we can call it as an industry.

Case:- J.K. Cotton Spinning Mills
 → In this case the Mills (Gardener) of an industry stated that they are workmen v/s S. 2 (2),
 Court Held:- "yes" Mills are regarded as an workmen

2] Such Person must be employed for Contract of Employment (C.O.E)

For A person to be considered as an workman he/she should fall in the [C.O.E] & not in the [C.F.E]

- e.g.:
- * If I own A car & appoint a driver for it such a situation is called as [Contract of Employment].
 - but,
 - * If I book a cab/Taxi to go to certain Destination then such cab driver is considered to be in the [Contract for Employment]

Case:- Durgachandra Chemical works v/s State of Saurashtra
 → In this case court considered both the aspects of [C.O.E] & [C.F.E] & Held,
 only [Contract of Employment] ✓ is considered to be in workmen & [Contract for Employment] ✗ is not considered.

Status of A Teacher

Can a teacher be regarded as a workman?
→ Court says "NO"
as imparting Education cannot be called an Industry
Teachers are performing "Intellectual work" or Noble work, so they cannot be called as a workman (v/s 2(c))

Case :- Miss. A. Sunderambal v/s State of Goa.

- Teacher is not a workman (v/s 2(c))
- They perform Noble work

Case :- ~~State~~

Sacred Heart's convent School v/s State of Tamil Nadu.

- Teacher is NOT a workman (v/s 2(c))
- School is not an Industry as imparting Education is not an business.

3



INTERNAL ASSESSMENT

Answer Booklet No. 2762

Subject : <u>Constitutional Law II</u>	Student's Thumb Impression	
Course : <u>LLB/BA, LLB/BBA, LLB</u>		
Semester : <u>IVth Semester</u>	Student's Signature 	Medium : <u>ENG / KAN.</u>
Reg. No. : <u>10221341042</u>		Date : <u>20/07/2023</u>

FOR VALUATION

Q.No.	A	B	TOTAL
1	<u>6.5</u>	<u>2.5</u>	<u>9</u>
2			

Signature of Valuer

Q.No 1

Powers of the President

⇒ Being a constitutional Head, the President enjoys a very wide range of powers in all the three organs of the Government. However, the Powers & functions to be exercised by the President depend upon the Aid & Advice given to him by the Council of Ministers Headed by the Prime Minister [Article 74(1)]. However, he can also act in his own discretion when he feels that a situation exists wherein he has to take immediate action.

The following is a list of Powers & Functions :-

Executive Functions :-

- a) Executive Powers ;
- b) Military Powers ; &
- c) Diplomatic Powers.

2) Legislative Functions :-

- a) Ordinance Making Power;
- b) Participation;
- c) Veto Power;

3) Judicial Functions :

- a) Pardoning Power with Clemency Power
[S. 433-A CrPc, 1973]

Explanation :

Executive Powers : The President is the Head of the Executive [Art. 77(1)]. All the executive powers of the Union are vested in him & he exercises them directly through the officers subordinate to him. [Art. 53(1)].

Case law :

- (i) [Ram Jawaya Kapur Vs Union of India]

⇒ In this case the SC held that the executive can enact rules & regulations pertaining to the powers granted to them by the Constitution.

However such a power is not absolute as the President is bound to act on the adv & advise.

of the council of ministers headed by the Prime Minister. [Art. 74].

- 2) Military Powers : The supreme command of all the three armed forces is vested in the President & such a privilege shall be regulated by a law of the Parliament.

He has the power to declare war or peace conclude peace. [Art. 77]

All the international treaties, agreements, negotiations & conventions agreed upon in his name.

3) Diplomatic Powers :

The President represents India in all the international forums & summits which are chiefly of ceremonial value.

He sends & receives all the diplomats chiefly the Indian Foreign Service officials.

Legislative Functions

1) Participation : [Art. 111]

The President participates in the legislative functions by giving assent to the bills passed by both

the Houses of Parliament.

There are also certain provisions wherein prior recommendation of the President is necessary for introduction of a bill in either House:

- [Art. 3] → Matters affecting the name, area, boundary, etc of States
- [Art. 117(2)] → For the introduction of the Money bills.
- Matters affecting taxation policy.

2) Rule Making: The President also has the power to make rules for the certain organs of the government.

Ex: Conditions of Service for various Commission officers & Secretaries, etc

3) Ordinance Making Power [Art. 123]

⇒ The President has the power to make an ordinance when:

- (a) when both the Houses of Parliament are not in session.
- (b) where the President on his

account is of the opinion that circumstances exists for him to pass an ordinance.

However, this power is also exercised by the aid & advise [Art. 74]

- The ordinance needs to be presented before both the Houses as soon as they resume. From such date it will be effectual for 6 weeks.
- The President may withdraw it at any time.

The Supreme Court in a landmark decision held that the period can be extended upto 6 months

3) Judicial Functions

1) The Power of Pardonning: [Art. 72]

The President has the Power subject to the aid & advise [Art. 74] to declare:

- | | | |
|----|------------|--|
| to | • Pardon | } Any punishment of any category of offences |
| | • Reprieve | |
| | • Respite | |
| to | • Commute | } Any Sentence for any offence |
| | • Suspend | |

However :

Case laws :

(i) [Shanmujay Chatterjee V/S State of West Bengal]

→ If the crime is heinous then NO Pardon

(ii) [Ranga Billa's Case]

(iii) In another case the SC held that the Power can only be exercised on the aid & advice subject to clemency powers under S. 433-A CrPc

(iv) The Power should not be exercised based on
• Caste ; or
• Political reasons

In conclusion : The Powers of the President come with some restrictions upon them [Art. 74] Also such powers should not violate the constitutional principles.

P. T. O.

No. 2

Judges Transfer Case

The [Article 124] in its original wording stated that the appointment of :

(a) The Chief Justice of India will be done by the President of India after consulting with two senior most judges of the Supreme Court.

(b) The other Judges shall be appointed by the President after consulting with the CJI and two other senior most judges.

Traditionally : The appointment was decided based on the seniority basis.

Later tradition : The system took a turn and the judges were selected based on merit & seniority was eliminated

Later on the first position on the basis of seniority was called for. This created a lot of corruption, confusion & the question of :

i) Independence of Judiciary
(Basic Structure)

ii) Separation of Power

was raised in the following case

INTERNAL ASSESSMENT

Subject: Constitutional Law

Answer Booklet No. 2744

Course: LLB/BA, LLB/BBA, LLB

Student's Thumb Impression

Supervisor's Signature

Semester: IVth

Reg. No.: 10221341042

Student's Signature

Medium: ENG/KAN.

Date: 20/07/2023

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Q.No.	A	B
1		
2		
		TOTAL

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The recommendation of the Collegium would be binding upon the President and he has to give his assent.

1) [Judges Transfer Case 3]

i.e., In Re Special Reference
Expansion of the Collegium.

⇒ The Supreme court in this Reference under [Art. 143] further made certain guidelines & expanded the collegium system.

The Collegium now would consists of :-

- (i) The Chief Justice of India;
- (ii) Four Senior most judges of the Supreme Court

The Provision for High Courts would be :-

- (a) Chief Justice of High Court

(b) Four senior most judges of the High Court.

This position continued until the introduction of the 99th Amendment Act, 2014 which added Art. 124-A, 124-B & 124-C.

The collegium system was abolished & replaced by the National Judicial Appointments Commission (NJAC).

Art. 124-A

- (a) CJI (Chairman)
- (b) Four senior most judges
- (c) Law Minister

It was struck down.



Subject: Property law	Student's Thumb Impression	Supervisor's Signature <i>Atule</i>
Course: LL.B./B.A., LL.B./B.B.A., LL.B.		
Semester: II nd Sem 3 year LLB	Student's Signature <i>Bhuvanayak</i>	Medium: ENG / KAN.
Reg. No.: 10222 111012		Date: 21-7-23

FOR VALUATION

Q.No.	Max. Marks	Marks obtained
1	7	6
2	3	3
Total	10	9

Signature of Valuer
Sard

Q.n. 1]

Introduction
S. 14 "Rule against Perpetuity"

Meaning

3 Rules

Illustration's

S. 18 :- exception to Rule of Perpetuity

Conclusion

Introduction

The Transfer of Property Act 1882 deal's with only Inter vivos transactions that is transfer between 2 living parties such transfer are held to be valid according to this Act.

Transfer of Property Act deal's with the transfer which are Tangible in Nature (which can be seen or touched) it can be both immovable as well as immovable property.

S. 14 :- "Rule against Perpetuity"

"when an property is made inalienable or non-transferable for an indefinite period of time it is called as perpetuity"

This section's talk's about such a transfer if made which goes long as Generation - generation then such an transfer would be held void according to S. 14

According to S. 14,
A property when holded or taken in abeyance for an longer period of time for the benefit of an unborn child then such an transfer would be held void.

e.g. If A transfer prop to B, for L.I (Life Interest) then to C, for L.I
D - E - F - G - H → Void
(L.I) (L.I) (L.I) (L.I) (L.I) //
Such transfer will be held void according to this section.

Main object of S. 14

- 1) Property must not go in abeyance.
- 2) The Prior - Interest must not take advantage of property,
- 3) Secure Benefit / Interest of an unborn child.

3 Rules of Perpetuity.

1] Absolute Interest must be given to last Holder

If the prior interest transfer's prop then he must make it Absolutely and not partially or No Life Interest,
if such Life-Interest is given to last holder the such transfer would be void.

e.g. A → B → C → D
(L.I) (L.I) (L.I) (A.I) ✓ transfer is valid

e.g. If A → B → C → D
(L.I) (L.I) (L.I) (L.I) X transfer is void

Case:- Gursesh Dutt vs Duttadind.

→ In this case Father transfer prop to Son's Absolutely but he gave Life Interest to his 2 Daughters then, As per (S. 13) L.I in the aspect of Daughter's 4 their transfer will be void.

A → AS, (Absolute Interest) → valid ✓
[Father] → AD₁ (Limited Interest) → void x
 AD₂

2] Last Holder must be born at the time of Giving Interest

To get the absolute interest in the prop the last holder must be in existence, if he is still not in existence then such transfer made v/s 14 would be considered as Invalid.

e.g. A → B → C → (A.I) ✓ valid

3] He Get's property only after the death of Prior Interest

In order to get the benefit or title of the property the last holder must Surpass or he must succeed the prior Interest then only he will be entitled to receive the property v/s 14.

Period → Prior Life Interest (Death) + 18 years.

In English Law → The period to hold the property is 21 years

In Indian Law → The maximum period to hold the property is 18 years

In India it can be less than 18 years but it cannot be more than 18 years.

§. 18 → "Exception to Rule against Perpetuity"

§. 18 states that perpetuity can be made valid which means we can "make an property inalienable for an indefinite period of time" if it is the "Benefit of Mankind" or for the "Public Policy" that is welfare of the public or the society.

Benefit of Mankind means a situation where the enjoyment or Alienation of prop is between the family from Generation to Generations it is considered as valid u/s of transfer of property Act 1882.

Situations where §. 14 is not applicable or where we can transfer the property from Generation - Generations.

1) Pujari Families.

In the Pujari families a prop is transferred from 1 generation to another generation with a main reason to keep their prop intact [with them]

2) Religious or Charitable institutions.

In case transfer is made to religious or charitable purpose §. 14 is not applicable.

3) Property of temple [Shebait / Mahant] when Shebait or Mahant is given the office for leadership or to lead their Muttas in a religious way then the property so transferred is not questioned u/s 14.

Conclusion :-

Lastly we can conclude by saying that §. 18 is an exception to §. 14 which the Rule against Perpetuity & under the transfer of Property Act 1882 if any person makes an transfer or alienation for an indefinite period then such transfer according to §. 14 would be considered as void, but as the exception states, u/s 18 if the matter has been covered then such inalienable transfer for an indefinite period would be considered as a valid one.

P.T.O →

Qn. 2] Immovable property
Definition, T.P Act 1882

§. 3 :-

According to §. 3 it states as what is not an immovable property [Negative Definition] "other than Standing Timber, Growing Crops or Grass"

§. 3 (26) :- of General Clauses Act

According to this section it states what all is included in the immovable prop

[Positive Definition]

"Immovable property are the Land, Building", Embedded, Rooted or the benefit arising out of the Land, Rent" etc. ... "

§. 2 (6) :- of Indian Registration Act.

This section is mixture of both [positive & neg] definition as it states,

"Immovable property includes land, building, Machinery rooted in earth, benefit" arising out of land, etc. ... & excludes Standing Timber, Growing Crops or Grass"

Under §. 3 of the Transfer of Property Act 1882 is the followed definition in the cases as it clearly mentions what is excluded from the term immovable property,

§. 3, "Immovable property"

Excludes,

Embedded c.e.g.:- wall", or easement)

Rooted c.e.g.:- window's, trees, etc.]

Severed. c.e.g.:- Any right", Tube well")

Standing Timber

It is considered as an ~~immovable~~ movable prop bcz, the main purpose of those tree's is to be Severed or to be cut-down once it grows:-
e.g.:- For Fire purpose (woods)
For Furniture etc. ...

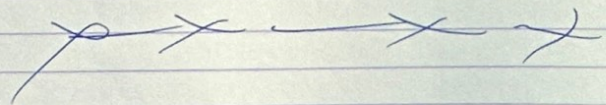
Case :- Marshall v/s Green

→ In this case court held that if trees are sold it doesn't mean that the property is also been sold with it both of them are 2 different Aspects.

Case :- Shantabai v/s State of Bombay

→ In this case court held as "Fruit Bearing Tree's" → Immovable Property

because here the intention of the person planting such tree is for benefit [Fruit's] & not to be cut-down or severed.



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 (From 20-07-2023 to 22-07-2023)

IV Semester of 3 Year. LL.B - Division "A"

2022-23

Name of the Course Teacher: Dr. Savina Baij
 Subject: A.D.R.S.

H-1
 P-39
 A-01
 T-40

ROLL.NO.	REG. NO.	CANDIDATE NAME	SIGNATURE	Ans. sheet
1	10221111019	AVADHUT PRAFULLA GAIDOLE	<u>Gaidole</u>	0625+0656
2	10221111035	JANAVI K JAYAPRAKASH SHETTY	<u>Shetty</u>	0663+0657
3	10221111068	PREETI VIKAS SWAMI	<u>Swami</u>	0662+0658
4	10221111021	C S YASHASWINI	<u>Yashaswini</u>	803+0659
5	10221111083	SAGAR HULYAL	<u>Hulyal</u>	1210+5022
6	10221111074	RAKSHATA SHRISHAIL TUNGAL	<u>Rakshata</u>	1211+5021
7	10221111072	RAHUL SHASHIKANT HULAKUND	<u>Hulakund</u>	0628+3669
8	10221111018	ASHWINI RAVINDRA HAVAL	<u>Haval</u>	0638+1100
9	10221111078	RESHMA MADAN DADANWALE	<u>Madanwale</u>	0629+03898
10	10221111099	SHRUTI GANESH KOLAKI	<u>Kolaki</u>	0639+0660
11	10221111038	KEDAR V GODSE	<u>Godse</u>	0640+0630
12 (K)	10221111024	DHANANJAY RAVINDRA MUTALIK	<u>Mutalik</u>	0633
13 (K)	10221111011	ANNAPURNA PANDURANG KAKATIKAR	<u>Kakatikar</u>	0641+0651
14	10221111055	NANDINI KAMBLE	<u>Kamble</u>	807+2423
15 (K)	10221111048	MALLIKARUN F KAKANUR	<u>Kakanur</u>	809
16	10221111051	MAYURI KOWADKAR	<u>Kowadkar</u>	998+2635
17	10221111016	ASAWARI KRISHNAJI DORKADI	<u>Dorkadi</u>	995+2530
18	10221111116	VAISHNAVI MOHAN DONKARI	<u>Donkari</u>	804+2400
19	10221111039	KEDARALING MURAGEPPA HALLADAMAL	<u>Halladamal</u>	1200+0655

LLB A+B Division Total: 111
Answersheets

ct:

NO	REG. NO.	CANDIDATE NAME	SIGNATURE	Ans sheet
20 (K)	10221111031	HANAMANT MUTTAPPA HIPPARAGI		0624
21	10221111015	APOORVA SHAILESH BENAGI		1202
22	10221111046	MALAGOUDA PATIL		808+0654
23	10221111108	SUBRAMANYA SANTABA JADHAV		0626+2422
24 (K)	10221111042	LAXMI NAÏK		805+988
25	10221111063	PRADEEP CHIDANANDASA RAIBAGI		1203
26	10221111095	SHIVRAJ HATTI		1204+2424
27	10221111036	JYOTI YALLAPPA KATAGAR		806+6100
28 (K)	10221111091	SHANKAR BAGODI		0634
29	10221111005	AISHWARYA ISHWARAPPA KHEDAD		0635+0650
30 (K)	10221111010	ANIL RAMAPPA GIDDAGOUDRA		0636
31	10221111067	PREETI SUKHASARE		0637+0652
32	10221111090	SAVITA SURESH REDEKAR		1207+2328
33	10221111096	SHRADDHA HULYAL		1206
34	10221111041	KOMAL LATKAR		1205+0653
35	10221111061	POOJA BAGEWADI	ABSENT	
36	10221111057	NEHA UDAY CHOUGALE		0632+1424
37	10221111013	ANUJA MALAI		0631+0661
38	10221111085	SAKSHI S PATATH		1208+5047
39	10221111100	SHUBHA BASAVARAJ MURGOD		1209+1227
40 (K)	10221111004	ABUBAKAR ABDULJABBAR NADAF		0627

Date - 22/07/23

(Mrs. Madhuri Fulkarni)

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(From 20-07-2023 to 22-07-2023)

IV Semester of 3 Year. LL.B - Division "A"

2022-23

Name of the Course Teacher : *Dr. Saeeina*

Subject: *ALTERNATIVE DISPUTE RESOLUTION SYSTEM*

H-2

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P-38

SL.NO	REG. NO.	CANDIDATE NAME	SIGNATURE	Ans sheet
41	10221111058	NIKHIL MAHAVEER PADMANAVAR	<i>Nikhil</i>	2213
42 <i>K</i>	10221111006	AJAY BASAVARAJ BHAJANTRI	<i>ABR</i>	2214
43	10221111115	VAIBHAV B KAMBLE	<i>ABSEMIT</i>	—
44	10221111056	NEHA PARASHARAM SHAHPURKAR <i>0643</i>	<i>PA</i>	2221
45	10221111032	HARSHAVARDHINI <i>0642</i>	<i>Harsh</i>	2222
46	10221111070	RAHUL SATYANARAYAN DIXIT	<i>Rahul</i>	2223
47	10221111053	MINAL DESAI <i>0645</i>	<i>MDesai</i>	2224
48	10221111080	RIYA JAIN	<i>Rjain</i>	2226
49	10221111101	SHWETA NARAYAN MAYEKAR <i>0926</i>	<i>Shweta</i>	2216
50	10221111043	LAXMI VIRUPAXI SAMMANAVAR <i>0925</i>	<i>Laxmi</i>	2225
51	10221111052	MEGHA NIGAPPA BANNIBAGI	<i>Megha</i>	2227
52	10221111109	SURAK CHIKOND <i>2345</i>	<i>Surak</i>	2215
53	10221111066	PRATIKSHA P TIKOTIKAR <i>098</i>	<i>Pratiksha</i>	2228
54	10221111007	AKSHATA M SURYAVANSHI <i>2618</i>	<i>Akshata</i>	2229
55 <i>K</i>	10221111075	RAMESH PANDIT DANAGAR <i>0927</i>	<i>Ramesh</i>	2211
56 <i>K</i>	10221111065	PRASAD BASAVARAJ ITNAL <i>0980</i>	<i>Prasad</i>	2212
57	10221111037	KAVITA BILAWAR <i>0983</i>	<i>Kavita</i>	2230
58	10221111002	ABHISHEK SUBHASH LAD	<i>Abhishek</i>	2231
59	10221111049	MAMATA BASAVARAJ RAYAREDDI <i>0989</i> (Readmitted in IV sem.)	<i>Mamata</i>	2232

Date: 22 - 07 - 2023

(CHC TANKURMAN T.M.)
Name and Signature of the Invigilator

Principal

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IV Semester of 3 Year. LL.B - Division "B"

2022-23

Name of the Course Teacher : *Dr. Samina*
Subject: *ALTERNATIVE DISPUTE RESOLUTION SYSTEM*

ROLL.NO.	REG. NO.	CANDIDATE NAME	SIGNATURE	Ans Sheet
61	10221111001	ABHIJIT KATTI ANANT	<i>Katti</i>	2233
62	10221111077	RAVI V KALAMANI	<i>Ravi</i>	2234
63	10221111097	SHREESHAIL BIRADAR <i>0951</i>	<i>Shir</i>	2235
64 (K)	10221111110	SURAJ MALAGOUDA PATIL	<i>Spatil</i>	2236
65	10221111014	ANUP G MATHAD	<i>AP</i>	2237
66 (K)	10221111050	MANJU A KORI <i>0985</i>	<i>MK</i>	2238
67	10221111112	TARIHALKAR SONAL SHIVAJI	<i>Sonalkar</i>	2239
68	10221111064	PRADEEP V PATIL	<i>Pradeep</i>	2209
69	10221111023	CHE TAN RAVINDRA KAVADIMATTI <i>2425</i>	<i>Chetan</i>	2240
70	10221111069	PRIYA MAHADEV GUNDAPI <i>3643</i>	<i>Priya</i>	2201
71 (K)	10221111102	SIDDAPPA KHOT	<i>Sid</i>	2218
72	10221111106	STEFFI SAMSON JOSEPH <i>584</i>	<i>Steffi</i>	2202
73 (K)	10221111009	ANANTKUMAR PHIROJI JADHAV	<i>Anant</i>	2203
74	10221111044	MADHUSHRI KHANAGANNI <i>0889</i>	<i>Madhu</i>	2210
75 (K)	10221111113	TRUPTI MAGDUM <i>0644</i>	<i>Trupti</i>	2204
76 (K)	10221111033	IRSHAD ASALMSAB MULLA	<i>Irshad</i>	2217
77	10221111030	GURURAJ HEBBALLI	<i>Gururaj</i>	2205
78	10221111094	SHIVANAND NANDAGANNAVAR <i>0999</i>	<i>Shivanand</i>	2206
79 (K)	10221111047	MALLIKARJUN HADANINAL	<i>Mallikarjun</i>	2207
80	10221111027	GOUTAM LAXMAN SHAREGAR <i>0853</i>	<i>Goutam</i>	2208

CHETANKUMAR T.M.
Name and Signature of the Invigilator

Principal

Date: 22-07-2023

H-3
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(From 20-07-2023 to 22-07-2023)

IV Semester of 3 Year. LL.B - Division "B"

2022-23

Name of the Course Teacher: *Dr. Saeeina*
Subject: *Alternate Dispute Resolution Systems*

ROLL.NO.	REG. NO.	CANDIDATE NAME	SIGNATURE	Ans sheet
81 (K)	10221111103	SOMASHEKHAR GOUDAPPANAVAR	<i>S.A. Goudappanavar</i> 2533	0726
82 (K)	10221111084	SAGAR P MILLI	<i>Sagar P Milli</i>	0716
83	10221111062	PRADEEP M PATIL	<i>Pradeep M Patil</i>	0715
84	10221111093	SHIVAKUMAR N TADAKOD	<i>Shivakumar N Tadakod</i>	0718
85 (K)	10221111117	VINAYAK PATIL	<i>Vinayak Patil</i>	0724
86	10221111088	SATISH	<i>Satish</i> 0700	0698
87 (K)	10221111071	SUBHASH MOHAN KURUBAR	<i>Subhash Mohan Kurubar</i> 2543	0728
88	10221111017	ASHWINI	A B SENT	—
89	10221111025	DURGAPRASAD PATIL	<i>Durgaprasad Patil</i> 2531	0703
90	10221111022	CHANDRU DERED	<i>Chandru Dered</i>	0709
91	10221111071	RAHUL SATISH PATIL	A B SENT	—
92	10221111079	RITESH A KORI	<i>Ritesh A Kori</i>	0713
93	10221111012	ANNASAB RAYAPPA NARASAGOND	<i>Annasab Rayappa Narasagond</i> 2592	0730
94	10221111059	NIKHIL TARALE	<i>Nikhil Tarale</i>	0704
95 (K)	10221111081	ROHIT MAHAESH DHALE	<i>Rohit Mahadesh Dhale</i>	0708
96 (K)	10221111087	SAMMED SANJIV JUTING	<i>Sammed Sanjiv Juting</i>	0712
97	10221111089	SAVITA PRAKASH ASANANNAVAR	<i>Savita Prakash Asanannavar</i> 2545	0727
98	10221111054	MIRJE ARJUN SANDIP	<i>Mirje Arjun Sandip</i> 0701	0714
99 (K)	10221111003	ABHISHEK SHANTARAM TALAWAR	<i>Abhishek Shantaram Talawar</i>	0707
100 (K)	10221111105	SOUBHAGYA ASHOK LAGAMAPPAGOL	<i>Soubhagya Ashok Lagamappagol</i>	0705

IV sem LLB

Subject: Alternate Dispute Resolution Systems

S.L.NO.	REG. NO.	CANDIDATE NAME	SIGNATURE	Ans sheet
101	10221111073	RAJU GANAGI	<i>Raju</i> 3437	0725
102	10221111026	GAMANASHREE BARAMANNA SHIMANI	<i>Gani</i>	0706
103	10221111029	GOURA CHAMBANNA SURKOD	<i>Surkod</i> 2590	0697
104	10221111114	VAIBHAV ANAND PATIL	<i>Patil</i> 2591	0699
105	10221111060	NISHATABDULBARI J CHIKKODI	<i>Chikkodi</i> 2532	0710
106 <i>K</i>	10221111040	KEERTI KRISHNAGOUDAR	<i>Keerti</i> 2598	0722
107	10221111076	RANJITHA	<i>Ranjitha</i> 0702	0711
108	10221111111	SYED MURSHAD PEER QUADRI	<i>Peer</i>	0720
109	10221111086	SAMIKSHA S GHORPADE	<i>Ghorpade</i>	0729
110	10221111008	AKSHAY I BAIRANNAVAR	<i>Bairanavar</i> 2098	0721
111	10221111092	SHASHANK S PATIL	<i>Patil</i>	0719
112	10221111098	SHREESHAIL PATIL	<i>Patil</i>	0717
113	10221111028	GITANJALI SHANKAR MAYEKAR	ABSENT	—
114	10221111020	BHAGYASHRI S. GHATAGE	<i>Ghatage</i> 5059	0723

DPK

Date: 22-07-2023

Name and Signature of the Invigilator
(*Dr. D. Prasanna Kumar*)

Principal

Present — 31

Absent — 03

Total — 34