

B.A. LL.B., (Hons) DEGREE SECOND SEMESTER EXAMINATIONS, APRIL 2016

HISTORY OF STATUTORY PRESUMPTIONS

Time: 3 Hours

Maximum Marks: 50

Answer ANY FIVE questions. Each question carries TEN marks.

(5x10=50)

- I. "The Roman law, though it influenced the rules and solutions of certain areas of the common law, never decisively shaped its techniques or habits of thought". Elucidate.
- II. Give an account of the early movement towards codification in England. Also trace the steps taken towards codification of laws in British India.
- III. Give an account of the process of migration of common law and equitable principles into the Indian legal system.
- IV. Describe the historical development of the doctrine of *mens rea* in England with special reference to the account given by Professor Sayre and Professor Gardner.
- V. Trace the historical origins of the privileges against self-incrimination in England.
- VI. Describe the various stages through which the doctrine of estoppel developed in England.
- VII. What are presumptions? Explain the classifications of presumptions. Discuss the scope of the presumptions of constitutionality of statutes.
- VIII. "Maxims in modern law are either inherited or borrowed from the Roman law or framed in the formative periods of modern law"- Explain