

HISTORY OF STATUTORY LAW AND PRESUMPTIONS

Time: 3 Hours

Maximum Marks: 50

Answer ANY FIVE questions. Each question carries TEN marks

(5 x10 = 50)

- I. Trace the evolution of equity jurisdiction in England. Which are the main contributions of equity jurisdiction to English law?
- II. Explain the circumstances which led to the emergence of the codification movement in England in the 19th century. What were the outcomes of the Judicature Act, 1873.
- III. Give an account of the historical development of the concept of '*mens rea*' in England.
- IV. Discuss the role played by the first four Law Commissions in the codification of laws in British India.
- V. Define presumptions. Distinguish between 'presumptions of fact' and 'presumptions of law'. Explain the scope of the 'presumption of constitutionality of statutes' as interpreted by the courts in India.
- VI. "The doctrine of estoppel has accommodated itself to the gradual changes of men's ideas as to the nature of a trial". Explain.
- VII. Trace the historical evolution of the 'protection against double jeopardy' in England. What is the status of the protection in Indian law?
- VIII. Describe how the doctrine of *respondeat superior* evolved in English law. Also explain the evolution of the criminal law concerning vicarious responsibility in England.
