

TKN/KS/16 – 7272

**Eighth Semester B. A. LL.B Five Years  
Course (Credit Based System) Examination**

Course Code–8.6.1

LAW OF TRUST

Optional Paper - I

- N. B. : (1) Attempt all sections. Section 'A' consists of 10 marks, Section 'B' consists of 30 marks, section 'C' consists of 40 marks.  
(2) Follow the instruction given in each section.  
(3) Marks are indicated against each section.

## SECTION A

1. Choose the correct alternative (Any ten) :—

- (i) Indian Trust Act came into force on \_\_\_\_\_  
(a) 1<sup>st</sup> March 1882.  
(B) 1<sup>st</sup> April 1982.  
(C) 3<sup>rd</sup> March 1882.  
(D) 26 Jan 1882.
- (ii) The person who accepts the confidence for another is called.  
(A) Beneficiary.  
(B) Trustee.

(C) Both A and B.

(D) None of above.

(iii) The purpose of trust is lawful unless it is—  
\_\_\_\_\_

(A) Forbidden by law.

(B) Is of such a nature which make it defeat.

(C) Is fraudulent.

(D) All the above.

(iv) Every trust of which the purpose is unlawful is—  
\_\_\_\_\_

(A) Valid

(B) Voidable

(C) Void

(D) None of above

(v) A trust may be created by \_\_\_\_\_

(A) Every person.

(B) Every person who is competent.

(C) Minor with permission of court.

(D) All of the above.

(vi) A valid trust in respect of movable property must essentially complied with \_\_\_\_\_

(A) In writing

(B) Signed by Author

(C) Registered

(D) All the above

(vii) \_\_\_\_\_ is classified on the basis of it's object.

(A) Simple and Special trust.

(B) Public and Private trust.

- (C) Express or declared trust.  
 (D) Implied or presumed trust.
- (viii) Constructive trust is created by ——  
 (A) By words.  
 (B) By circumstances.  
 (C) Court of equity.  
 (D) None of the above.
- (ix) The origin of trust can be ascertained from ——  
 (A) English (B) Germany  
 (C) Jew (D) Parsian.
- (x) According to —— the term "Trust" is derived from latin word "Opus".  
 (A) Hopes (B) Austin  
 (C) Maitland (D) Salmond
- (xi) Can the defect in the trust be cured by amendment.  
 (A) Yes.  
 (B) NO.  
 (C) Yes subject to some extent.  
 (D) None of the above.
- (xii) The word 'Trust' was first time used in ancient legal world by ——  
 (A) French Lawyers.  
 (B) Greek Lawyers.

- (C) English Lawyers.  
 (D) Swiss Lawyers.
- (xiii) The enactment relating to private trust in India is governed by ——  
 (A) The Indian Trust Act.  
 (B) The limitation Act.  
 (C) The waqf Act.  
 (D) The sales of goods Act.
- (xiv) —— is not necessary for the creation of trust.  
 (A) The author of Trust.  
 (B) Trustee.  
 (C) Legal representative.  
 (D) Beneficiary.
- (xv) Who amongst the following can create trust?  
 (A) Convict (B) Lunatic  
 (C) Alien (D) None of the above

1x10=10

## SECTION B

### (Short Answer Questions)

2. Write short notes on (any **three**) :—  
 (A) Discharge of Trust.  
 (B) Liabilities of Beneficiary.

(C) Charity Commissioner.

(D) Power to compound. 5x3=15

3. Write explanatory notes on (any **three**) :—

(A) Religious Trust.

(B) Power of Trustee.

(C) Fiduciary relationship.

(D) Essentials of Valid Trust. 5x3=15

### SECTION C

#### (Long Answer Questions)

Answer the following (any **five**) :—

4. Explain the scope, nature and applicability of public trust doctrine.

5. Explain the procedure for the appointment of New Trustee.

6. Define "Public Trust". Distinguish between public trust and private trust.

7. Elucidate "Constructive Trust" and its obligation.

8. Explain the circumstances under which the office of trustee may be vacated.

9. Explain the scope nature and development of Equity under common law.

10. Elaborate the Rights of Beneficiary under the Indian Trust act 1882.

11. Explain the following:—

(a) Doctrine of Cypres.

(b) Registration of Public Trust. 8x5=40