

**NRT/KS/19/7492**

**Eighth Semester B.A. LL.B. Five Years Course (C.B.S.) Examination**

**LAW OF TRUST**

**Optional Paper—6**

**Paper—I**

Time : Three Hours]

[Maximum Marks : 80

**Note :—** (1) **ALL** Sections are compulsory.

(2) Section A carries **10** marks.

Section B carries **30** marks.

Section C carries **40** marks.

(3) Follow the instructions given in each Section.

**SECTION—A**

**(Multiple Choice Questions)**

**Note :—** This section consists of *one* question having sub-questions carrying **1** mark each.

1. Choose the correct alternative (any *ten*) :— 1×10=10

(i) The Indian Law of Trust came into force on :

(a) 4<sup>th</sup> March 1882

(b) 3<sup>rd</sup> March 1882

(c) 1<sup>st</sup> March 1882

(d) 4<sup>th</sup> March 1982

(ii) The right of beneficiary under Indian Trust Law is \_\_\_\_\_.

(a) Right in rem

(b) Right in personam

(c) Right in re-aliena

(d) None of above

(iii) The provision of creation of Trust given under which section ?

(a) Section 4

(b) Section 5

(c) Section 6

(d) Section 3

(iv) Liabilities of Breach of Trust are given under which section ?

(a) Section 21

(b) Section 22

(c) Section 23

(d) Section 20

(v) Doctrine of cy-press applies only to :

(a) Private trust

(b) Public trust

(c) Both (a) and (b)

(d) None of above

(vi) A trust for political purpose is :

(a) Charitable

(b) Non-charitable

(c) Charitable in some extent

(d) None of above

- (vii) The concept of “trust” originated in :
- (a) France
  - (b) England
  - (c) Germany
  - (d) Rome
- (viii) Who amongst the following can create trust ?
- (a) Convict
  - (b) Lunatic
  - (c) Alien
  - (d) None of above
- (ix) Trustee are accountable to \_\_\_\_.
- (a) Agent
  - (b) Creditor
  - (c) Bailor
  - (d) Beneficiaries
- (x) \_\_\_\_\_ arises in case of an unconscionable advantage gained by a fiduciary or by any other person.
- (a) Constructive trust
  - (b) Public trust
  - (c) Express trust
  - (d) Simple trust
- (xi) An express trust is one which :
- (a) Arises by operation of the law
  - (b) Is created intentionally by the settlor
  - (c) Arises from the implied intention of the settlor
  - (d) None of the above
- (xii) What is equitable title ?
- (a) It indicates the paper ownership enjoyed by the trustee
  - (b) It is the title which allows the trustee to administer the trust
  - (c) It is a proprietary interest the beneficiary has in the trust
- (xiii) As per Section 46, the trustee cannot renounce after acceptance \_\_\_\_.
- (a) Duty of Trustee
  - (b) Disability of Trustee
  - (c) Rights of Trustee
  - (d) Immunity of Trustee
- (xiv) The development of ‘equity’ may be traced from the reign of \_\_\_\_.
- (a) Edward I in the end of 13<sup>th</sup> century
  - (b) Edward II in the end of 13<sup>th</sup> century
  - (c) Henry III in the end of the 15<sup>th</sup> century
  - (d) None of above
- (xv) Which provision of Indian Trust Act, has repealed by Act 45 of 1988 ?
- (a) Sections 81 & 82
  - (b) Sections 80 & 81
  - (c) Sections 82 & 83
  - (d) None of above

**SECTION—B**

2. Answer the following (any *three*) :— 5×3=15
- (a) What are the liabilities of Trustee ?
  - (b) Describe intermingling of Trust Fund.
  - (c) Enumerate rights of Bonafide Purchasers.
  - (d) Differentiate between Trust and Agency.
3. Write short notes on (any *three*) :— 5×3=15
- (a) Registration of Public Trust
  - (b) Trust Property
  - (c) Doctrine of Cypess
  - (d) Author of the Trust.

**SECTION—C**

**Note :—** Answer any *five* questions of the following. 8×5=40

- 4. Discuss the Rights of Trustees enshrined under the Indian Trust Act.
- 5. What is meant by Trust ? Explain the essential of Trust.
- 6. Explain in detail the disabilities of a Trustee.
- 7. Write in detail the circumstances under which the trust is extinguished.
- 8. Discuss in detail the precatory and resulting trust with suitable instructions.
- 9. Define 'Public Trust'. Distinguish between Public Trust and Private Trust.
- 10. "Law of Trust is based on Fiduciary Relationship." Explain.
- 11. Explain the scope, nature and applicability of Indian Trust Act, 1882.