## B.A.LL.B. (5Years Course) (with Credits)-Regular-Semester 2012 Sem VIII

## LLB 4861 Course Code 8.6.1 : Optional Paper-I Law of Trust

Time: Three Hours

Max. Marks: 80

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GUG/W/16/7139

Notes: 1. Attempt **eight** questions in all including Q. No. **1** which is compulsory.

- 2. All questions carry equal marks.
- 3. Indicate appropriate question no. while answering.
- **1.** Choose the correct alternative for the following.
  - i) The subject matter of a trust may be
    - a) Property transferable to the beneficiary
    - b) any kind of property
    - c) property

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- d) None of the above
- ii) On behalf of minors a trust may be created by
  - a) Making authorities
  - b) taking permission of Principal Civil Court of original jurisdiction.
  - c) without any formalities.
  - d) None of the above
- iii) The person who reposes or declares the confidence is called
  - a) Trust
  - b) Trustee
  - c) Beneficiary
  - d) Author of the trust.
- iv) A trust may be created for lawful purpose unless
  - a) It is forbidden by law
  - b) is fraudulent
  - c) both of the above
  - d) none of the above
- v) A bequeaths property to B in trust to employ it in carrying on a smuggling business and out of the profits there of to support A's children. The trust is
  - a) valid
  - b) valid with some conditions
  - c) void
  - d) voidable.
- vi) A trust may be created by
  - a) any person competent to contract
  - b) any person
  - c) any Minor
  - d) None of the above.

- vii) The trustees must execute the duties of the office in their joint capacity in case of
  - a) Discharging function by sole trustee
  - b) Co Trustees
  - c) a number of beneficiaries
  - d) None of the above
- viii) If the trust property is of perishable nature, the trustee has
  - a) to do nothing
  - b) to convert it into property immediately of profitable nature
  - c) to wait till the person who has given the property will give direction
  - d) none of the above
- ix) If a trustee improperly leaves trust property outstanding and it is consequently lost, he is liable to
  - a) make good the property lost
  - b) Pay interest there on
  - c) create new trust
  - d) all of the above
- x) Under section 25 of the Indian trust act, the trustee is
  - a) liable for predecessor's fault
  - b) Non-liable for predecessor's fault
  - c) Partially liable for predecessor's fault
  - d) None of the above
- **2.** Define Trust. Discuss the provisions regarding the creation of Trust.
- **3.** What do you understand by beneficiary?
- **4.** Explain the rights of beneficiary under Indian Trust Act, 1882.
- **5.** Discuss the liabilities of Trustee.
- **6.** Explain
  - a) Classification of Trust
  - b) Distinction between Trust and Contract
- **7.** Discuss the rights of Trustee.
- **8.** Explain the liabilities of beneficiary.
- **9.** Write a note on discharge of Trustees.
- **10.** Write a detailed note on charitable and religious trust.
- **11.** Explain
  - a) The cypress Doctrine
  - b) Advantage from undue influence
- **12.** Write a note on powers of Trustees.

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