

NLUJAA
NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM
B.A.,LL.B.(Hons.): I Semester, I-Year Academic Year: 2016-2017
End Semester Examination (December-2016)
1.1: ENGLISH I

Time: **2 Hrs.**
Total Marks: **50**

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. No clarification shall be sought on the question paper.
3. Do not write anything on the question paper. It will be treated as malpractice.

Answer any five questions from the following. All questions carry equal marks.

1. How does Anna Akhmatova in her poem called **Requiem** articulate her pain of the years of the Yezhov terror and perpetuate the memory of it in defence against the forgetfulness of time? Describe with appropriate illustrations from the poem. 10
2. "No Decalogue could cover the vast area of offences and no court could administer a law which governed our social civilities". (A.G. Gardiner) Explain with reference to the context. 10
3. Explain the following legal maxims: 5+5=10
 - a) *Actio personalis moritur cum persona*
 - b) *Audi alteram partem*
4. Answer the following questions: 5+5=10
 - A. Write the correct word that the transcription represents:
 - a. /bɔ:n/
 - b. /θɪŋ/
 - c. /fr:lɪŋz/
 - d. /vɑ:n/
 - e. /meɪdʒə/
 - f. /ræm/
 - g. /wɜ:d/
 - h. /fəget/
 - i. /aɪs/
 - j. /hu:z/
 - B. Write the transcriptions of the words given below with one of the following diphthongs:
/eɪ/ /aɪ/ /ɔɪ/ /əʊ/ /aʊ/ /ɪə/ /eə/ /ʊə/
 - a. make
 - b. sure

- c. bear
- d. island
- e. employ
- f. hear
- g. town
- h. home
- i. sight
- j. know

5. Answer the following questions:

5+5=10

A. Correct the errors in the following sentences:

- a) Since capital punishment was abandoned, the crime rate has increased.
- b) These machines are destroying our ability of thinking.
- c) She accused the man for stealing.
- d) I am accustomed with hot weather.
- e) We must conform with the rules.
- f) Many people have died from malaria.
- g) They are quite capable to do that.
- h) Whom do you think will be chosen?
- i) The more people will agree with me.
- j) She says she's not afraid of nobody.

B. Frame sentences with the following phrases and idioms:

- a) notwithstanding
- b) with regard to
- c) set about
- d) in the nick of time
- e) by long odds

6. Critically comment on Kafka's use of metaphors in *The Trial*.

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B.A., LL.B.(Hons.): I-Year, I-Semester (Academic Year: 2016-2017)
End Semester Examination (December-2016)
Subject: 1.2 History - I

Time: 2 Hrs.
Total Marks: 50

INSTRUCTIONS:

1. Read the questions carefully and answer.
 2. No clarification shall be sought on the question paper.
 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer any five questions from the following. All questions carry equal marks.

1. To what extent were the rulers of the Khalji dynasty able to provide stability to the Delhi Sultanate?
2. The institutions of the Mughal Empire was the result of evolution of a homogenous nobility out of a multiracial and religiously heterogeneous elements brought together by Akbar. Discuss.
3. The Marathas had largely contributed to the general weakening of the Mughal Empire and to the erosion of its prestige. Was Aurangzeb's lack of a long-term strategy to deal with the Marathas a reason for eventual passing of imperial territory into Maratha hands?
4. Discuss in detail the factors behind the outbreak of the Revolt of 1857. Can the Revolt be termed as the first War of Independence? Give reasons.
5. Discuss the significance of the socio-religious reform movements and also outline the contributions of various social reformers in the 19th century.
6. The economic policies followed by the British led to rapid transformation of the Indian economy, structured to the needs of the Empire. Discuss the imperial ideology of the Empire and its impact on Indian economy.

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B.A.,LL.B.(Hons.): I-Year, I-Semester: Academic Year: 2016-2017
End Semester Examination (December-2016)
1.3 : Political Science - I

Time: 2 Hrs.
Total Marks: 50

INSTRUCTIONS:

1. Read the questions carefully and answer.
 2. No clarification shall be sought on the question paper.
 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer any five questions from the following. All questions carry equal marks.

1. Amongst the varied forms of governments, unitary and federal forms of governments are the two widely prevailing systems in the modern times. Describe the advantages and disadvantages of the unitary form of government. Also, discuss certain features that distinguish the unitary form of government from the federal form of government.
2. The idea of Justice is dynamic in nature and it has been constantly evolving in the field of moral and political philosophy. Discuss the major dimensions of the idea of justice with appropriate illustrations. And substantiate your answer by explaining the basic tenets of certain schools on the concept of justice, such as the libertarian school and the anarchist school.
3. It is true that the modern definition of Political Science is also essentially associated with the concept of power. Explain the kinds of power, such as political power, economic power and ideological power and the general characteristics of power. Also, elaborate the elite perspective as well the class perspective on the question of power.
4. It is rightly argued that sovereignty is the most essential element of the state as there can be no state without it. Explain the various kinds of sovereignty prevailing in the contemporary times along with suitable examples. Also, write about the factors that pose both internal and external challenges to the existence of state sovereignty today.
5. One of the foremost social contract theorists is undoubtedly Thomas Hobbes, the 17th century English political philosopher. Delineate the Hobbesian social contract theory in relation to the origin of the state. Also discuss how the social contract theory of Thomas Hobbes is a sharp contradiction to the divine right theory of the state.
6. The executive, one of the pivotal organs of the government, is manifested in different kinds. Write about the different kinds of executive with appropriate examples. And further your answer by explaining the important functions of the executive in a modern democratic regime.

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B.A.,LL.B.(Hons.): I-Year, I-Semester: Academic Year: 2016-2017
End Semester Examination (December, 2016)
1.4 : Sociology - I

Time: 2 Hrs.
Total Marks: 50

INSTRUCTIONS:

1. Read the questions carefully and answer.
 2. No clarification shall be sought on the question paper.
 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer any five questions from the following:

1. What is Kinship? Discuss its function towards social organization. Discuss some of the kinship usages commonly used in Indian Society. **3+2+5 Marks**
2. Discuss the relationship between Custom and Law with suitable illustrations. Which of these according to you is a more effective tool of social control? Justify your answers. **8+2 Marks**
3. According to M.N. Srinivas, *the Varna scheme has distorted the image of the Caste*. In the light of the aforementioned statement discuss Srinivas's analysis of the Indian Caste system with suitable illustrations. **10 Marks**
4. Why is the Hindu Marriage considered as a sacrament? Discuss the changing scenario of the Hindu Marriage in India. Also include the impact of Hindu various legislations in bringing about changes in the Marriage. **2+4+4=10 Marks**
5. Discuss the relevance of the Conflict perspective of Sociology. Discuss the contribution of Karl Marx to this perspective. **5+5=10 Marks**
6. Write short notes on: **5+5=10 Marks**
 - a) Sanskritization
 - b) Comparative Method in Sociology

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NATIONAL LAW UNIVERSITY, ASSAM
LL.M. One Year Degree Programme- I-Semester, Academic Year: 2016-2017
End Semester Examination (November, 2016)

1.4 OPTIONAL PAPER - I
INTERNATIONAL AND REGIONAL PERSPECTIVE OF HUMAN RIGHTS

Time: **3 Hrs.**
Total Marks: **100**

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. No clarification shall be sought on the question paper.
3. Do not write anything on the question paper. It will be treated as malpractice.

Answer Q. No. 1, 2 and 3 are compulsory and answer any one question from Q. No. 4 and 5 both. All questions carry equal marks.

1. The then Secretary General Kofi Annan stressed the interdependence of the three main pillars of the UN system, viz. development, security and human rights when proposing far reaching reforms of the UN system and proposed to accord human rights a more authoritative position corresponding to the primacy of human rights in the UN Charter by replacing the Commission on Human Rights with a smaller Human Rights Council that would be better placed to meet the expectations of men and women everywhere. In the light of this background, critically analyze the evolution of Commission on Human Rights into the Human Rights Council.
2. Reservation to human rights treaties is a double-edged sword. While allowing it has the potential of frustrating the entire purpose of formulating a human rights treaty, denying it may fail to attract states to sign and ratify in the first place. In this background, critically analyze the practice of reservations to human rights treaties in the light of the reservations made by India in case of several human rights treaties.
3. "The European Convention on Human Rights and Fundamental Freedoms, 1950 (ECHR) which is the first regional arrangement in giving specific legal content to human rights in an international agreement, and combining this with the establishment of machinery for supervision and enforcement, has further strengthened and substantially restructured its control machinery following the entry into force of the Protocol No. 11 (ETS No. 155) and Protocol No. 14." – Discuss the above statement in the light of the jurisdiction of the European Court of Human Rights. Substantiate your answer with relevant case laws.

4. (a) The core human rights treaties contain a gamut of human rights to be enjoyed by all without any discrimination. However, the full enjoyment of rights cannot be envisaged in the absence of a complaint mechanism to resort to in the event of a violation of any guaranteed right. Discuss in detail the individual complaint mechanisms available under the core human rights treaties and their respective optional protocols.

OR

- (b) The American Convention on Human Rights adopted in 1969 at an inter-governmental conference convened by the Organization of American States vests two distinct judicial functions in the Inter-American Court of Human Rights – one involves the power to adjudicate disputes and other to interpret the American Convention. — Discuss the above statement critically.

5. (a) “The African Charter on Human and Peoples’ Rights, 1981 covers a wide spectrum of civil and political rights and is the only major human rights treaty that recognizes a set of collective rights”- Elucidate

OR

- (b) Write short notes on the followings:

(i) Universal Periodic Review

(ii) Special Procedures

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End Semester Examination (November, 2016)
1.4 OPTIONAL PAPER - I : INTELLECTUAL PROPERTY LAW
AND POLICY

Time: **3 Hrs.**
Total Marks: **100**

INSTRUCTIONS:

1. Read the questions carefully and answer.
 2. No clarification shall be sought on the question paper.
 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer Q. No. 1, 2 and 3 are compulsory and answer any one question from Q. No. 4 and 5 both. All questions carry equal marks.

1. Define the infringement of copyright and principles laid down with the help of judgement in case of *The Chancellor, Masters & Scholars of the University of Oxford & Ors v. Rameshwari Photocopy Services & Anr*, Delhi High Court decided on September 16, 2016. Discuss the remedies available to the author for infringement.
2. 'An inventor or his assignee can file claim for patent'. In light of aforementioned statement you as an attorney render your advice elaborately to your client the types of patent applications and procedure of filing the patent application as Indian domicile.
3. 'The WIPO is an intergovernmental organisation and one of the specialised agencies of United Nations system of Organisation'. In light of aforementioned statement discuss the objectives of the WIPO. Also elaborate powers and functions of its constituent organs.
4. (a) 'The Berne Convention deals with the protection of works and the rights of their authors'. In light of the aforementioned statement discuss elaborately basic principles. Evaluate the rights conferred by Berne Convention and TRIPS Agreement.

OR

- (b) Discuss the essential requirements and principle laid down for registration of Designs with the help of *Bharat Glass Tube v Gopal Glass Works Ltd*. Also discuss the conditions for protection of Design under Copyright Act.
5. (a) 'The Paris Convention applies to industrial property in the widest sense'. Discuss elaborately the substantive provisions of the Convention.

OR

- (b) Discuss the vested rights of prior user of Trademark u/s 33 of India Trademark Act. Discuss the concept of 'passing off' illustrate with the help of case laws whether the prior user of trademark can maintain the proceedings for passing off?

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LL.M. One Year Degree Programme- I-Semester, Academic Year: 2016-2017

End Semester Examination (November, 2016)

**1.4 OPTIONAL PAPER - I : EXPANDING HORIZONS OF
CONSTITUTION OF INDIA**

Time: **3 Hrs.**

Total Marks: **100**

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. No clarification shall be sought on the question paper.
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Answer Q. No. 1, 2 and 3 are compulsory and answer any one question from Q. No. 4 and 5 both. All questions carry equal marks.

1. 'The right to life includes the right to live with human dignity and all that goes along with it.'
Critically examine the meaning of right to life as given in the Constitution of India and as has been interpreted and expounded by the Supreme Court of India.
2. Public Interest Litigation offers a ladder to justice to disadvantaged sections of society, provides an avenue to enforce diffused or collective rights, and enables civil society to not only spread awareness about human rights but also allows them to participate in government decision making. Public Interest Litigation could also contribute to good governance by keeping the government accountable. Comment.
3. There has been a shift in the understanding of Article 14 of the Constitution of India which guarantees the right to equality. From the old doctrine of reasonable classification, courts have moved towards the new test of arbitrariness, according to which any state action is violative of Article 14 if it is arbitrary. Elucidate.
4. (a) Giving a very rich interpretation to Article 19(1)(a) of the Constitution of India, the Supreme Court had held that citizens have a right to know about public functionaries and candidates for office, including their assets and criminal and educational backgrounds, and found that right to be derived from the constitutional right to freedom of speech and expression. Illustrate the development of said article by the Apex court till now.

OR

(b) 'Although the parliament had unlimited power to amend the constitution it could not amend the basic structure of the constitution.' Trace the controversy and conflict between Parliament and Judiciary in relation to the amendment of the Constitution with relevant constitutional amendment and decide cases and also cite the present position in the light of the above statement.

5. (a) Emergency imposed in India during 1975-77 demonstrated how vulnerable the democratic system was in India. It also showed how weak some of our key institutions were. Illuminate the provisions of Emergency and also state as to what Constitutional amendments were brought to check the totalitarian power of the state during Emergency.

OR

(b) The Supreme Court under Article 32(2) is free to devise any procedure for the enforcement of fundamental right and it has the power to issue any process necessary in a given case. In view of this constitutional provision, the Supreme Court may even give remedial assistance, which may include compensation in "appropriate cases". Trace the development of Compensatory Jurisprudence evolved by Supreme Court of India through decided cases.

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B.A.,LL.B.(Hons.): I-Year, I-Semester: Academic Year: 2016-2017
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1.5 : Legal Methods and Social Sciences Research Methodology

Time: **2 Hrs.**
Total Marks: **50**

INSTRUCTIONS:

1. Read the questions carefully and answer.
 2. No clarification shall be sought on the question paper.
 3. Do not write anything on the question paper. It will be treated as malpractice.
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Answer any five questions from the following. All questions carry equal marks.

1. "Hypothesis is divination of research findings which is formed by experience, knowledge and insight." In the light of given statement explain the nature and importance of hypothesis.
2. "No person can undergo research unless he realized and sensitized the existence of research problem." In the light of given statement explain the meaning, nature and steps of Research Problem.
3. What are the prevalent methods of legal research? Discuss their merits and demerits.
4. "Research design is the blue print of whole research work, which is guided by the objects, purposes & limitations of research." In the light of given statement explain the nature and importance of Research design.
5. Explain various techniques of data collection commonly used for Empirical research.
6. Write a note on any one:
 - (a) Qualitative and Quantitative Research
 - (b) Inductive and Deductive Research

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B.A.,LL.B.(Hons.): I-Year, I-Semester: Academic Year: 2016-2017
End Semester Examination (December, 2016)
1.6 : Law of Torts and Motor Vehicle Act

Time: 2 Hrs.
Total Marks: 50

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. No clarification shall be sought on the question paper.
3. Do not write anything on the question paper. It will be treated as malpractice.
4. Support your answer with relevant case laws.
5. Answer should be based on proper reason.

Answer any five questions from the following. Question no. 1 is compulsory. All questions carry equal marks.

- 1 The Law of Tort(s) concerns the imposition by the common law of obligations not to harm others. It is an important vehicle for allocating risk, and helps define and vindicate property rights and other economic interests as well as common law rights against physical, psychological, and reputational harms and invasions of privacy. The concept is backed by the jurisprudential principle of '*ubi jus ibi remedium*.' The argument has further been supported by Justice Holt in landmark case of *Ashby v. White*. While using the aforementioned statements as background to your argument construct a critical thought on the subject. Elaborate your answer with the help of the study material and relevant discussions. **10 Marks**
- 2 Lord Justice Danckwerts once stated that 'it would be a good deal, safer to keep lions or other wild animal in a park than to engage in a business involving the employment of labour.' The said statement highlights the complexity of concept of vicarious liability. While elaborating the same discuss the concept of 'contract for service' and 'contract of service.' Support your answer with the help of relevant case laws. **6+4 Marks**
- 3 Right to reputation is one of the essential requirement of right to life and dignity. The statement is even supported by various court judgements. In the light of the statement, discuss the essential elements of the Tort of Defamation. Further discuss the interface between the personhood and defamation? What is your opinion about the said interface? **5+5 Marks**
- 4 Write a note on 'Religious Practices and Public Nuisance'. Do you support legal interference to balance the issue? Support your answer with the help of the suitable case laws and examples. **10 Marks**
- 5 Motor Vehicle Act, 1988 is one of the good examples of codified Tort Law in India. The one important function of the Act is to provide compensation to the victims in accident

cases. The said provisions are elucidated in second schedule of the aforementioned Act. While citing the judgement of *Sarla Verma v. Delhi Transport Corporation*, discuss the various measures of compensations provided to the victim and her legal representatives.

5+5 Marks

- 6 Define the maxim '*res ipsa loquitor*'. How it is relevant under law of Torts, discuss with the help of relevant case laws.

10 Marks
