

NLUJAA

National Law University and Judicial Academy, Assam

B.A.,LL.B. (Hons.): II-Year, IV-Semester (Academic Year: 2017-18)

Semester End Repeat Examination (August, 2018)

Subject Code: 4.1 Economics - II

Time: 2:30 Hrs.

Total Marks: 70

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. Unnecessary queries on the Question Paper shall not be entertained.
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. What is Kuznets's hypothesis on inequality? Discuss the conceptual merits and limitations of the hypothesis for present day developing countries. 8+6=14
2. Explain the interlinkage between the economy and environment. Why do you think a separate discipline called 'environmental economics' is necessary? 10+4=14
3. a) "Market fails to operate in case of environmental commodities". In this context, what are the plausible causes for market failure? 7
 b) Discuss how voluntary bargaining among the concerned parties can lead to an efficient outcome without the intervention of a third party. 6
 c) "Pollution can also be regarded as a 'tragedy of commons'". Will assignment of property rights be a feasible solution to deal with this tragedy? 1
4. "Walt Rostow has mentioned about five stages in his theory of economic growth".
 a) In this context, bring out the distinguishing features of traditional stage and take-off stage. 6
 b) Briefly explain the 3 kinds of growth rates as used in the Harrod-Domar model. 5
 c) Name the growth model on which the first five-year plan of India was based. 1
 d) Who was the key economist of India's second five-year plan? 1
 e) Which shortcoming of the Lorenz curve has been overcome by the Gini coefficient? 1
5. Write a note on the Malthusian theory of population. Express your views regarding the relevance of Malthusian pessimistic predictions in the modern day world. 9+5=14
6. Write an essay on the global environmental issues. Mention some of the policies adopted with a view to confront these issues. 7+7=14

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B.A.,LL.B. (Hons.): II-Year, IV-Semester (Academic Year: 2017-18)

Semester End Repeat Examination (August, 2018)

Subject Code: 4.2 Constitutional Law - I

Time: **2:30 Hrs.**

Total Marks: **70**

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any five questions from the following. All questions carry equal marks.

1. Discuss briefly the salient features of the Constitution of India. What is the 'Basic Features' of the Constitution of India? Is there any difference between salient features and basic features of the Constitution of India? Provide juristic opinion in support of your answer.
2. Critically discuss, with the help of decided cases, the changing notion of the right to life and personal liberty in India.
3. Practicing and preserving the language, culture and scriptures prevalent among of any section of people is a cardinal fundamental right enjoyed by citizens in almost all constitutional democracies. In the light of the above mentioned statement, make a brief discussion on the rights of both majority and minority as provided under Articles 29 and 30 of the Constitution of India.
4. Critically examine Dicey's concept of Rule of Law. Is the principles of Rule of Law as propounded by Dicey reflects in the provisions of the Constitution of India? Cite reason in support of your answer.
5. Most of the fundamental Rights are claimed against the state and its instrumentalities. The judiciary from time to time depending upon the facts and circumstances of each case held various authorities/institutions as 'State'. Portrait a brief sketch with the help of various judgments given by the Supreme Court on the development of the concept of state stating its requirements.
6. Write Short Note:
 - (a) Right Against Exploitation
 - (b) Uniform Civil Code

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B.A.,LL.B. (Hons.): II-Year, IV-Semester (Academic Year: 2017-18)
Semester End Repeat Examination (August, 2018)
Subject Code: 4.3 Family Law - I

Time: **2:30 Hrs.**
Total Marks: **70**

INSTRUCTIONS:

1. Read the questions carefully and answer.
 2. Unnecessary queries on the Question Paper shall not be entertained.
 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. Vijay aged 30 years, a Hindu male and resident of Lucknow, working as Assistant Professor of Law at a reputed Law University in Hyderabad, solemnized marriage with Rajshree age 26, a Hindu Female holding degree in M.A. Political Science and also a UPSC aspirant, resident of Ghaziabad, according to Hindu marriage rites and ceremonies on December 11, 2012. After the marriage they moved to the ancestral house of Vijay at Lucknow. Since it was Rajshree last attempt at UPSC Examination they decided to stay back at Vijay's ancestral house with the parents of Vijay during the entire vacation period of Vijay i.e. till the first week of February, 2013 so as to give her ample time for study and preparations. On February 1, 2013, Vijay asked Rajshree to accompany her to Hyderabad since his vacation was getting over. Rajshree sternly turned it down on the pretext that she had competitive exams to give and that she was very serious about it. Vijay reluctantly agreed, and left for Hyderabad on February 3, 2013. On reaching Hyderabad Vijay received a call from his mother telling him that Rajshree parents had come to Lucknow and that she had left with them for Ghaziabad. Vijay pacified his mother by telling her that Rajshree might have gone to Ghaziabad for the purpose of her preparation for the impending competitive examinations. Vijay spent the entire semester of his University from February till June, 2013 all by himself in Hyderabad. In the last week of June, 2013 when the University summer vacation started Vijay decided to go directly to his in-laws place in Ghaziabad thinking that he will plan a visit to Kamakhya Temple in Guwahati with Rajshree. With much enthusiasm he reached Ghaziabad on June 28, 2013, however to his utter surprise Rajshree rudely declined his proposed trip on the pretext that she should be allowed to pursue her career the way she wanted and as such nobody should cause an impediment. Rajshree implored Vijay to spend the entire vacation month of July with her family in Ghaziabad. Vijay reluctantly stayed back, for one week he helped Rajshree in her studies and preparations. On July 4, 2013, Vijay received a call from his father informing him that his mother had been diagnosed with Hepatitis C, as such they, Vijay and Rajshree, must immediately come to Lucknow to attend to her. Hearing the news Rajshree got infuriated, a heated argument ensued between them. Next morning on July 5, 2013 Vijay left for Hyderabad without telling

neither Rajshree nor his parents in Lucknow. There was no communication between Rajshree and Vijay since then. On January, 28, 2015 Rajshree parents living in Ghaziabad received notice for petition for restitution for conjugal rights against Rajshree filed by Vijay in a District Court in Hyderabad. Since Rajshree was no more staying with her parents they immediately couriered it to her address in RK Puram, N. Delhi, where she was working as an adhoc teacher in a reputed school in the area.

In light of the given facts and circumstances imagine that Rajshree had approached you as a lawyer and as such discuss the relevant concepts, issues, jurisdiction and status of marriage and ensuing rights and remedies available to Rajshree as per provisions of Hindu law and decided cases.

2. Write an essay on “the Menace of Child Marriage in 21st Century India”. Support your answer with relevant laws, judicial opinions and on the basis of decided cases.
3. Discuss in detail any four grounds of divorce available to Indian husbands and wives as per the relevant provisions of the different statutes in India.
4. Describe the socio political position of the Arabs before and after the advent of Islam? Also explain how Islam had contributed in the formalization and protection of women in marriage.
5. Trace the historical development of judicial opinions of the Supreme Court of India in finally pronouncing Triple talaq as unconstitutional.
6. Write notes on:
 - (i) Voidable marriage.
 - (ii) Compulsory registration of marriage.

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B.A., LL.B. (Hons.): II-Year, IV-Semester (Academic Year: 2017-18)
Semester End Repeat and Re-registered Examination (August, 2018)
Subject Code: 4.4 Indian Penal Code

Time: 2:30 Hrs.

Total Marks: 70

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any five questions from the following. All questions carry equal marks.

1. Sanjit throws acid on the Rupa's face after she refused to marry him and permanently disfigures her face and neck.
 - (a) Has Sanjit committed any offence? Justify your answer.
 - (b) Mention the kinds of hurt which are designated as "grievous" in *The Indian Penal Code, 1860*.

(4+10=14)
2. (i) On 02/05/17, Rina aged about 9 years did not return home from school. Two days after the incident, Mr. Bora, the father of Rina, received a phone call from a man who told him that his daughter Rina was with him and demanded a sum of Rs. 30,00,000/-. The manner in which the money was to be paid and the place where and to whom it was to be delivered in exchange for Rina was communicated. The person also threatened Mr. Bora that he would kill Rina if he did not receive the money demanded and also if Mr. Bora informed the police about the same.
 - (a) In the light of the facts given above, explain with suitable sections of law what offence has been committed.

(ii) Distinguish between Robbery and Dacoity with suitable illustrations.

(4+10=14)
3. (a) "Act done in good faith for benefit of a person without consent." Discuss with suitable illustrations and case laws.
 - (b) Explain the circumstances under which the right of private defence of property extends to the causing of death or any other harm to the assailant. Support your answer with suitable case laws.

(7+7=14)

4. Ram gives grave and sudden provocation to Shyam who on being provoked, shoots Ram dead with his gun.
- (i) What offence if any, has Shyam committed? State the essential ingredients of Section 300 IPC.
- (ii) State the circumstances under which culpable homicide does not amount to murder. (7+7=14)
5. Distinguish between: (7x2=14)
- (i) Wrongful Restraint and Wrongful Confinement.
- (ii) Theft and Extortion
6. The Criminal Law Amendment Act, 2013 has brought about a sea of changes in *The Indian Penal Code, 1860*. Elucidate in detail the changes incorporated in the Section 354 and Section 376 of *The Indian Penal Code, 1860* . (14)

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Semester End Repeat Examination (August, 2018)

Subject Code: 4.5 Law of Contract - II

Time: **2:30 Hrs.**

Total Marks: **70**

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any five questions from the following. All questions carry equal marks.

1. What do you mean by a contract of Bailment? Discuss the right and duties of a bailee?
2. Discuss the various modes of creation of an agency under Indian Contract Act 1872. Can an agency be terminated? Explain.
3. Explain the Maximum 'namo dat quod non habet'. Discuss the Exceptions to the above rule under the sale of goods Act 1930.
4. Describe the meaning of 'conditions' under sale of Goods Act, 1930. Can there be implied Conditions in a sale of goods. Explain with relevant provision of law.
5. Discuss the Position of a minor in a Partnership firm. Can a person be made liable for the acts of the firm done during his minority? Explain.
6. Discuss the rights and duties of an outgoing partner under Indian Partnership Act 1932.

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Semester End Repeat and Re-registered Examination (August, 2018)

Subject Code: 4.6 Jurisprudence - II

Time: **2:30 Hrs.**

Total Marks: **70**

INSTRUCTIONS:

1. Read the questions carefully and answer.
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Answer any five questions from the following. All questions carry equal marks.

1. How would you differentiate between perfect and imperfect rights? Explain with the help of relevant examples. What are the reasons behind differentiating between personal and proprietary rights? (8+6)
2. With the help of relevant examples examine the differences between a claim right and a liberty as has been identified by Hohfeld? Critically analyse the different implications of Hohfeld's jural analysis? (7+7)
3. By examining the different incidences of ownership identify how it is different from possession? Explain in detail the difference between legal and equitable ownership and trust and beneficial ownership. (6+8)
4. How would you differentiate between double capacity and double personality? Explain in detail the legal status of animals. Do they have legal personality? (5+7+2)
5. What are the different theories of corporate personality? What are the legal status of a dead man? Explain in the light of relevant provisions. (7+7)
6. Examine in detail the different theories of origin of property. Explain thoroughly the different kinds of property rights in re aliena. (7+7)
