

NLUJAA

National Law University and Judicial Academy, Assam
B.A.,LL.B.(Hons.): I-Year, II-Semester (Academic Year: 2017-18)

Semester End Examination (June, 2018)

Subject Code: 2.1 English - II

Time: **2:00 Hrs.**

Total Marks: **50**

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. 'Language can be honest, sincere, courageous; so also, it can be deceitful, hypocritical, corrupt - not only when it is explicitly telling lies (which in a way, after all, is still a form of truth)'. Berel Lang

Describe how the language of "Newspæk," in *Nineteen Eighty-Four*, marks for Orwell, the death of language and how its replacement by a mechanical and depersonalised means of communication is used as an instrument of repression. 10

2. 'From writing simple correspondence to drafting complex legal documents, writing is an integral function of nearly every legal position'. What is Legal writing? What are the problems of legal language in drafting? Describe with the help of examples. 2+8=10

3. Write short notes on: 5+5=10
 - (a) Global economy and Culture
 - (b) Diaspora

4. Explain the following legal maxims: 5+5=10
 - (a) He who seeks equity must come with clean hands
 - (b) No one ought to be judge in his own cause

5. Answer the following as directed: 5+5=10
 - (a) Frame sentences with the words given below in order to bring out their meaning:

Allude, elude; official, officious; flaunt, flout; imply, infer; comprise, constitute

- (b) Substitute the following sentences with one word:
 - (i) A person who voluntarily joins with another in the commission of a crime.
 - (ii) To perform the functions of a body authorised to consider, debate and adopt laws to govern the general public.

- (iii) A summary of the legal arguments submitted by counsel to the court in support of a motion or on a point of law being considered by the court.
- (iv) To testify or aver under oath.
- (v) An act falling outside the limits imposed by law.

6. Explain with reference to the context: “Judges must beware of hard constructions and strained inferences; for there is no worse torture than the torture of laws”. 10

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Subject Code: 2.2 History - II

Time: **2:00 Hrs.**

Total Marks: **50**

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. The Cornwallis Code or the Judicial Scheme of 1793 was to substitute order, method and system for anarchy, chaos and uncontrolled exercise of judicial power. Cornwallis substituted 'rule of law' for the rule of individual discretion of government officials. Discuss.
2. Around the beginning of the 19th century, the idea had emerged that only through codification of laws could any certainty be achieved, a written and stable law instead of a wilderness of judicial precedents which were bewildering to the litigants and confusing to the Court. Discuss the factors leading up to the reforms under the Charter Act, 1833 and the relevant provisions in the Act therein.
3. Discuss in detail the various jurisdictions conferred upon the three High Courts of Calcutta, Bombay and Madras under the Indian High Courts Act, 1861.
4. (a) Discuss briefly the advantages and disadvantages of the system of appeal to the Privy Council from India.
(b) Discuss briefly the significance of the establishment of the Federal Court.
5. The details of the Government of India Act, 1935 and the lack of Indian involvement in drafting its contents met with a lukewarm response while still being too radical in Britain. Discuss the important provisions in the Government of India Act, 1935 with a special emphasis on the experiment on provincial autonomy.
6. Write short notes on **any two** of the following:
 - (a) Government of India Act, 1858
 - (b) Racial Discrimination in the Criminal Justice System
 - (c) The Constituent Assembly of India
 - (d) Law Reporting in India
 - (e) History of the Legal Profession in India

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Semester End Examination (June, 2018)
Subject Code: 2.3 Political Science - II

Time: **2:00 Hrs.**
Total Marks: **50**

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. B. R. Ambedkar: 'Democracy in India is only a top dressing on an Indian soil, which is essentially undemocratic' and 'Nationalism means the desire for a separate national existence of those who are bound by this tie of kinship.'

In the light of the given statements, answer the following questions:

- (a) What, according to B. R. Ambedkar, are the factors that ail Indian democracy and what are the prerequisites for an effective functioning of parliamentary democracy?
 - (b) Examine Ambedkar's view on nationalism in relation to his support of the partition of India in 1947. (5+5)
2. Robert Nozick: 'Taxation of earnings from labor is on par with forced labor' and 'The Minimal state is the most extensive state that can be justified.'
 - (a) Explain how Robert Nozick's viewpoints on Taxation contravenes the taxation policy as formulated by Kautilya in *Arthashastra*.
 - (b) Delineate how Nozick's stand on minimal state is different from Aristotle's view on state as a natural institution. (5+5) 3. Critically examine M. K. Gandhi's strong belief that 'Satyagraha' and 'Non-violence' are more potent than any other forms of resistance. Also, explain how far the ways, as advocated by Gandhi to abolish untouchability are practicable in contemporary India. (5+5)
 4. Karl Marx: The modern bourgeoisie society has established new classes and new conditions of oppression.
Vladimir Lenin: But the Communist Manifesto was written under completely different conditions.

Answer the following questions in the light of the statements given above:

- (a) Explain the patterns of exploitation occurred in capitalist society, as per Marx, in respect of the capitalist mode of production, surplus value and alienation.
- (b) Analyze how Lenin had enlarged the body of Marxist thought with respect to revolution, party organization and ideology. (5+5)
5. For Amartya Sen, justice is ultimately connected with the way people's lives go, and not merely with the nature of the institutions surrounding them. And his idea of justice draws to a great extent on reason based comparative approach.
- (a) Discuss the inadequacies, according to Sen in devising a theory of justice in respect of 'Transcendental Institutionalism' and plural reasons of justice.
- (b) Explain the fundamental flaws inherent in Amartya Sen's approach towards the idea of justice. (5+5)
6. Two highly popular theories, though not sufficiently endorsed, which explicate the roots of untouchability in India are 'Aryan migration' theory and 'Islamic invasion' theory. Contrary to these theories, B. R. Ambedkar had expounded a profoundly original theory about the origin of the untouchability in India from the anthropological and religious point of view.
- (a) Explain the theory propounded by B. R. Ambedkar on the question of the origin of untouchability in India.
- (b) Examine the reasons, as given by Ambedkar that still propel to pervade the practice of untouchability at present despite the existence of constitutional prohibition. (5+5)

Or

Jeremy Bentham: "The quantity of pleasure being equal, push-pin is as good as poetry."

J. S. Mill: "It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied."

- (a) Discuss the utilitarian doctrine of Jeremy Bentham with reference to the statement given above.
- (b) Explain with a suitable illustration as to how J. S. Mill has humanized J. Bentham's version of utilitarianism. (5+5)

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

Semester End Examination (June, 2018)

Subject Code: 2.4 Sociology - II

Time: **2:00 Hrs.**

Total Marks: **50**

INSTRUCTIONS:

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

1. Discuss Robert Merton's critique of functionalism and his theory of social anomie. 5+5
2. Why do only Protestant, and not any other religion, have work ethic according to Max Weber? 10
3. Describe G.S Ghurye's view on Caste system. 10
4. Critically evaluate Durkheim's theory of "Division of labour" 10
5. Elucidate Marxian theory of Class Struggle or class conflict. 10
6. Write short note on any two: 5+5
 - (a) Ideal type
 - (b) Social system
 - (c) G.H. Mead's Symbolic interactionism
 - (d) Social change in modern India

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Semester End Examination (June, 2018)

Subject Code: 2.5 Comparative Legal Systems

Time: 2:00 Hrs.

Total Marks: 50

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. Critically trace the historical evolution of socialist law in Russia. Examine whether socialist legal systems can be considered to be different from civil law legal systems. (6+4)
2. Examine the historical evolution of common law in England and identify the factors responsible to its origin, growth and success. How is law of equity different from the common law? (7+3)
3. Identify the factors differentiating a civil law legal system from a common law legal system. Examine the features of the French Civil Code and the German Civil Code and identify the similarities and differences in philosophy and codification. (3+7)
4. Can Nordic legal systems be called a separate legal family? Explain. Examine in detail the different features of Nordic law. (3+7)
5. Make a comparative analysis of the basic features of the American Constitution and the British Constitution. What are advantages and disadvantages of written and unwritten constitutions? (6+4)
6. Critically analyse the forms of government as it exists in France and United Kingdom. Do they follow the doctrine of separation of power? Explain. (7+3)

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Semester End Examination (June, 2018)

Subject Code: 2.6 Consumer Protection Law

Time: **2:00 Hrs.**

Total Marks: **50**

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. Unnecessary queries on the Question Paper shall not be entertained.
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Answer any five questions from the following. All questions carry equal marks.

1. Rajni, age 21, resident of Rehabari, Guwahati, visited a local beauty parlour located in Ulubari for the purpose of hair treatment and facial. After the hair treatment she felt that she had more split ends and more rashes on her skin. Rajni decided that she will not pay the bill of Rs. 500 for the hair treatment and facial on the pretext that the beautician was negligent and that she will also lodge a complaint against the beauty parlour for hair and skin damage in consumer court.

In another illustration Rekha, age 16, resident of Ganeshguri, Guwahati, who is a model by profession, went to a fancy beauty parlour 'X' located in Fancy Bazaar, Guwahati for the purpose of hair treatment and facial. In a similar pattern after the hair treatment she felt that she had more split ends and more rashes on her skin. Rekha decided that she will not pay the bill of Rs. 5000 on the pretext that the beautician was negligent and that she will lodge a complaint against the beauty saloon for hair and skin damage in consumer court.

In the light of the given facts and circumstances discuss the relevant principles of consumer protection law on the basis of relevant jurisdiction, provisions of law and on decided cases.

2. In the light of rampant advertisements which promote fairness creams for men and women and other beauty products, do you think it sometimes lead to certain false notion of beauty or deceptive advertisements?

Support your answer on the basis of relevant concepts, narratives and principles of consumer protection law as per the provisions of Consumer Protection Act, 1986 and other sectoral laws and also on the basis of decided cases.

3. Explain the scope and content of the expression 'profession' and 'occupation' in the precise understanding of the inclusionary and exclusionary aspect of the definition

'service' under the Consumer Protection Act, 1986. What is the distinction between 'Contract of Service' and 'Contract for Service'? Do medical services provided in a nursing home come within the scope of the Act? Support your answer on the basis of decided cases.

4. Discuss the role of artificial intelligence as a probable mainstay in future shopping experience. Also, suggest what steps the consumer protection law regime must take up to ensure the protection and preservation of consumer rights in an era of 'internet of things'?
5. Distinguish commercial purpose from non-commercial in the precise understanding of the inclusionary and exclusionary aspect of the definition of 'goods' of the Consumer Protection Act, 1986. Discuss whether purchase of goods for livelihood comes within purview of the definition and protection promised and envisaged to consumer under the Consumer Protection Act, 1986. Support your answer on the basis of concept, principles and provisions of Act and on the basis of decided cases.
6. Write an essay on the topic, "Green Consumerism: Need of the Hour".
