

NLUA
NATIONAL LAW UNIVERSITY, ASSAM
B.A., LL.B. (Hons.): I Year – II Semester: Academic Year: 2014-2015
End Semester Examination (July, 2015)
2.1 ENGLISH - II

Time: **2 Hours**
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. “Judges ought above all to remember the conclusion of the Roman Twelve Tables; *Salus populi suprema lex* (The supreme law of all is the weal of the people); and to know that laws, except they be in order to that end, are but things captious, and oracles not well inspired”.
Explain critically the role of a judge as enunciated by Francis Bacon from your reading of the essay *Of Judicature*.
2. Explain the following legal maxims:
 - i. “The law assists those who are vigilant of their rights, not those who are careless of them” (*Vigilantibus et non dormientibus, jura subveniunt*).
 - ii. “Where there is right there is remedy” (*Ubi jus ibi idem remedium*).
3. Explain the following concepts briefly:
 - a. Colony
 - b. Civilisation
 - c. Race
 - d. Nationalism
 - e. Hybridity
4. Define the following legal terms:

a) Divorce	f) contract
b) Alimony	g) ad infinitum
c) Polygamy	h) guardian
d) Defamation	i) sub judice
e) Impugn	j) Ex post facto
5. How does Anton Chekhov use the natural world within his tales? Support your answer with suitable illustrations from the story “In the Court”.
6. Write an essay on **any one** of the following topics:
 - i. Domestic violence and the Rights of women
 - ii. Human Rights

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2.2 HISTORY - II

Time: **2 Hours**
Total Marks: **50**

INSTRUCTIONS:

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

1. Was the trial of Raja Nand Kumar a travesty of justice? How did it bring forth the issue of applicability of English Laws to Calcutta?
2. Describe the constitution and jurisdiction of the High Courts' under the High Court's Act, 1861.
3. Discuss the significance of the Privy Council as the highest appellate authority of India from 1726 to 1949.
4. Discuss the significant provisions of the Government of India Act, 1935. What was the nature of the federal government under this Act?
5. Highlight the racial discrimination in the civil justice system after 1813. Explain the reasons behind the agitations against the Act of 1836.
6. Discuss the constitutional developments in India from 1937 to 1947. How did the Indian Independence Act make provision for distribution of territories between the two Dominions?

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2.3 POLITICAL SCIENCE - II

Time: **2 Hours**
Total Marks: **50**

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

1. Critically examine the theories of communism as propounded by Plato and Karl Marx.
2. Explain M K Gandhi's idea of Satyagraha. Discuss how far Gandhi's idea of Satyagraha is relevant today.
3. John Rawls claims that the basic aim of his *A Theory Of Justice* is to offer an alternative account of justice which is far superior to utilitarianism. Explain as to how John Rawls has propounded his a theory of justice as a viable alternative to the dominant utilitarianism.
4. Discuss as to why Niccolo Machiavelli had advocated the argument that there should be a separation of politics from ethics and religion.
5. Write about the theories of justice of Plato and Aristotle and also examine their applicability in the contemporary times.
6. Write a comparative study of the theories of justice of John Rawls and Robert Nozick by taking some fundamental dimensions.

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2.4 SOCIOLOGY - II

Time: **2 Hours**
Total Marks: **50**

INSTRUCTIONS:

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

1. Discuss the various social forces that led to the development of sociological theory? How did these forces influence the pioneer Sociologists? Justify.
2. "A cardinal American virtue, 'ambition,' promotes a cardinal American vice, 'deviant behavior.'" Discuss the above statement in the light of the Anomie or Structural Strain Theory of Robert K Merton. Compare and contrast Merton's concept of Anomie to that of Durkheim
3. What Parsons calls "a completely concrete system of social action" has three aspects to its "structuring": the personality system of the individual actors, the cultural system which is built into their action and the social system, which is individual actors interacting with one another (using symbols)

With reference to the above, critically discuss the concept of Social Action as given by Talcott Parsons.
4. What is Social Change? Discuss some of the key issues raised by the Dalit Movement in India. Also make a use of the Marxian perspective to give a critical analysis.
5. Discuss Max Weber's analysis of the rationalization of Western Legal Structures with suitable illustrations. Highlight the main purpose behind Weber's Sociological inquiry.
6. Discuss the social functions of Religion in Society. Make use of the analysis given by Emile Durkheim, Bronislaw Malinowski and Karl Marx in your answer.

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2.5 COMPARATIVE LEGAL SYSTEM

Time: **2 Hours**
Total Marks: **50**

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

1. Define the term “unification” as applied in the Comparative Legal Studies. Discuss the various stages involved in the process of unifications under international law. Mention the inherent difficulties involved in the process of unification.
2. Determine the constitutional position of the King of Japan and the President of India and compare their positions with the President of Russia.
3. Discuss the various federal features applicable in the American Legal System. Do you consider the Indian Legal System is a purely federal legal system? Elucidate.
4. Discuss the hierarchy of courts system in present legal system of Saudi Arabia which is created under the Law of Judiciary, 1975.

OR

Discuss the basic principles of the German Civil Code (*Das Burgerlighe Gesetzbuch-BGB*). Discuss the significant differences between the German Civil Code and the French Civil Code (Napoleonic Code).

5. Write a note on Mixed Legal System? Explain the legal norms which justify enlisting the Indian Legal System within the ambit of the Mixed Legal Family.
6. Discuss the following features of the British Constitution:
 - a) Partly written and partly unwritten
 - b) Evolutionary Nature
 - c) Difference between Theory and Practice
 - d) Blend of Monarchy, Aristocracy and democracy
 - e) Unitary Constitution

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2.6 CONSUMER PROTECTION LAW

Time: **2 Hours**
Total Marks: **50**

INSTRUCTIONS:

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Answer four questions from the following. All questions carry equal marks (12.5 x 4).

1. Critical examine the development of consumer protection law as a piece of social welfare legislation.
2. Arya age 21 is a model by profession and a resident of Guwahati. He is also a brand ambassador of popular men grooming products like after shave lotion, hair gel etc. On April 4, 2014 at around 11: 00 a.m. he went for a full body massage in an uptown popular Thai spa situated on GS Road in Guwahati. Being a popular model from Assam, the Manager of the spa gave Arya 50% discount for the full body massage, hoping that Arya may patronize the spa.

After the massage, feeling refreshed and rejuvenated Arya left for home. At home while he was taking bath Arya noticed some itchy patches on some part of his body, particularly around the lower portions of his jaw and his neck. Arya was furious as he has to shoot for TV commercial of a local channel in the afternoon on the same day. He was worried that the skin patches would affect his prospects for lucrative commercial shoots and other related modeling assignments. Arya consulted a dermatologist who confirmed that the patches on his body were owing to allergy to certain oil applied on his body. Arya decided to sue the Thai spa under the Consumer Protection Act, 1986.

In the light of the given facts and circumstances discuss the pertinent legal concept, provisions of law, relevant jurisdiction and any claim for compensation that Arya may avail to as per the consumer protection law.

3. Pooja a 22 years old woman residing in Goalpara, Assam aspires to become a lady taxi driver for two purposes. One she wanted it to be her source of livelihood and the other to break the stereotype of male domination in the profession of plying taxi for livelihood. To achieve her dream she moved to Guwahati to house on rent in Noonmati. She also bought a small car from the loan she had taken to start her business. However, on the first week of the purchase of the car, the steering wheel of the car developed stiffness. So, she went to the showroom of the car in Guwahati for replacement of the steering wheel. The manager of the of the showroom tried to mislead her by telling that since she did not have a resident proof of Guwahati and thus her concerns cannot be entertained.

In the light of the given facts and circumstance elaborate the role of consumer councils. Also, discuss the pertinent legal concepts, jurisdiction and provisions of law

under the Consumer Protection Act 1986. Support your answer on the basis of decided cases.

4. Discuss the impact of globalization in era of consumerism, and the importance and significance of regulation in international law arena for sustainable consumption.
5. Rupa, a 45 years old woman residing in Mangaldoi, visited Guwahati for the purpose of shopping for the Bohag Bihu festival. While shopping at one of the famous shopping malls in GS Road she developed dizziness. She ignored the dizziness and continued her shopping spree. While she was still shopping she suddenly developed seizure owing to which she fell down unconscious on the floor. She was immediately rushed to the nearest hospital on GS Road. On gaining her consciousness a nurse of the hospital told her that there was nothing to worry about and that it was only because of the over exertion from the shopping that she had fainted.

While completing her discharge formalities an attendant of the hospital handed Rupa a bill of the diagnosis and other related bills. Rupa was aghast to see Rs.8, 000/- bill being handed over to her. She went to the account section of the hospital for clarification; there she was directed to go to the HR department. The HR Department further directed her to the junior doctor who had prescribed the diagnosis which was conducted on her. Rupa was angry that a junior doctor had been deputed to carry on the investigation; she was made to pay for the bill anyway. Distraught she brought the case to the Consumer District Court at Kamrup. The District Court dismissed her petition on the ground that it was frivolous and vexatious.

From the given facts and circumstances discuss the reliefs that are available to Rupa by applying the relevant provisions of the law and on decided cases.

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