

NLUA
NATIONAL LAW UNIVERSITY, ASSAM
B.A.,LL.B.(Hons.): I-Year, II-Semester: Academic Year: 2015-2016
End Semester Examination (June-2016)
2.1 ENGLISH-II

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. According to George Orwell 'the greatest enemy of clear language is insincerity'. Do you think that 'Newspeak' was purposely engineered to remove even the possibility of rebellious thoughts in the minds of the people of Oceania? Explain from your reading of the novel *Nineteen Eighty-Four*.
2. What are the problems of Legal Language in Drafting? Explain in detail.
3. Rewrite the following sentences as directed:
 - a) A soldier of the tenth legion leaped into the water as soon as the ship touched the shore. (Begin with *No sooner*)
 - b) We have helped them with money as well as a body of workers, all well trained and experienced. (Use the expression '*not only*' and '*everyone*'.)
 - c) Mrs. Smith is the wisest member of the family and of her four daughters Jane is the prettiest. (Use the comparatives of '*wise*' and '*pretty*'.)
 - d) You will not succeed ____ you work harder.(Use a Conjunction to complete the sentence)
 - e) You are already as well acquainted with these affairs as I am. (Use '*known*' for '*acquainted*'.)
 - f) As soon as Sir Roger had seated himself, he called for wax candles. (Use '*no sooner*' for '*as soon as*'.)
 - g) James knew the value of obedience so well that he anticipated some censure for his act. (Rewrite this sentence, using '*too*' for '*so*'.)
 - h) Have a look at the newspaper and you will find a lot of space devoted to advertisements. (Begin with *if*)
 - i) Her reason for not going with us was that she had no money. (Use *therefore*)
 - j) He has squandered his fortune, estranged his friends and ruined his health by his recklessness and extravagance. (Use "*not only – but also*".)
4. Essay Writing (any one):
 - a) Law and the society
 - b) Media, culture and society

5. Globalisation is a universal phenomenon which was introduced with the aim of integrating societies, economies and cultures through a common link of trading policies, technology and communication. Explain
6. Substitute each of the following sentences with one word:
- a) One who considers the happiness and well-being of others without any thought of personal gain.
 - b) A government run by civil servants.
 - c) Words inscribed on the grave or the tomb in the memory of a buried person.
 - d) A person who is unable to pay his debts.
 - e) That which cannot be avoided.
 - f) One who does not tire easily.
 - g) The art of elegant speech or writing.
 - h) A place where government or public records are kept.
 - i) Repetition of speech or writing word for word.
 - j) A person who leaves his own country and goes to live in another.

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2.2 HISTORY- II

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

INSTRUCTIONS:

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

1. The Supreme Court, in its haste to establish its position as an independent institution in the face of hostility from majority of the Council, sentenced Raja Nand Kumar to death. Comment.
2. (a) Discuss the jurisdiction of the High Court of Calcutta under the Indian High Courts Act, 1861.
(b) Did the High Courts under the Indian High Courts Act, 1861 possess inherent power to issue prerogative writs? Discuss the High Courts' power to issue writs with the help of decided cases.
3. The English East India Company administered a plurality of legal sources- regional regulations, Acts of Parliament, Hindu and Muslim personal law, Islamic criminal law and the widely interpreted principle of 'justice, equity and good conscience '. Discuss how this unwieldy system was streamlined through the process of codification in the 1830s.
4. The constitutional developments from 1861 to 1919 failed to address the aspirations of a responsible government in India. Discuss.
5. Discuss the significant provisions of the Government of India Act, 1935. What were the reasons behind the rejection of the Act by the prominent nationalist leaders?
6. Discuss the racial discrimination within the civil and criminal justice system of colonial India in terms of specific reservation in favour of British subjects.

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2.3 POLITICAL SCIENCE-II

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

INSTRUCTIONS:

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

1. The classical Marxist school of thought has been dead critical of the capitalist mode of production throughout. In the light of the above statement, discuss Karl Marx's fundamental antipathy towards capitalism. Also substantiate your answer by explaining as to how Vladimir Lenin has advanced the Marxist theory on capitalism through his famous thesis: 'Imperialism, the Highest Stage of Capitalism.'
2. In Indian political thought, the discourses on caste system and statecraft as broached by different thinkers in different phases of Indian history cannot be dispensed with. Two of the prominent figures who had developed profound perspectives on these aspects are Manu and Kautilya. Discuss in detail how Manu and Kautilya had expounded their theoretical constructs on Caste and Statecraft in their respective treatises, namely, the *Manusmriti* and the *Arthashastra*. How far their ideas on caste and statecraft are relevant in the present socio-political set-up in India?
3. It is widely accepted view that Robert Nozick has revived the importance of libertarianism in the realm of political theory. Adhering to the libertarian tradition, Robert Nozick famously argues that the term 'distributive justice' is not neutral and it is misleading in his classic book *Anarchy, State, And Utopia*. Elaborate Robert Nozick's views on distributive justice. Also, examine the inherent drawbacks in Nozick's theory of entitlement.
4. John Rawls is considered to be one of the most influential political philosophers of the 20th century. John Rawls claims that the basic aim of his landmark book *A Theory Of Justice* is to offer an account of justice which is far superior to utilitarianism. Explain as to how John Rawls has expounded his theory of justice as a viable alternative to the dominant utilitarian thinking.
5. Among others, two distinguished Indian thinkers who had traversed diametrically all through their life both politically and philosophically are undoubtedly B. R. Ambedkar and M. K. Gandhi. Delineate how B. R Ambedkar had theorized about the institution of caste system in India and democracy. Contrary to what Ambedkar has espoused, explain how M. K. Gandhi had propounded his notions about the Varna system and untouchability.
6. Following the trend set forth by John Rawls in political philosophy, Amartya Sen has tried to present a new theory of justice in the recent times. Analyse the basic framework of Amartya Sen's idea of justice. Also, write a critical note on Amartya Sen's idea of justice.

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2.4 SOCIOLOGY-II

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

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

1. Please discuss the 'AGIL scheme' as discussed by Talcott Parsons.
2. Please discuss through a relevant comparison the ideas of Auguste Comte, Emile Durkheim, Karl Marx and Talcott Parsons regarding the evolution of Society.
3. "The history of all mankind hitherto is the history of class struggle." Critically analyse the statement in the light of appropriate theoretical framework.
4. Please compare and evaluate the views of Karl Marx and Max Weber on Religion, Social Stratification and Social theory.
5. "Social structure causes strain, which in turn creates Anomie." Please compare and contrast the concept of 'Anomie' as discussed by Durkheim and Merton.
6. What do you understand by a social movement? Can the Naxalbari Rebellion be called a Peasant Movement? Justify your answers.

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2.5 COMPARATIVE LEGAL SYSTEMS

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

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. Freeman, describing the nature of English question, says, "At no moment has the tie between the present and the past been wholly rent asunder, at no moment have Englishmen sat down to put together a wholly new constitution in obedience to some dazzling theory."
In the light of the above statement describe the nature of the English constitution by making necessary comparisons with the nature of American Constitution. **8 Marks**
What according to you are the advantages of a written constitution over unwritten constitution? **2 Marks**
2. By describing the nature and characteristics of the constitutions of the United States of America and the French Constitution examine the extent to which the doctrine of separation of power has been followed in them. **10 Marks**
3. Describe the similarities and dissimilarities between the Crown of England and the President of the United States of America by examining the various powers and functions these two respective institutions. **10 Marks**
4. Justice Charles Evans Hughes said, "We are under a Constitution, but the Constitution is what the judges say it is."
In the light of the above statement make an analysis of the power of the Judiciary in the United States of America. Do you think the British Judiciary has a similar power? Justify. **10 Marks**
5. Make a comparative analysis of the similarities and dissimilarities in the nature and characteristics of the French Civil Code of 1804 and the German Civil Code of 1900 by making necessary investigations into their evolutionary development. **10 Marks**
6. What are the common defining characteristics of the Nordic Legal systems? How are they different from the Common law and Civil law legal systems? **10 Marks**

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2.6 CONSUMER PROTECTION LAW

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

INSTRUCTIONS:

1. Read the questions carefully and answer.
2. No clarification shall be sought on the question paper.
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Answer any four questions from the following. Q. No. 1 and 2 are compulsory. All questions carry equal marks.

1. In September, 2015 Mani, a 19 year old resident of Bongaigaon, studying in Assam Engineering College, purchased a mobile phone X, manufactured in Vietnam, through an online portal called 'Amadi', the country origin of portal was Thailand. Mani had bought the mobile phone X through the online flash sale for Rs. 25. The actual market price of the phone X was Rupees Twenty Five Thousand, however due to the online flash sale on September 16, 2015 Mani was able to purchase the product at discounted rate of 95% plus. Mani on his part completed all the necessary transactions terms and conditions of an online retail shopping. Mani received a confirmation mail that his product will be delivered on October 3, 2015. As promised on October 3, 2015 the product was delivered at the address assigned by Mani. To his utter dismay when Mani opened his parcel it turned out that the product delivered was a dilapidated, used and discarded phone X. Mani decided to file consumer protection lawsuit for the breach of contract.

In the light of the given circumstances, discuss the legal remedies or alternative remedies that are available to Mani keeping in mind the evolving concept of e-commerce and also, the relevant jurisdiction, pertinent concepts, issues and relevant provisions of the Consumer Protection Act, 1986. Support your answer on the basis of decided cases.

2. In April, 2012 Indian Label, a reputed Multi National Company located in Nasik, Maharastra, introduced a new beauty product Fair and Blushing cream. The new product was launched with much fanfare, it was given wide publicity through print, media and social media sites. The product was endorsed by the famous cine star Shabnam Rai Kapoor claiming that the product was five times superior than ordinary beauty products of the same product line, with the claim it will make a woman fairer in just three days. The product was launched with the tagline "*empowered women's success secret*". Women NGO group 'X' which has its registered office in Guwahati felt that the product and its advertisement were misleading, disparaging to the dignity of every woman as such it decided to sue Indian Label for compensation to the tune of Rs. Fifteen Crore.

In the light of the given facts and circumstances, discuss the relevant concepts and principles of consumer protection law as per the relevant jurisdiction, provisions of Consumer Protection Act, 1986 and 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' of 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. Distinguish commercial purpose from non-commercial purpose 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.
5. Write an essay on the topic, "Competition, Sustainable Consumption and Green Consumerism: Need of the Hour".
