

NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM
B.A., LL.B (HONS.) FIVE YEARS INTEGRATED COURSE

ACADEMIC SESSION: 2013-14

MID-SEMESTER EXAMINATION (07-04-2014)

Act XXV, 2009
by the Assam Legislative Assembly

2.1 ENGLISH- II (SECOND SEMESTER)

MARKS- 100 (ONE HUNDRED) TIME- 3 (THREE) HOURS

SECTION ONE

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 Define the terms 'Colonialism' and 'Neocolonialism'.
- 1.2 What do you mean by the term 'Magic Realism'?
- 1.3 What advice does Felix Frankfurter give to the young man in the essay "*Advice to a Young Man Interested in Going into Law*"?
- 1.4 Do you consider Nikolay Harlamov guilty of murdering his wife? Give reasons in support of your answer.

4X4 = 16 MARKS

SECTION TWO

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER FOUR QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 "My own experience is that once a story has been written, one has to cross out the beginning and the end. It is there that we authors do most of our lying" - Chekov. Examine the ending of the short story *In The Court*.
- 2.2 Describe in detail the five functions of the lawyer as elucidated by Arthur T. Vanderbilt in his essay *The Five Functions of the Lawyer*.
- 2.3 Critically analyze the character of Winston Smith in the novel *Nineteen Eighty-Four*.
- 2.4 "Postcoloniality refers to the historical, material, and actual living conditions of newly independent Asian, African and South American states within the global system". Elucidate.

2.5 "Nineteen Eighty-Four is the grimmest, the most logically imagined and credible preview of the totalitarian state in print". Elucidate in the light of the given statement.

MODULE - II

2.6 Convert the following sentences as directed:

i) He confessed his crime. (**Simple to Complex**)

ii) Rahul worked hard so that he might pass the examination. (**Complex to Simple**)

iii) He is buried near Rome in a place where myrtles grow (**Complex to Compound**).

iv) We desire to reap therefore we sow. (**Compound to Complex**).
v) He betrayed his country, and this was to his eternal disgrace. (**Compound to Simple**).

vi) Little Jack Horner sat in a corner, eating his Christmas pie. (**Simple to Compound**).
vii) We must eat, or we cannot live. (**Compound to Simple**).

2.8 Fill in the blanks with the correct **Prepositions**:

1) He hindered me _____ going there. Child marriage is a great hindrance _____ progress.

2) I have no prejudice _____ foreigners. Such a step will be prejudicial _____ your interests.

3) In pursuance _____ your instructions, we are writing today to the Collector. Pursuant _____ our conversation, I now send you a cheque for Rs. 500 only.

4) I assure you that I am sensible _____ your kindness. His paralysed arm is insensible _____ feeling.

5) He seized _____ the opportunity offered to him. The seizure _____ his property was carried out under direct orders from the Rajah.

6) I take exception _____ your remark. The coat fits me well except _____ the collar.

7) He has no desire _____ fame. He is desirous _____ visiting Agra.

2.9 Use the **Adjective form** of the given Nouns in sentences of your own:

- i) slander
- ii) defamation
- iii) libel
- iv) liability
- v) injury
- vi) regulator
- vii) competition

- 2.10 "There is no royal road to learning". Write a letter as from a father to his son.

8x7 = 56 MARKS

SECTION THREE

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 "In the first part of the novel which is patterned as a conscious if intermittent nightmare, begin two sets of images which recur in combination and isolation throughout the novel". Discuss the imagery of the novel Nineteen Eighty Four in the light of the above statement.
- 3.2 Diasporic writers ...are invariably seeking a form and a language in which they can capture the trauma of colonial history with its forced migrations and slaving voyages, as well as the condition of a 'postcolonial' migrancy. Discuss

- 3.3 Enumerate the problems of the legal language in the drafting of statutes.

- 3.4 Write an essay on any one of the following topics:

- i) Human Rights
- ii) Fundamental Duties
- iii) The Indian Constitution
- iv) Women Empowerment

2x14=28 MARKS

NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM
B.A., LL.B (HONS.) FIVE YEARS INTEGRATED COURSE

ACADEMIC SESSION: 2013-14

MID-SEMESTER EXAMINATION (08-04-2014)

2.2 HISTORY - II (SECOND SEMESTER)

MARKS- 100 (ONE HUNDRED) TIME- 3 (THREE) HOURS

SECTION ONE

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 What was the importance of the Choultly Courts in the early legal history of the settlement of Madras in the period 1639-1726?
- 1.2 What was the significance of *Pitt's India Act*, 1784 in the context of the East India Company's administration over its territorial possessions in India?
- 1.3 Write a short note on the *Lex Locis Report*.
- 1.4 What changes were brought about in the Privy Council by the *Judicial Committee Act*, 1833?

SECTION TWO

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER FOUR QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 Examine the differences between the Mayor's Courts established under the *Charter Act* of 1687 and the *Charter Act* of 1726.
- 2.2 How did the trial of Ascentia Dawes expose the shortcomings of the early judicial system of the settlement of Bombay? Were any effective measures taken to re-organize the judicial system?
- 2.3 How did the grant of Diwani Rights of Bengal, Bihar and Orissa to the East India Company lead to the development of the Adalat system in Bengal?
- 2.4 What were the reforms introduced by Lord Cornwallis in the civil and revenue courts under the judicial Plan of 1787?

- 2.5 What was the composition and the jurisdiction of the Supreme Court at Calcutta established under the *Charter Act of 1774*?

MODULE - II

- 2.6 Discuss the development of criminal laws in India from the medieval period to the drafting of the *Indian Penal Code*, 1860.
- 2.7 Discuss the contributions of the First Law Commission, 1834 in the context of codification of laws. How far did English laws influence the codification of laws in India?
- 2.8 Why is the *Government of India Act*, 1858 seen as an important landmark in the constitutional history of India?
- 2.9 What were the powers and jurisdiction of the three High Courts at Calcutta, Bombay and Madras as successors to their respective Supreme Courts? Did they have powers to issue writs?
- 2.10 What were the contributions of the *Indian Councils Act*, 1892 and *Indian Councils Act*, 1909 towards the growth of representative institutions in India?

8X7 = 56MARKS

SECTION THREE

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 What were the defects in the provisions of the *Regulating Act*, 1774? Discuss them in the light of the Patna case and the Cossijurah case.
- 3.2 Discuss the significant changes brought about by the Judicial Plan of 1793 under Lord Cornwallis.
- 3.3 What were the defects in the existing system of Regulation Law that led to reforms under the *Charter Act* of 1833? Discuss those provisions of the Act that aimed at reforming the legislative machinery in British India.
- 3.4 Discuss the role of the Privy Council as the highest appellate authority in India from 1726 to 1949.

2x14=28 MARKS

NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM
B.A., LL.B (HONS.) FIVE YEARS INTEGRATED COURSE Exam

ACI XXXV, 2009
ACADEMIC SESSION: 2013-14

MID-SEMESTER EXAMINATION (09-04-2014)
2.3 POLITICAL SCIENCE-II (SECOND SEMESTER)

MARKS- 100 (ONE HUNDRED) TIME- 3 (THREE) HOURS

SECTION ONE

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY
100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 Mention two differences between the Plato and Aristotle's political philosophy.
- 1.2 Discuss in brief the meaning of the concept Golden Mean.
- 1.3 Write briefly on Hegel's 'Concept of War.'
- 1.4 Write the name of the authors of the following books:
 - (a) The Statesman
 - (b) Belfagor

4x4=16 MARKS

SECTION TWO

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS
ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY
TO ANSWER FOUR QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 Discuss briefly the significance of the study of political thought to the understanding of politics.
- 2.2 What is Plato's idea on Communism of wives and property? Compare and contrast Karl Marx's idea and Plato's idea of Communism.
- 2.3 'Virtue is Knowledge.' Explain in your own words the significance of this statement in the light of Plato's idea of Rule of philosophy.
- 2.4 Discuss briefly why Socrates became a strong critic of the Athenian democracy? Discuss his doctrine of Aristocracy of Intellect.

- 2.5 "Justice is treating equals equally and unequals unequally." Discuss the significance of this argument.

MODULE- II

- 2.6 What do you mean by 'Renaissance'? Discuss some important developments that took place in human history during renaissance.
- 2.7 Discuss Machiavelli's treatment of human nature. What do you think the reason behind taking such a pessimistic view of human nature?
- 2.8 Discuss and critically evaluate Hegel's views on the evolution of human society and the State. Explain with suitable examples.
- 2.9 Discuss briefly T.H.Green as an Advocate of Liberal Individualism.
- 2.10 Discuss some advices given by Machiavelli to the Prince. Discuss its relevance in the present scenario.

8x7=56 MARKS

SECTION THREE

**PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS
ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.**

- 3.1 "Political thought begins with the Greeks." In the light of this argument highlight the importance of the ancient Greek political thought.
- 3.2 "If everyone devoted to his duty then ideal society will be established in which everyone will concentrate on his own sphere of duty and not meddle with the sphere of others." Explain.
- 3.3 "Hegel is the father of totalitarian ideologies." Examine and discuss this statement carefully.
- 3.4 Discuss Machiavelli's concept of Double Standard of Morality. In this context discuss his views on end and means. Justify your answer with suitable examples.

2x14=28 MARKS

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B.A., LL.B (HONS.) FIVE YEARS INTEGRATED COURSE

ACADEMIC SESSION: 2013-14

MID-SEMESTER EXAMINATION (10-04-2014)

2.4 SOCIOLOGY - II (SECOND SEMESTER)

MARKS- 100 (ONE HUNDRED) TIME- 3 (THREE) HOURS

SECTION ONE

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 What is a 'Social Fact'? Explain the concept with the help of suitable illustrations.

- 1.2 Define the following concepts:

- (a) Relations of Production
(b) Metaphysical Stage

- 1.3 What is 'Protestant Ethic'? Which theorist has dealt with this concept extensively in his work?

- 1.4 What are the indicators that constitute 'Poverty Line' measurements?

4X4 = 16MARKS

SECTION TWO

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER TWO QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 "There are no gospels which are immortal, but neither is there any reason for believing that humanity is incapable of inventing new ones" Discuss the statement in the context of Emile Durkheim's study of Religion.
- 2.2 "The history of all mankind hitherto is the history of class struggle." Critically analyse the statement in the light of an appropriate theoretical framework.

- 2.3 Why is Zweckrational action a characteristic of the modern western societies?
- 2.4 Discuss critically the role of Auguste Comte as the founder of Sociology.
- 2.5 "Ideal Types is an Analytical Construct." Discuss this statement with the help of appropriate illustrations.

MODULE - II

- 2.1 What is Social Mobility? How is social Mobility achieved through Religious Re-groupings?
- 2.2 What is a social problem? Discuss some of the characteristics of a social problem. Illustrate your answer.
- 2.3 Discuss briefly some of the measurement indicators of Poverty
- 2.4 Does 'Anomie' lead to Social Problem? Discuss in the light of suitable theoretical framework.
- 2.5 Discuss some of the major obstacles that people face in the process of acquiring Social Mobility in India.

8X7 = 56 MARKS

SECTION THREE

**PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS
ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.**

- 3.1 Compare and evaluate the views of two eminent social thinkers, i.e., Karl Marx and Max Weber on Religion, Social Stratification and Social Theory.
- 3.2 Discuss critically Emile Durkheim contribution to the study of Suicide.
- 3.3 Discuss some of the Mobility tactics adopted by different Jatis to achieve mobility.
- 3.4 Discuss the Structural Theory of Poverty with the help of suitable illustrations.

4X7 = 28 MARKS

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ACADEMIC SESSION: 2013-14

MID-SEMESTER EXAMINATION (11-04-2014)

2.5 COMPARATIVE LEGAL SYSTEMS (SECOND SEMESTER)

MARKS- 100 (ONE HUNDRED) TIME- 3 (THREE) HOURS

SECTION ONE

ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 What does 'Comparative Law' mean? Discuss the significance of the Comparative Law in the modern society.
- 1.2 Discuss the distinction between the 'External Unification' and 'Partial Unification' with the help of suitable illustrations.
- 1.3 What are the differences between 'a Convention and a Custom'?
- 1.4 What do you mean by *Droit Administratif*? Discuss the reason for creation of the *Droit Administratif*.

4x4=16 MARKS

SECTION TWO

ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER FOUR QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 Discuss the historical development of Comparative Law during the renaissance period.
- 2.2 What are the objectives and sphere of 'Unification'? Discuss the problems involve in the process of unification.
- 2.3 What do you understand by the term 'Common Law'? Examine the formation and importance of Common Law in the English Legal System.

- 2.4 What are the functions of the Supreme Court of the United States? Discuss the role of the U.S. Supreme Court in development of the 'Doctrine of Judicial Review'.
- 2.5 Compare the position of the British Prime Minister with the President of the United States.

MODULE- II

- 2.6 What is the necessity for studying of historical development of a particular legal system? Discuss the reasons for the reception of the Roman Law in Germany. Evaluate the impact of the Roman Law in the German Legal System.

"The *Grundgesetz* of the Germany is mainly based on the Weimar Constitution of 1919" – Evaluate the given statement with the help of reasonable illustrations. Examine the differences of Rule of Law as applicable in the German Legal System from that of the A.V. Dicey's Rule of Law.

- 2.8 Give an appraisal on the importance of the Napoleonic Code in French Legal System.

- 2.9 What are the main objectives of the Droit Administratif in French legal system? Make an assessment on working of the Administrative Tribunals in French.

2.10 "In drawing up the federal constitution, the framers of the American Constitution were guided by certain considerations based on their past experience".

Discuss the salient features of the American Constitution which gives the distinct position of the American Legal System.

8x7=56 MARKS

SECTION THREE

ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 "... while the Scandinavian Legal Systems have participated in the legal development of Continental Europe, they have also maintained

- their local characteristics, and this justifies us in allocating them to a special 'Nordic Legal Group' within the Civil Law". Attempt a brief assessment of the Scandinavian Legal Systems with the help of given statement.

- 3.2 What do you mean by sources of law? Evaluate the importance of Legislation, Precedence, Customs, Codes and Opinions of Legal Writers as sources of law in Common Law as well as Civil Law Systems.
- 3.3 Give a brief account on the historical development of the Civil Law System.

- 3.4 Attempt a critical assessment on the important features of the German Civil Code.

2x14=28 MARKS

SECTION SECTION

**PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS
ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.**

3.1 Discuss the salient features of the *Consumer Protection Act* of 1986.

Do you think that the Act of 1986 needs further amendment? Give reasons in support of your answer.

3.2 "The journey of consumer protection in India can best be described as a transition from '*caveat venditor*' to '*caveat emptor*' and then to '*caveat venditor*' starting from the ancient period till the modern era."

Interpret the implication of the above statement and analyze the

transition phases in the light of the consumer protection jurisprudence evolved in India.

3.3 Give an explanatory note on the following:

(a) Concept of 'Unfair Trade Practice' under the *Consumer Protection Act*, 1986.

(b) The impact of the United Nations' Guidelines for Consumer Protection on the development of consumer protection jurisprudence in India.

3.4 Discuss the establishment of the Consumer Protection Councils under the *Consumer Protection Act* of 1986. Examine the role played by the Consumer Councils in pursuance of the main objects as laid down under the Act of 1986.

2x14=28 MARKS

SECTION TWO
**PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS
ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY
TO ANSWER FOUR QUESTIONS FROM EACH MODULE.**

MODULE - I

- 2.1 Explain with the help of illustrations how the protection of consumers is rendered under the *Sale of Goods Act* of 1930.
- 2.2 H (husband) purchased a pressure cooker for domestic use which was exploded within the warranty period while W (wife) was cooking. W was severely injured and had to spend Rs. 50,000/- for her medical treatment. In the given situation, who can be a 'complainant' within the ambit of the *Consumer Protection Act* of 1986? On what grounds

MARKS- 100 (ONE HUNDRED) TIME- 3 (THREE) HOURS

SECTION ONE

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

1.1 Give four illustrations of "Restrictive Trade Practice" as mentioned

in section 2(1)(nn) of the *Consumer Protection Act* of 1986.

1.2 When can a case be brought before the Consumer Dispute Redressal

Agencies under the *Consumer Protection Act* of 1986?

1.3 What is the applicability of the Doctrine of 'Privity of Contract' under the *Consumer Protection Act* of 1986?

1.4 What were the common law principles which proved detrimental to the consumers' interests which were *in vogue* during the colonial rule in India?

4x4=16 MARKS



the complaint can be filed? Decide the problem with the help of the relevant provisions, rationale and the precedents.

- 2.3 **S** (seller) fails to deliver goods (for non-commercial purpose) to **B** (buyer) in violation of the agreed terms in the contract. **B** files a suit against **S** for specific performance of contract under the *Specific Relief Act* of 1963. Meanwhile during the pendency of the suit, **B** files another complaint under the *Consumer Protection Act* of 1986 before the District Forum for relief in the form of compensation for the hardships suffered by him. Can the complaint under the Act of 1986 be maintainable? Cite the relevant provisions, rationale and precedents in support of your answer.

- 2.4 "The *Consumer Protection Act* of 1986 is a non-technical, speedy and compensatory justice delivery mechanism."

Do you agree with the above proposition? Justify your answer with the support of rationale and relevant provisions under the Act of 1986.

- 2.5 **X** suffered injury after falling into a ditch on a highway. He files a complaint before the Consumer Forum against the government on the ground of 'deficiency of service'. The government pleads absence of *locus standi* on the part of **X**. Decide the maintainability of the complaint with the help of the relevant provisions and reasons.

MODULE- II

- 2.6 Compare the jurisdictions exercisable by the Consumer Disputes Redressal Agencies established under the *Consumer Protection Act*, 1986. Mention the specific changes made in the jurisdiction by way of the Amendments made in the Act of 1986 in 2002.

- 2.7 **C** (a client) hires **L** (a lawyer) to represent his case in the court of law. **C** pays huge amount in furtherance of the service provided by **L**. However, **L** falls short of the duty of reasonable care and misplaces important personal documents of the client as well as unreasonably fails to appear for the court hearings on many occasions. **C** files a

complaint before the Consumer District Forum on the ground of deficiency in service. **L** contends the non maintainability of the complaint on the ground of 'contract of personal service'. The following issues are under consideration before the Consumer Dispute Redressal Agency:

- (a) Whether the service provided by a lawyer to his client is a service as contemplated under the *Consumer Protection Act* of 1986?
- (b) Whether **C** is a consumer within the meaning of the *Consumer Protection Act* of 1986?
- (c) Whether the application of the *Consumer Protection Act* of 1986 shall be derogatory to the *Advocates Act* of 1961?
- How would you decide the above issues if you are presiding as a member of the State Commission?
- 2.8 List out the significant changes made in the *Consumer Protection Act* of 1986 by way of an amendment made in 2002.
- 2.9 A government hospital introduces a free medical service scheme exclusively for the people belonging to BPL (Below Poverty Line). **C** who is qualified as a BPL avails of the medical service under the said scheme and suffers serious injury due to the negligence of the hospital. **C** files a complaint claiming for compensation under the *Consumer Protection Act* of 1986 in which the hospital pleads the defence of non applicability of the *Act* of 1986 to medical services. How would you decide the above case if you were presiding in the capacity of a State Consumer Dispute Redressal Commission having the jurisdiction? Frame all possible issues which can be raised in the instant case and analyze it. Substantiate your findings with appropriate reasoning and cases.
- 2.10. How can you define a "complaint" under the *Consumer Protection Act* of 1986? Explain the manner of filing a complaint before the District Forum under the Act of 1986.

8x7=56 MARKS