

NLUJAA

National Law University and Judicial Academy, Assam
B.A., LL.B. (Hons.): I-Year, II-Semester (Academic Year: 2018-19)
Semester End Examination (June, 2019)
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. Write short notes on **any one**: 10 Marks
 - (a) Feminism
 - (b) Colonialism
2. "The counsel for the defense did not get an answer to his question, and indeed he did not feel the necessity of one. It was clear even to himself that that question had strayed into his mind and found utterance simply through the effect of the stillness, the boredom, the whirring ventilator wheels." Describe in detail the trial of Nikolay Harlamov with illustrations from the short story.
3. Rewrite as directed: 5+5=10 Marks
 - A. Choose the correct particle or particles to make phrasal verbs and rewrite the sentences:
 - a) He was very rude to the gardener, but got (*down to / off with / away with*) it.
 - b) I sometimes have problems getting my meaning (*through / across / over*) in English.
 - c) How's your son getting (*on / into / over*) at University?
 - d) Karen was ill for a few weeks, but she's got (*under / about / over*) it now.
 - e) After lunch we got (*down to / off with / away from*) discussing future plans for the company.
 - f) I just need to get (*by / through / over*) this week, then I can take a break for a few days.
 - g) I don't earn much money, but I manage to get (*down / off / by*).
 - h) I'm sorry I don't have the information you need at the moment. Leave me your phone number and I'll get (*off with / up to / back to*) you this afternoon.
 - i) I finally got (*through to / round to / away from*) reading that book you lent me.
 - j) I tried to call the complaints department, but I couldn't get (*over / around / through*).

B. Complete each idiom with an appropriate word from A, B or C and rewrite the sentences:

i) We stayed in a wonderful hotel just a _____ throw from the beach.

A. *rock's* B. *stone's* C. *pebble's*

ii) Several people suggested the hotel to me but unfortunately it fell _____ of my expectations.

A. *flat* B. *short* C. *small*

iii) He's always going on holiday to interesting and exciting places. He's such a globe-_____.

A. *runner* B. *hopper* C. *trotter*

iv) Thanks to _____ budget airlines, it is now possible to get a cheap flight to most European destinations.

A. *cut-price* B. *cut-throat* C. *cut-and-run*

v) The brochure said that our hotel was in a peaceful location. It really meant that the hotel was in the _____ of beyond.

A. *front* B. *middle* C. *back*

4. Explain the legal maxim:

Vigilantibus et non dormientibus, jura subveniunt (The law assist those who are vigilant of their rights, not those who are careless of them).

5. Write an essay on **any one** of the following topics:

- (a) Disaster Management and our preparedness
- (b) A journey of a thousand miles begins with a single step

6. What are the Fundamental Principles of Legal Writing? Explain it in your own words.

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Subject Code: 2.2 History - 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. In re-organising the judicial administration of Bengal, Lord Cornwallis made a decisive break from the preceding administration of Warren Hastings which had kept justice entirely subordinated to revenue considerations. Cornwallis proceeded on the principle that the government which collected revenue was obliged to secure protection of rights and properties of the subjects. Explain the impact of the ideas of “separation of powers” and “rule of law” in the judicial administration set up by Cornwallis in 1793.
2. The Charter Act of 1833 was seen as a momentous step towards systematizing and rationalizing the law in India; simplifying its structure and rendering it more accessible to the public. What were the prevailing conditions in India till 1833 that provided an impetus to codification of law? How did the provisions of the Act change the legislative system in India?
3. (a) Discuss the jurisdiction of the High Courts under the Indian High Courts Act, 1861. Did the High Courts enjoy power to issue any prerogative writs?

(b) Discuss the prevalence of racial discrimination in the civil justice system in India prior to Independence.
4. (a) The introduction of diarchy with the Government of India Act, 1919 is seen as introducing the democratic principle in the British administration in India. Discuss.

(b) The multiple streams of protest during the 1940s led to the independence of India from colonialism with Partition as a *fait accompli*. Discuss briefly the constitutional development in the 1940s that led to the passing of the Indian Independence Act, 1947.
5. The Government of India Act, 1935 did not mention the granting of dominion status as promised during the Civil Disobedience Movement but it diverted attention towards the

provinces while maintaining a strong imperial center. Discuss the relevant provisions of the Government of India Act, 1935.

6. Write short notes on **any two** of the following:
- (a) The Federal Court
 - (b) The Privy Council
 - (c) The *Lex Loci* Report
 - (d) Law Reporting in India
 - (e) The Morley-Minto Reforms

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Subject Code: 2.3 Political Science - 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. Robert Nozick: 'Taxation of earnings from labor is on a par with forced labor'; and 'Things come into the world already attached to people having entitlement over them.'

- (a) Discuss Nozick's philosophical stand on Distributive Justice and Taxation.
- (b) Elaborate the three principles of justice in holdings or the entitlement theory.

10 Marks

2. Amartya Sen: 'There are clearly remediable injustices around us which we want to eliminate'; and 'We will not have anything that we can call perfect justice.'

- (a) Explain why Amartya Sen argues that the approach of 'Transcendental Institutionalism' in advancing the idea of justice has fundamental inadequacies, and that Comparative Approach can substantially contribute in the removal of injustices in the world.
- (b) Examine with an illustration why Amartya Sen believes that it is difficult to arrive at the perfectly just society as there are plural and competing reasons for justice.

10 Marks

3. In *The Prince*, Niccolo Machiavelli states that the state has no ethics and the end justifies the means. Further, Machiavelli insists that the state must either extend or expire.

- (a) Write about Machiavelli's advice to the prince on the expediency to separate politics from ethics and religion.
- (b) Discuss the miscellaneous advices given to the prince on the expansion of state territory and aggrandizement of princely power.

10 Marks

4. Plato: Justice is 'minding one's own business for which one is naturally fitted and not interfering with other people.'

Aristotle: 'Slavery is natural and slavery is expedient both for master and for slave.'

- (a) Explain Plato's theory of justice in individual and society or state.
- (b) Discuss the reasons for Aristotle's justification of the institution of slavery.

10 Marks

5. According to Vladimir Lenin, Imperialism is the final stage of capitalism; and the party organization is a most indispensable vanguard in the proletariat revolutions as working class people are not naturally much inclined to revolution.

- (a) Explain the fundamental arguments behind Lenin's thesis 'Imperialism is the highest stage of capitalist development.'
- (b) Outline the role of party organization in the proletariat revolution against capitalism.

10 Marks

6. For Karl Marx, the modern bourgeoisie society has established new classes and new conditions of oppression. On the contrary, communism is the definitive resolution of the antagonism between man and man.

- (a) Analyze how, according to Marx, exploitation occurs in a capitalist system through the extraction of 'labour power' of working class by the capitalist.
- (b) Describe the salient characteristics of Marx's prognostic communist society.

10 Marks

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Subject Code: 2.4 Sociology - II

Time: **2:00 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. "A cardinal American virtue, 'ambition,' promotes a cardinal American vice, 'deviant behavior.'" Discuss this statement in the light of the Anomie or Structural Strain Theory of Robert K Merton. Also, Merton's concept of Anomie to that of Durkheim.
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2. According to Wallace and Wolf, Talcott Parsons' 'all- encompassing' general theory of Social Action or "a completely concrete system of social action" is actually more of a general orientation to analysis rather than a scientific theory with a set of concrete propositions. With reference to the above, critically discuss the concept of Social Action as given by Talcott Parsons. How is Parson's approach of analyzing Social Action from that of Max Weber's analysis of Social Action?
↓
3. Compare and evaluate the views of Karl Marx and Max Weber on Religion, Capitalism and Social Stratification.
4. According to George Lukacs, "The problem of commodities is..... the central, structural problem of Capitalist Society." In the light of the aforementioned statement, critically discuss Karl Marx's analysis of commodities i.e. the products of labor intended for both use and exchange within capitalist mode of production.
5. According to B. R. Ambedkar, "A just society is that society in which ascending sense of reverence and descending sense of contempt is dissolved into creation of a compassionate society." In the light of the above statement elucidate the impacts of the Dalit Movements on both planned and unplanned social change among the Dalits in particular and the society in general.
6. Why do social movements emerge in society? Highlight some of the characteristics of a New Social Movement as discussed by T. K. Oommen.

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Subject Code: 2.5 Comparative Legal Systems

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. Critically trace the historical evolution of Civil law in France. Discuss the various features of the French Civil Code. 4+6=10 Marks
2. Discuss the concept and significance of Comparative Law in modern times. Examine the historical development of Comparative Law. 5+5=10 Marks
3. Examine the historical evolution of the legal system in the USA. Discuss the scope of Judicial Review in USA. 5+5=10 Marks
4. Explain the historical growth of Common Law in England. Make a comparative analysis of the Common law system and the Civil law system. 6+4=10 Marks
5. Critically trace the historical evolution of Socialist Law in Russia. Make a Comparative analysis of the Constitution of Russia & Cuba. 6+4=10 Marks
6. Write Short Note on: 5+5=10 Marks
 - (a) Nature of Religious Legal system.
 - (b) Characteristics of Indian Legal System.

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Subject Code: 2.6 Consumer Protection Law

Time: **2:00 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. In January, 2018 Sunny, a 19 year old man resident of Model Town, Delhi, studying in Loyola Global University, Kotabari, near Lokhra, Guwahati, purchased a 'fancy neck tie' online, manufactured in Bangladesh, through an online portal called 'Ombaba', the country origin of portal was Myanmar. Sunny had bought the neck tie through the online flash sale for Rs. 25/- which he planned to wear it on February 14, 2018 at social together organized by his University. The actual market price of the neck tie was Rs.3000/-at, however due to the online flash sale on January 16, 2019 Sunny was able to purchase the product at a very high discounted rate. Sunny on his part completed all the necessary monetary transactions as per the terms and conditions of the online retail shopping. Sunny received a confirmation mail that his product will be delivered on January 25, 2018. The product was delivered very late even after repeated reminder through e-mail. It was finally delivered on February 13, 2018. To his utter dismay when Sunny opened his parcel it turned out that the product delivered was an old tie. Sunny decided to file consumer protection lawsuit.

In the light of the given circumstances discuss the legal remedies available to Sunny, the relevant jurisdiction, pertinent concepts, issues and relevant provisions of the Consumer Protection Act, 1986.

2. In the light of VP Santha Judgment, critically comment why medical services must be brought within the purview of Consumer Protection Law.
Support your answer on the basis of pertinent concepts, issues, relevant provisions and on the basis of decided cases.
3. Discuss the role of the consumer protection law regime must take up to ensure the protection and preservation of consumer rights in times of artificial intelligence as a probable mainstay in future shopping experience.
4. Write an essay on the topic. "Sustainable Consumerism: A Reality Check".

5. Discuss in detail the concept of "*livelihood*" 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 notes on:
 - (i) Jurisdiction
 - (ii) Unfair Trade Practice
