

NLUJAA

National Law University and Judicial Academy, Assam

B.A., LL.B. (Hons.): II-Year, IV-Semester (Academic Year: 2018-19)

Semester End Examination (June, 2019)

Subject Code: 4.1 Economics - 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. 'A Country is poor because it is poor.' Explain the statement with regards to supply and demand aspect of vicious circle of poverty. Is the theory of vicious circle considered valid in the modern society? Give reasons for your answer.

8+2=10 Marks

2. Mention one similarity and one dissimilarity between Balanced and Unbalanced growth. Explain how Rodan forwarded his idea on Balanced growth with the help of an example. Elucidate diagrammatically the unbalancing of economy with Social Overhead Capital and Directly Productive Activities.

2+3+5=10 Marks

3. What do you understand by dynamic equilibrium and knife edge equilibrium as mentioned by Harrod in his model and how can these be achieved? What is sigma effect and at what rate investment should grow in order to maintain a steady growth at full employment in the economy?

5+5=10 Marks

4. "Under developed countries remain backward because of indivisibilities and a big push in the form of one-time investment can correct this resulting in economies of scale" Critically explain the statement mentioning the role of state in this regard.

7+3=10 Marks

5. Discuss how market failure can arise in case of environmental asset. Explain how Commons Problem can lead to environmental degradation.

5+5=10 Marks

6. Explain the nexus between Poverty and Environment by referring to Exogenous and Endogenous Poverty. Do you agree with the UNDP's statement that 'Poverty is the greatest polluter?' Give reasons for your answer. What do you mean by strong and weak sustainability?

4+4+2=10 Marks

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Semester End Examination (June, 2019)

Subject Code: 4.2 Constitutional Law - I

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. Article 15(1) and (2) of the Constitution of India clearly depicts that there should not be any discrimination by the State on the grounds of religion, race, cast, sex, place of birth or any of them. However, Article 15(4) of the Constitution (added by subsequent amendment of the Constitution) empowers the State to make special provision for the advancement of any socially and educationally backward classes of citizens or for the STs and SCs. Provide a brief discussion on the background, constitutionality and implementation of the instant mandate citing leading Supreme Court judgments in this endeavor.
(2½+2½+5)=10 Marks
2. Article 21 of the Constitution have been tremendously expanded by our judiciary to encompass many facets of life within the ambit of 'right to life'. Make a brief discussion on such expansion with the help of relevant judicial pronouncements. Whether Article 21 can be enforced against private individuals? Give reason in support of your answer.
8+2=10 Marks
3. Freedom from exploitation is a cardinal civil liberty that enhances the taste of democracy. The Constitution of India under Article 23 casts a general duty on the State to take effective measure to combat bagger, trafficking of human being and forced labour. Make an estimate about the legislative steps taken by the State in this regard portraying the judicial activism by our courts in the same.
4+6=10 Marks
4. Critically discuss, with the help of decided cases, about the changing notion of the term 'other authorities' as mentioned in the definition of 'State' under Article 12 of the Constitution of India. Whether judiciary is regarded as 'State' for the purpose of Fundamental Rights under the instant provision of the Constitution? Provide juristic opinion in support of your answer.
7+3=10 Marks

5. Make a critical analysis of the Directive Principles of State Policies (DPSP) enshrined in the Part IV of the Constitution of India highlighting its need and significance at the present juncture. Can Fundamental Rights be negated while making a law/policy to implement the principles encapsulated under the DPSPs? Cite judicial pronouncements (if any) in support of your answer.

7+3=10 Marks

6. Write Short Note:

5+5=10 Marks

(a) Right against *Double Jeopardy*

(b) Rights of Minorities to Establish Educational Institutions

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B.A., LL.B. (Hons.): II-Year, IV-Semester (Academic Year: 2018-19)

Semester End Examination (June, 2019)

Subject Code: 4.3 Family Law - I

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. Vijay, a Hindu male age 28 and Indu, a Hindu female age 21, both from Lucknow, UP had an arranged marriage as per the essential rites and ceremonies of Hindu marriage on October 10, 2010. Soon after marriage they settled in London for six years. The marriage was not cordial from the beginning, there were often fights and arguments between Vijay and Indu. Indu would frequently complain that Vijay was more concerned about his job than her and that loneliness was turning her mad. She discreetly booked a ticket for India and one fine day while Vijay was away in office Indu packed her bags and came back to Lucknow, India on 26, July, 2016. After coming back she started going out with her old friends from college, including male friends. Vijay came to be wary about her liaisons through his parents. He also came back to Lucknow during vacation in December 2018. Furious over her whereabouts he sent notice to Indu to mend her ways.

In response to the notice Indu sent a legal notice for divorce on ground of cruelty and non-fulfillment of marriage aspirations of a young bride. On receiving the notice from Indu, Vijay's parents got enraged and decided to solemnize a second marriage of Vijay to teach her a befitting lesson.

In the light of the given facts and circumstances critically discuss and elaborate the relevant concepts, issues and provisions of Hindu law. Also support your answer on the basis of decided cases.

2. Write an essay on the topic, "The Importance of Shayra Bano Case".
3. "Restitution of Conjugal Rights law in Indian marriages could have been done away but it was upheld in Saroj Rani Case".

In the light of the given statement critically analyse the concept of restitution of conjugal rights under Indian law. Support your answer on the basis of relevant provisions of laws and decided cases.

4. Discuss in detail any four grounds of divorce under Muslim Law.
5. Do you think de-criminalization of adultery law by the Supreme Court augurs well from the stand point of personal laws in India? Support your answer on the basis of relevant concepts, provisions of law and on the basis of judicial opinions.
6. Write notes on:
 - (i) Desertion.
 - (ii) Maintenance.

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B.A., LL.B. (Hons.): II-Year, IV-Semester (Academic Year: 2018-19)
Semester End Examination (June, 2019)
Subject Code: 4.4 Indian Penal Code

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) On 21/09/2018, Alwar and Maninder hired a car to go from Guwahati to Shillong from a taxi stand in the city. They settled the fare at Rs. 2000 and the same was paid to the cab driver, Raju. Maninder got into the front seat of the car while Alwar got into the back seat and they began their journey. After travelling for about one hour, Alwar suddenly took out a gun and put it to Raju's neck and asked him to stop the car immediately. Out of fear Raju stopped the car and tried to open the door and run away. But, Maninder caught him and slapped him. Both of them asked Raju to hand over all his money, mobile phone and the keys of the cab to them. After which, they put a tape on Raju's mouth and tied his hands and legs with rope and threw him out of the car and drove the car away.

In the light of the facts given above, answer the following:

- (i) What offence has been committed and by whom? Explain the essential ingredients of the offence committed and the punishment that can be awarded to the offender by the Court. Support your answer with relevant provisions of law and case laws.
 - (b) With reference to appropriate sections of law mention the various offences connected with the offence of 'Dacoity', that are punishable under *The Indian Penal Code*, 1860.
5+5=10 Marks
2. (a) The marriage of Ajay and Rima was solemnized on 20/03/2011 in Guwahati. Rima was found dead on 2/06/2016 in her bedroom under mysterious circumstances. Her father lodged an FIR against Ajay and his mother and subsequently in 2018, after the trial ended, both the accused persons were convicted under Section 304B of *The Indian Penal Code*, 1860 (IPC) by the Court.

In the light of the facts given above, answer the following:

(i) What was the offence that was committed by Ajay and his mother? State the ingredients of section 304B IPC and the punishment for the same.

(b) Mention the kinds of hurt that are designated as “grievous” in *The Indian Penal Code, 1860*.

5+5=10 Marks

3. Dawson gives grave and sudden provocation to Marcus. Under the influence of passion, deprived of the power of self-control and excited by the provocation, Marcus intentionally kills Julia, Dawson's wife.

(i) Has Marcus committed any offence? Give reasons for your answer.

(ii) Explain the circumstances under which culpable homicide amounts to murder. Support your answer with illustrations and relevant case laws.

5+5=10 Marks

4. (a) Feroz lived on the fifth floor and gave tuitions from home to students from Class 2 to 5. Ashu, a student of Class 3 also took tuition from Feroz. One day, while Ashu was taking tuition, a huge fire broke out in the adjoining apartment and the fire engulfed the front door of Feroz's flat. People were shouting downstairs and they were holding out blankets for others who were jumping out of their balconies. Feroze seeing no other alternative to escape from the fire, decides to throw Ashu from his balcony, towards the blanket, knowing that it is likely that the fall may kill the child but not intending it. Ashu is killed by the fall.

(i) Has Feroz committed any offence? Is there any plea under the IPC that Feroz can take in the Court of law to exempt him from criminal liability? Give reasons for your answer and relevant provisions of law.

(b) State the circumstances under which the right of private defence of property extends to the voluntary causing of death of the assailant.

5+5=10 Marks

5. *The Criminal Law (Amendment) Act, 2013* and *2018* has brought in a plethora of changes in *The Indian Penal Code, 1860* with respect to the punishment for committing the offence of 'Rape' in India. Discuss the punishments and support your answer with relevant sections of law.

10 Marks

6. Write short notes on the following:

5×2=10 Marks

(i) Wrongful Restraint and Wrongful Confinement.

(ii) Kidnapping and Abduction.

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Semester End Examination (June, 2019)
Subject Code: 4.5 Contract Law - 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. "Pledge is a bailment of personal property as a security for some debt or engagement".
Elucidate the above statement with the help of concept of Pledge as defined by the Indian Contract Act. Who can pledge? 6+4=10 Marks
2. How does an Agency create? What type of authority is derived by an Agent to do lawful things in a contract? 6+4=10 Marks
3. (a) A directs B to sell A's estate. B buys the estate for himself in the name of C and dishonestly conceal the facts from A. Whether A can repudiate the sale or A will ratify it. Justify your answer with the help of relevant provision.

(b) What are the duties of an Agent towards his Principal under the Indian Contract Act? 4+6=10 Marks
4. What are the rights of an Unpaid Seller under the Sales of Goods Act, 1930? Explain the remedies available to Seller against the Buyer and the Buyer against the Seller. 5+5=10 Marks
5. (a) X, a buyer went to a motor company and inspected various model of vehicle in the company and thereafter place an order of a vehicle with specific description. Accordingly, the facilitator of the company recommended 'Y' model to 'X'. X thereupon bought the vehicle, but later on he (X) found that the vehicle 'Y' did not fit his purpose. What is the remedy available to 'X' under the Sales of Goods Act, 1930?

(b) Write a note on implied conditions and implied warranties in a contract of sale under the Sales of Goods Act, 1930. 3+7=10 Marks
6. What are the different kinds of partnership? Give a brief idea on the relations of the partners inter se in a firm. 2+8=10 Marks

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B.A., LL.B. (Hons.): II-Year, IV-Semester (Academic Year: 2018-19)

Semester End Examination (June, 2019)

Subject Code: 4.6 Jurisprudence - 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. Examine the historical evolution of Feminist Jurisprudence. Critically analyse the various schools of Feminist Jurisprudence? 4+6=10 Marks
2. Discuss the Hohfeld's analysis of Legal Rights. Explain briefly the Will and Interest theories of rights. 5+5=10 Marks
3. Write short note: 5+5=10 Marks
(a) Status of Unborn Persons
(b) Status of Corporations
4. Define ownership in Jurisprudential Context. Explain the various kinds of Ownership. 4+6=10 Marks
5. Critically examine the possession in Fact and Possession in Law. Discuss possession under Indian law with the help of decided case laws. 5+5=10 Marks
6. Whether law can be considered as a valid instrument of social change? Explain with relevant examples. 10 Marks
