

**NLUA**  
**NATIONAL LAW UNIVERSITY, ASSAM**  
**B.A.,LL.B.(Hons.): II-Year, IV-Semester: Academic Year: 2015-2016**  
**End Semester Examination (June, 2016)**  
**4.1 ECONOMICS-II**

Time: **2:00 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.
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**Answer any five questions from the following. All questions carry equal marks.**

- 1) Elaborate how the inequality in income and wealth stands as an obstacle in the path of economic development. In this context, discuss briefly the concept of Lorenz Curve and Gini Coefficient.  
4+4+2 Marks
- 2) "The problem of underdevelopment across the globe is a very serious socio-economic impediment in the process of growth and development." In the light of the given statement, analyze what constitutes the problem of underdevelopment. Also highlight the basic features of underdevelopment along with some suitable measures to tackle the issue.  
3+4+3 Marks
- 3) Elaborate the five stages of economic growth described by Prof. Rostow. Is it applicable to India? Give reasons.  
7+3 Marks
- 4) Distinguish between Social Overhead Capital and Directly Productive Activities. "The best way to accelerate economic development is to create deliberate imbalances in the economy." Critically discuss the unbalanced growth approach to economic development.  
3+7 Marks
- 5) "The simple solution to the manifold problems of Indian economy is to provide gainful employment opportunities to the underutilized human resources and the same has been correctly envisaged in the Make in India campaign by the Government of India." In the light of the given statement, discuss the Arthur Lewis theory of unlimited supply of labour force and its applicability to Indian economy.
- 6) Briefly analyze the relationship between Environment and Economy. Explain in your own words the meaning of the phrase 'Tragedy of Commons' and the concept of 'Free Rider'.  
5+5 Marks



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**4.2 CONSTITUTIONAL LAW-I**

Time: 2 Hrs.  
Total Marks: 50

**INSTRUCTIONS:**

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

1. Irrespective of its type, the prime function of a democratic Constitution is to provide an extensive system of checks and balances, separation of powers and a charter of rights. Explain. **10 Marks**
2. Most of the Fundamental Rights in India are claimed against the 'State' and the judiciary from time to time depending upon the facts and circumstances of each case held various authorities/institutions as 'State'. Portray a brief sketch, with the help of judgments given by the Supreme Court, on the development of the concept of 'State' stating its requirements. **10 Marks**
3. A right without a remedy does not have much substance. Therefore, the remedy to approach the Supreme Court directly for the enforcement of any of the rights mentioned in Part III has also been made a fundamental right *vide* Article 32 of the Constitution of India. In the light of the above statement, critically evaluate the remedies provided under Article 32 of the Constitution of India for the protection of Fundamental rights. **10 Marks**
4. Critically evaluate, with the help of decided cases, the inter-relationship between the Directive Principles of State Policy and the Fundamental Rights. **10 Marks**
5. Make an assessment on the power of the Parliament to amend the Constitution of India citing appropriate constitutional provisions and judicial decisions. **10 Marks**
6. Write short note on the following: **5+5=10 Marks**
  - (a) Independence of Judiciary
  - (b) Rule of Law

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## NLUA

NATIONAL LAW UNIVERSITY, ASSAM

B.A.,LL.B.(Hons.): II-Year, IV-Semester, Academic Year: 2015-2016

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### 4.3 FAMILY LAW-I

Time: 2 Hrs.

Total Marks: 50

#### INSTRUCTIONS:

1. Read the questions carefully and answer.
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**Answer any four questions from the following. Q. No. 1 is compulsory. All questions carry equal Marks.**

1. Vijay age 30, a Hindu male and resident of Lucknow, working as Assistant Professor of Law at a reputed Law University in Hyderabad, solemnized marriage with Rajshree age 26, a Hindu Female holding degree in M.A. Political Science also a UPSC aspirant, resident of Ghaziabad, according to Hindu marriage rites and ceremonies on December 11, 2012. After the marriage they moved to the ancestral house of Vijay at Lucknow. Since it was Rajshree's last attempt at UPSC Examination they decided to stay back at Vijay's ancestral house with the parents of Vijay during the entire vacation period of Vijay i.e. till the first week of February, 2013 so as to give her ample time for study and preparations. On February 1, 2013, Vijay asked Rajshree to accompany her to Hyderabad since his vacation was getting over. Rajshree sternly turned it down on the pretext that she had competitive exams and that she was very serious about it. Vijay reluctantly agreed, and left for Hyderabad on February 3, 2013. On reaching Hyderabad Vijay received a call from his mother telling him that Rajshree parents had come to Lucknow and that she had left with them for Ghaziabad. Vijay pacified his mother by telling her that Rajshree might have gone to Ghaziabad for the purpose of her preparation for the impending examination. Vijay spent the entire semester of his University from February till June, 2013 all by himself in Hyderabad. In the last week of June, 2013 when the University summer vacation started Vijay decided to go directly to his in-laws place in Ghaziabad thinking that he will plan a visit to Kamakhya Temple in Guwahati with Rajshree. With much enthusiasm he reached Ghaziabad on June 28, 2013, however to his utter surprise Rajshree rudely declined his proposed trip on the pretext that she should be allowed to pursue her career the way she wanted and as such nobody should cause an impediment. Rajshree implored Vijay to spend the entire vacation month of July with her family in Ghaziabad. Vijay reluctantly stayed back, for one week he helped Rajshree in her studies and preparations. On July 4, 2013, Vijay received a call from his father informing him that his mother had been diagnosed with Hepatitis C, as such they, Vijay and Rajshree, must immediately come to Lucknow to tend to her. Hearing the news Rajshree got infuriated, a heated argument ensued between them. Next morning on July 5, 2013 Vijay left for Hyderabad without telling neither Rajshree nor his parents in Lucknow. There was no communication between Rajshree and Vijay since then. On January 28, 2015 Rajshree parents living in Ghaziabad received notice for petition for restitution for conjugal rights against Rajshree filed by Vijay in a District Court in Hyderabad. Since Rajshree was no more staying with her parents they immediately couriered it to her address in RK Puram, N. Delhi, where she was working as an adhoc teacher in a reputed school in the area.

In light of the given facts and circumstances imagine that Rajshree had approached you as a lawyer and as such discuss the relevant concepts, issues, jurisdiction and status of marriage and ensuing rights and remedies available to Rajshree as per provisions of Hindu law and on decided cases. **20 Marks**

2. In illustration Gyan, the Hindu husband, and Bindu the Hindu wife, residing in Dishad Garden, Delhi were married according Hindu marriage rites and ceremonies were married since 2010. During the course of their marriage, there were stray incidents of physical abuse inflicted on Bindu by Gyan when he would get drunk. Distraught from her marriage Bindu, the wife, came in contact with her ex-lover, Chunky. On May 23, 2014 Gyan chanced upon the mobile phone of Bindu, where he got to read text messages exchanged between Bindu and Chunky, indicating that Bindu was pregnant. On the basis of the text message Gyan accused Bindu of committing adultery with Chunky which Bindu vehemently refuted and in the heat of argument Gyan physically assaulted Bindu. On May 25, 2014 Bindu, after consulting Chunky, decided to file petition for dissolution of marriage.

In light of the given facts and circumstances discuss the relevant concepts, issues, status of marriage of the parties and matrimonial remedies available to the parties under Hindu law with the help of relevant provisions of the law and on decided cases. **10 Marks**

3. In a fit of anger Farhan, age 35, a Muslim male, resident of Laktokia, Guwhati governed by Sunni law compared his wife Neerja, age 25, a female Muslim, resident of Laktokia, with his mother on March 12, 2016. Neerja being an assertive woman took it as an attack on her pride and dignity. She construed her husband demeanor as an intent for dissolution of marriage as such she decided to live separate from her husband on the night of March 12, 2016 itself and thus left for her paternal home in Six Mile, Guwahati. Regretting his act Farhan went to meet Neerja at Six Mile but it was of no avail as Neerja was adamant that she wanted divorce along with a fair amount of maintenance for life long.

In the light of the given facts and circumstances discuss the relevant issues and challenges of divorce and maintenance law under Muslim law on the basis of pertinent provisions of law and on decided cases. **10 Marks**

4. Discuss in detail the constitutional challenges faced by the Indian law maker and judiciary in recognizing and protecting the status and rights of different narratives of live in relationships- live in by circumstances and live-in by choice. Support your answer on the basis of latest judicial opinion. **10 Marks**
5. Write an essay on the basis of relevant laws and judicial opinion the concept of the best welfare of the child in the context of either adoption or custody of child keeping in mind the universal rights of the child to family. **10 Marks**

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**4.6 JURISPRUDENCE-II**

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

**INSTRUCTIONS:**

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**Answer any five questions from the following. Q. No. 1 is Compulsory. All questions carry equal marks.**

1. The Supreme Court of India had in *Francis Coralie Mullin v. The Administrator, Union Territory of Delhi* declared, "the right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter and facilities for reading, writing and expressing one-self in diverse forms, freely moving about and mixing and commingling with fellow human beings. Of course, the magnitude and content of the components of this right would depend upon the extent of the economic development of the country, but it must, in any view of the matter, include the right to the basic necessities of life and also the right to carry on such functions and activities as constitute the bare minimum expression of the human-self."

In legal theory a distinction has been made between negative and positive rights on the ground that a negative right requires non-interference whereas positive right requires positive acts to be done. However, when it comes to constitutional rights enforcement this distinction gets quite indistinguishable. In the light of the relevant theories as has been discussed critically analyze the view given by the Supreme Court of India as has been mentioned above.

**10 Marks**

2. An analysis of the concept of Rights shows us the complexity in its internal structures as the general concept can be broken down to various component forms. With the help of relevant example describe the various component forms of rights as has been developed Wesley Newcomb Hohfeld by differentiating them from one another.

Can Fundamental Rights be defined in terms of Hohfeldian forms of Rights? Explain with relevant examples.

**6+4=10 Marks**

3. John Francois Lyotard defines Postmodernism as incredulity towards metanarratives. What according to you are the effects of this philosophical attitude on Positivist and Rational Natural law school of Jurisprudence? Does deconstruction have anything to do with law and justice? Explain.

**5+5=10 Marks**

4. With the help of relevant examples explain the differences in the Bundle Theory and Full Liberal Ownership Theory of Property.

By analyzing various theories as has been discussed examine the various grounds for the justification of private property and define its scope and extent.

**5+5=10 Marks**

5. What do you understand by Ownership? By analyzing the various components of rights as has been discussed by Wesley Newcomb Hohfeld explain the various incidents of ownership. What are the different kinds of Ownership? **2+4+4=10 Marks**
6. Explain why Possession has been called as legal, non-legal and pre-legal concept. With the help of relevant examples explain the ideas of possession in fact and possession in law. **4+6=10 Marks**

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