

2017-18

Legal Language

Sem V

April / May 2017

QP Code :11467

(3 HOURS)

TOTAL MARKS: 100

N.B. This paper should be answered in **English** only.

1. Do as directed:

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- a) The house is being built by the masons. (Change the voice)
- b) He admitted his mistake. (Change into complex sentence)
- c) Mohan says, "The teacher is not at home." (Change into indirect speech)
- d) The song is very sweet. (Change into Exclamatory sentence)
- e) Milk is more nourishing than any other food. (Change the degree of comparison)
- f) Are not dogs faithful animals? (Change into assertive)
- g) i cannot part with such a nice property said the greedy woman (punctuate the sentence)
- h) State any two features of the law magazine, 'Law Teller'.
- i) Explain the citation:-
Ramesh Chandra v. Veena Saxena, (1982) Cr.L.J. 1426
- j) Give full forms of (i) Bom.L.R. (ii) C.W.N.

2. Write Short Notes on the following: - (Any four)

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- a) Volenti non fit injuria
- b) Res ipsa loquitur
- c) Actus dei nemini facit injuriam
- d) Conviction
- e) Arbitration
- f) Describe the search for case laws in the following instance:
Can a new person be introduced in a firm as a partner?

[TURN OVER

3. Read the following and answer the questions given below: - [Any 2]

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A) THE PROTECTION OF HUMAN RIGHTS ACT, 1993
(Act No. 10 of 1994)

[8th January, 1994]

An Act to provide for the Constitution of a National Human Rights Commission, State Human Rights Commission in States and Human Rights Courts for better protection of Human Rights and for matters connected therewith or incidental thereto.

BE it enacted by the Parliament in the Forty-Fourth Year of the Republic of India as follows:-

1. Short Title, Extent and Commencement.-

- (1) This Act may be called The Protection of Human Rights Act, 1993.
- (2) It extends to the whole of India, Provided that it shall apply to the State of Jammu and Kashmir only in so far as it pertains to the matters relatable to any of the entries enumerated in List I or List II in the Seventh Schedule to the Constitution as applicable to that State.
- (3) It shall be deemed to have come into force on the 28th day of September, 1993.

Identify the following:

- | | |
|-----------------------|----------------------------|
| (i) Short Title | (iii) Date of Commencement |
| (ii) Enacting Formula | (iv) Long Title |

B) THE MEDICAL TERMINATION OF PREGNANCY ACT, 1971
(Act No.34 of 1971)

[10th August, 1971]

An Act to provide for the termination of certain pregnancies by registered medical practitioners and for matters connected therewith or incidental thereto.

BE it enacted by the Parliament in the Twenty-Second Year of the Republic of India as follows:

1. Short title, extent and commencement.-

- (1) This Act may be called The Medical Termination of Pregnancy Act, 1971.
- (2) It extends to the whole of India except the State of Jammu and Kashmir.
- (3) It shall come into force on such date as the Central Government may by notification in the Official Gazette.

Identify the following:

- | | |
|------------------------|------------------|
| (i) Date of assent | (ii) Extent |
| (iii) Enacting Formula | (iv) Short Title |

[TURN OVER

C) **THE MATERNITY BENEFIT ACT, 1961**
(Act No. 53 of 1961)

[12th December, 1961]

An Act to regulate the employment of women in certain establishments for certain periods before and after child-birth and to provide for maternity benefit and certain other benefits.

BE it enacted by Parliament in the Twelfth Year of Republic of India as follows:

1 Short Title, Extent and Commencement.-

(1) This Act may be called the Maternity Benefit Act, 1961.

(2) It extends to the whole of India.

(3) It shall come into force on such date as may be notified in this behalf in the Official Gazette:-

- a) In relation to mines and to other establishment wherein such Persons are employed for the exhibition of equestrians, acrobatic and other performance, by the Central Government.
- b) In relation to other establishment in a State, by the State Government.

Identify the following:

- | | |
|----------------|------------------------|
| (i) Long Title | (ii) Date of Assent |
| (iii) Preamble | (iv) Official Citation |

Q4 Answer all the following: -

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A) Write an Essay on **any one** of the following:-

Indian Legal System-Problems and Challenges

OR

Terrorism and Law

B) Define a Law Report. Write briefly on **any two**.

C) Briefly outline the facts, issues and guidelines given by the Supreme Court in M.C. Mehta v. Union of India (Oleum Gas Leak Case)

OR

D.K.Basu v. State of West Bengal

[TURN OVER

D) Read the following passage and answer the questions given below:-

The importance of studying the role of language in law was realized during the 20th century. The main object of study of law and language is to achieve clarity. The doubt arises due to the use of legal hypothesis having multiple meanings. The main problem of language and law is ambiguity, multiple meanings and doubtfulness in its contents. Interpretation of statutes can be done by means of language which is to be called legal language. However, static form of law can be seen in reports, Constitution and in text books. Dynamic form of law can be seen in judgments, arguments and drafting. Admittedly, language has always remained important in law. Good command over language would make law admissible and application of law would be easy. Thus, if the language used in law is clear, simple and popular, it would be convenient to implement and hence, it would achieve its purpose.

- (i) Which are the forms of law are as mentioned in the above passage?
- (ii) What is the main problem of language and law?
- (iii) Admittedly, how can it be convenient to implement and achieve the purpose of the law?
- (iv) What according to the author is main object of study of law and language?

Legal Language
Sem II
2017-18

Q.P. Code :18407

[Time: Three Hours]

[Marks:100]

Please check whether you have got the right question paper.

- N.B: 1. All Questions are compulsory.
2. Figures to the right indicate full marks.

Q.1 Answer in not more than 2 sentences

20

1. Define Defect under Consumer Protection Act, 1986.
2. Write any two issues of P.V. Narshimharao Vs. CBI Case
3. What is a Writ?
4. Who was David John Ware? What was he suffering from?
5. Write the names of newspapers edited by Bal Gangadhar Tilak.
6. Name two rules of interpretation of statutes.
7. What is a Precedent?
8. What do you mean by "Caveat Emptor"?
9. What is Secularism?
10. What were the issues in Shah Bano Begam case?

Q.2 Write short notes on any four

20

1. Growth of Consumerism in India
2. Rules of Natural Justice.
3. Difference between Directive Principles and Fundamental Rights
4. Lord Denning's view on Contract Law.
5. Trial of Mahatma Gandhi.
6. S. P. Gupta Vs. Union of India.

Q.3 Answer any two of the following

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1. During Emergency many people were arrested without any notice under preventive detention laws. The arrest of these people were challenged in various High Courts.
 - a. Which writ should be filed in the above case?
 - b. What was the view of Supreme Court in the above case about Right to Life and personal liberty?
 - c. Name of the case Law.
2. Rajendra belongs to OBC category and is an employee of the Central Government and married to Manisha a Brahmin girl who is also a class one officer in central government. They want to apply for the UPSC exam as both wish to become IAS officers.
 - a. Can Manisha apply in the OBC category?
 - b. What is Creamy layer?
3. Manorama a hindu girl and Micheal a Christian boy are planning to get married in coming December. They are seeking advice of a lawyer on this issue.
 - a. Under which Act the marriage between Manorama and Micheal will be governed?
 - b. Write the importance of this Act in today's modern time.

Q.4 Answer any four

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1. Write an essay on "Uniform Civil Court".
2. Who is a consumer? What is the difference between "Contract for Service" and "Contract of Service"?
3. Discuss the trial of Walter Rowland.
4. Describe the basic structure of the constitution with special reference to Keshvananda Bharti Case (AIR 1973 SC 1461).
5. Give your opinion on the use and abuse of Public Interest Litigation with the help relevant judgement.
6. Indian Medical Association Vs. V.P.Shanta (1995) 6 SSC 651.

Legal Language
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Nov ATKY 2017

Q.P. Code :18535

Q.P. Code :18535

[Time: Three Hours]

[Marks:100]

Please check whether you have got the right question paper.

- Q.1** Answer in not more than two sentences. 20
1. Who was the editor of young India?
 2. Define defect.
 3. Who is a public servant?
 4. What is Caveat Emptor?
 5. Who was Lord Denning? From which country?
 6. What do you understand by common law?
 7. What is secularism?
 8. Four pillars of the constitution as given in Preamble.
 9. Write any two issues of the Shah Banu Begum Case.
 10. Who was David John Ware?
- Q.2** Short Notes (Any Four) 20
1. Locus standi
 2. S.P. Gupta Vs UOI
 3. Contract of service & contract for service
 4. Medical service under Consumer Protection Act, 1986
 5. P.V.Narsimharao Vs CBI
 6. Gauriet's Case
- Q.3** Answer Any Two. 12
1. Rita Joseph a christian girl is engaged to a hindu boy Mohan Shah. They plan to marry in coming December 2017.
 - a) Under which Act their marriage will be governed?
 - b) Is it compulsory to register marriages? Give reasons.

2. A convict was not released from the jail after his term for imprisonment was over. He was released only after 14 years after the jail term when it was brought to the notice of supreme court
 - a) Which writ can be issued in the above case for the release of prisoner?
 - b) What is free legal aid?

3. Anuradha is a law student. One day she expresses her anger about illegal parkings on the side of the roads by writing on her blog. But it did not bring her way desired results. So she decided to take recourse to legal action in the court.
 - a) Is Anuradha entitled to file a petition? Give reasons.
 - b) Which writ can be filed in the above case & under which provisions?

Q.4 Answer Any Four.

1. Write an essay on uniform civil code with the help of landmark S.C.Judgements.
2. Discuss Walter Rawland trial.
3. Explain Judicial Activism of supreme court in the light of landmark Judgements.
4. What is National Emergency? Discuss in the light of A.D.M Jabalpur Vs Shivkant Shukla Case.
5. What do you understand by "Reservation in Public Employment" Discuss with the help of constitutional provisions and supreme court judgements?
6. Who is a consumer? Explain the concepts of consumerism and consumer Rights.

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