

LL.B (SEM R COURSE) YEAR LL.B./BLS COURSE) (SEM ATION, FIRST 16	SEM - I & SEM - V	Legal Language Including Legal Writing and General English.	Friday, April 22, 2016	11:00 a.m. to 02:00 p.m.	25925
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QP Code : 25925

(3 Hours)

[TOTAL MARKS: 100

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

1. Do as directed:

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- Strong winds blew away the roof tops. (Change the voice)
- The father punished his son for telling a lie. (Change into compound sentence)
- "Please wrap the book in a piece of paper", he said. (Change into indirect speech)
- He admitted his fault. (Change into complex sentence)
- Very few countries are as secular as India. (Change the degree of comparison)
- What a nuisance these noisy loudspeakers are! (Change into assertive)
- i do not expect to be treated with this kindness said the knight oh but u belong to the noble order of the temple answered the pilgrim (punctuate the sentence)
- State any two features of the law magazine, 'Lawyers Collective'.
- Explain the citation:-
Ramdas v/s Chinnappa, (1958) 2 SCC 304
- Give full forms of (i) CWN (ii) DMC

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

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- Salus Populi Est Suprema Lex
- Audi Alteram Partem
- De Minimis Non Curat Lex
- Explain the meaning of i) Custom ii) Justice
- State and explain any two kinds of rights.
- Describe the search for a case law on whether a minor can be a beneficiary under a contract.

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DB-Con. 421-16.

3. Read the following and answer the questions given below:- [Any 2] 12

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) Long Title | (iii) Date of Assent |
| (ii) Official Citation | (iv) Short 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, appoint.

Identify the following:

- | | |
|-------------------------|-----------------------|
| (i) Marginal Notes | (ii) Long Title |
| (iii) Official Citation | (iv) Enacting Formula |

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- 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) Short Title | (ii) Official Citation |
| (iii) Preamble | (iv) Enacting Formula |

Q4 Answer all the following: -

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

Environmental Pollution
Or
Women Empowerment

B) Define a Law Report. Write briefly on **any two** of the following:-

- i) Criminal Law Journal
- ii) All India Reporter
- iii) Consumer Confrontation/INSIGHT.

C) Briefly outline the facts, issues and guidelines given by the Supreme Court in D.K Basu v/s The State of West Bengal.

Or

Oleum Gas Leak Case (M.C. Mehta v/s Union of India)

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

Law is a social phenomenon. When human beings associate themselves in various forms they constitute society. For the cohesion of this society and peaceable resolution of internal conflicts norms or rules of conduct become necessary and gradually evolved. Even in the most primitive society these rules exist. They are sometimes differentiated from law.

Law is a social phenomenon; it is demonstrated by the relativity of law. While law as such exists in all societies, the particular social institution differs from society to society. The institution of marriage is a social phenomenon. But in certain societies, marriage is a contract while in other societies marriage is a sacrament. Some societies insist on monogamy, while others permit polygamy and polyandry. In certain societies, the breach of matrimonial bond, for instance by the commission of adultery, is punished as a crime while in other societies it is treated as tortious liability giving rise to claim for damages. The needs of society breed law. These needs being divergent, different rules of law in respect of the same social institution make their appearance.

This great relativity of law was first noticed by Greek jurists. That portion of law which did not vary from society to society was treated as Natural Law.

It is to be observed that law is a conservative force and so invariably found to be lagging far behind advancing social needs. In a changing society needs of people change from time to time. This is the peculiarity of an advancing as distinguished from a stationary culture. In a progressive society law has to keep pace with the changing needs of society. Law has to undergo a progressive change if it has to subserve the needs of the society which it seeks to govern.

For every legal system it is essential that it should be in conformity with natural law because society itself is a part of nature and in this universe no one can remain in natural existence if its actions are not in conformity with actions of nature. Hence society of which is individual should behave naturally to avoid punishment of the Mother Nature.

- i) How is society constituted? And what is necessary for the cohesion of this society?
- ii) How is the institution different in various societies?
- iii) What is the peculiarity of an advancing culture?
- iv) What is necessary for every legal system and why?