

NATIONAL LAW UNIVERSITY, DELHI
B.A, LLB. (Hons.): I-YEAR, I-SEMESTER
Repeat/Improvement Examinations, February-2013
Paper 1.1: Legal Methods

Time: 2½ Hours

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 except your Roll No.
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Answer all the questions.

- Q.1 Legal theory is ever likely to be final, & any single picture must be a personal one. Explain the statements in the light of the various schools of jurisprudence. **(10 Marks)**
- Q.2 Compare legislation with judicial precedent as a source of law. **(5 Marks)**
- Q.3 Indian Legal Culture is a synthesis of common law & civilian cultures. Discuss. **(5 Marks)**
- Q.4 Explain A.V. Dicey's conception of 'rule of law'. Illustrate with examples from the Indian Legal System. **(8 Marks)**
- Q.5 How is separation of powers maintained through the system of checks & balances in India. **(8 Marks)**
- Q.6 What are the impediments to access to justice in India. How does the law in India seek to overcome these impediments. **(5 Marks)**
- Q.7 What is research? Enumerate basic steps in a research process. Distinguish between doctrinal & empirical research. **(5 Marks)**
- Q.8 Write a short note on alternative dispute resolution mechanisms. **(4 Marks)**

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Paper 1.2: Law of Torts-I

Time: 2½ Hours

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 except your Roll No.

Answer ALL the questions.

1. Critically analyse *Bolam* test. Does it need reconsideration in India? If so, suggest alternative test. **(12 Marks)**
2. Discuss the provisions for seeking compensation under the Fatal Accidents Act, 1855. Elaborate the method of assessment of damage. **(10 Marks)**
3. A rickshaw carrying three passengers was going on correct side of the road when it was hit by a bus coming from the opposite direction on the wrong side of the road. The speed of the bus was very high, so much so that after hitting the rickshaw, it also hit a motorbike coming from the same side from where the rickshaw was coming. Passengers of rickshaw along with the rickshaw driver filed a suit against the bus driver, in which the defendant took the plea that the rickshaw was overloaded. A separate suit by the motor biker was also filed in which the defendant took the plea that he did not have valid licence at the time of accident.

Decide the liability of defendant in both the suits.

(10 Marks)

4. (a) Elaborate upon the *Eggshell skull* rule.
(b) Defendant dropped a lighted cigarette upon a hyper-inflammable carpet, which caught fire and was destroyed. Defendant contended in the suit against him that only reasonably foreseeable damage is actionable and therefore, he should not be held liable for the unforeseeable and remote damages.

Do you agree with him? Give reasons for your answer.

(6+6=12 Marks)

5. Elaborate upon the provisions for compensation to victims of crime.

(6 Marks)

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Paper 1.3: History of Legal and Constitutional Development In India

Time: 2½ Hours

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 except your Roll No.
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- Q1. Why do you think that Regulating Act, 1773 is significant in Indian Legal History?
(10 Marks)
- Q2. Analyse the significance of Government of India Act, 1919 and 1935 in Indian Constitutional History?
(10 Marks)
- Q3. Discuss the need for decriminalizing sex work under the laws considering the historical origin of the profession?
(10 Marks)
- Q4. Write Short Notes on the following: (4 X 5 = 20 Marks)
- a. Treatment of Zimmis during the Mughal Period?
 - b. Introduction of Adalat system by Warren Hastings?
 - c. Judicial Murder of Raja Nandkumar?
 - d. Reasons for increased ahistoricalness among legal fraternity according to Legal Historian Calvin Woodard?

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Paper 1.4: Political Science-I

Time: 2½ Hours

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 except your Roll No.
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Answer ALL the questions.

- Q 1. Write a critical essay on Rawls theory of justice. **(10 Marks)**
- Q.2 Write a critical essay on the purpose of government as elucidated in Hobbesian social contract theory. **(10 Marks)**
- Q.3 Write a critical essay on the purpose of government as elucidated in Lockean social contract theory. **(10 Marks)**
- Q.4 Outline the main achievements of the Indian Constitution. **(10 Marks)**
- Q.5 What are the shortcomings of the natural subordination theory of political authority? **(10 Marks)**

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Paper 1.5: English

Time: 2½ Hours

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 except your Roll No.
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Answer ALL the Questions

- Q.1 List ten differences between British and American English in language-use conventions. Give examples, and base your answer on the study material. Answer in about 400 words. **[10 Marks]**
- Q 2. What things did M. K. Gandhi declare to the customs officials at the French Sea port of Marseilles on his way to the Second Round Table Conference? What is revealed about him from this declaration? Write in about 400 words. **[10 Marks]**
- Q 3. Compare the structure of the two parables, viz. 'Before the Law' and 'An Imperial Message' by Franz Kafka in about 400 words. Point out the similarities and differences between the two. **[10 Marks]**
- Q 4. What are the main themes explored by Frances Ellen Watkins Harper in her poem 'The Slave Auction'? Describe in about 400 words. **[10 Marks]**
- Q 5. Draw a character sketch of Shylock, as depicted in Act IV, Scene I of the Merchant of Venice in about 400 words. **[10 Marks]**