

Sem-I

Legal Language

Dec. 2014

QP Code : 17692

(3 Hours)

Total Marks: 100

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

1. Answer the following: -

Marks: 20

- a) Give the order. (Change the voice)
- b) In spite of riches, he is unhappy (Change into a compound sentence)
- c) The stranger asked me, "Where do you live?" (Change into indirect speech)
- d) He owed his success to his teacher. (Change into a complex sentence)
- e) How beautiful is the night! (Change into assertive sentence)
- f) No poet of India has been as great as Tagore. (Change the degree of comparison)
- g) we should live soberly prudently and industriously at all times (punctuate the sentence)
- h) State any two features of the magazine, 'Law Teller'.
- i) Explain the citation :- Raghavan v. Sumitradevi, (1989) 2 SCC 470
- j) Give full forms of (i) C.C.C. (ii) A.C.J.

2. Write short notes on any four of the following:

Marks 20

- a) Ignorantia Facti Excusat, Ignorantia Juris Non Excusat
- b) Respondeat Superior
- c) Res Ipsa Loquitur
- d) Explain the meaning of i) Affidavit ii) Power of Attorney
- e) State and explain any two kinds of Laws.
- f) Describe the search for a case law on whether a master is vicariously liable for a civil wrong.

**[TURN OVER]**

**CX-Con: 10706-14.**

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

Marks: 12

A)

**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 the 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 any other establishment wherein such persons are employed for the exhibition of equestrians, acrobatics 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) Long Title

(iii) Enacting Formula (iv) Preamble

(B)

**THE PROTECTION OF HUMAN RIGHTS ACT, 1993**

(Act No.10 of 1994)

[8<sup>th</sup> 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:-

**[TURN OVER]**

## 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 28<sup>th</sup> day of September, 1993.

Identify the following:-

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

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

[10<sup>th</sup> August, 1971]

An Act to provide for the termination of certain pregnancies by registered medical practioners 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) 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:-

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

## 4. Answer all the following: -

Marks: 48

(a) Write an essay on any one of the following:-

White Collar Crimes

Or

Legal Education System in India

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

i. All India Reporter

**[TURN OVER]**



- ii. Criminal Law Journal
- iii. One India, One People

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

Or

Briefly outline the facts, issues and guidelines given by the Supreme Court in Vishakha and others v/s The State of Rajasthan

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

Recognizing that the family is the most desired environment for senior citizens/parents to lead a life of security and dignity and to ensure that the progeny performs its moral obligation towards their parents who may otherwise be left uncared for and destitute in their old age, the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 aims at ensuring that maintenance of older parents by their family will be a matter of right for the parents. The legislation also aims at creating an enabling mechanism for the older persons to claim need based maintenance from their children.

Even after legally providing for maintenance by lineal descendants, the need for Old Age Homes exists for the care and protection of the indigent older persons. This is because some older persons may be without any family support or their children may all be settled abroad, or they may not be able to live amicably with their children for any reason. The legislation, therefore, provides for the setting up of old age homes, at accessible places, by the State Governments in a phased manner beginning with at least one in each district, or more than one, to accommodate in such homes a minimum of 150 indigent beneficiaries.

An increasing number of older persons, who are economically self-sufficient, are living alone voluntarily or involuntarily. These people are increasingly becoming soft targets of anti-social elements and as such there is a need to ensure that they are provided with a suitable mechanism for protection of their lives and property. The said legislation envisages to provide for the institutionalization of a suitable mechanism by the State Governments for protection of life and property of older persons and senior citizens.

- 1) What is the aim of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007?
- 2) Why is there a growing need for old age homes?
- 3) What does the legislation provide for?
- 4) Which option do you think is a better one-family or old age home? Why?

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