

Sem.

Legal Language

April 2015

QP Code : 13016

TOTAL MARKS: 100

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

3 HOURS

1. Do as directed:

Marks: 20

- a. The people will make him President. (Change the voice)
- b. The stranger enquired where I lived. (Convert in direct speech)
- c. He is greater than me. (Change into Negative Sentence)
- d. No other metal is as useful as iron. (Change the degree of comparison)
- e. We must eat, or we cannot live. (Change into a Simple Sentence)
- f. When can their glory fade? (Convert into assertive sentence)
- g. when i was in delhi i visited the red fort qutub minar raj ghat india gate and chandni chowk (Punctuate the sentence)
- h. State any two features of the magazine 'One India One People'.
- i. Give the full forms of the following. (1) Cr. L. J. (2) S.C.C.
- j. Explain the Citation: Bachchan Singh v/s. State of Maharashtra AIR 2013 SC 214

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

Marks: 20

- a) Rex Non Potest Peccare.
- b) De Minimis Non Curat Lex.
- c) Volenti Non Fit Injuria.
- d) Explain the meaning of (1) Acquittal (2) Discharge
- e) State and explain any two kinds of Writs.
- f) Describe the search of a case law on whether minor's contract is void-ab-initio.

3. Answer any two of the following:

Marks: 12

Answer the following questions with reference to the Legislative Extract given below:

(A) 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.

FN-Con. : 5465-15.

[TURN OVER

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 to 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) Long Title | (ii) Date of Assent |
| (iii) Date of Commencement | (iv) Short Title |

(B)

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) Enacting Formula |
| (iii) Official Citation | (iv) Date of Enforcement |

(C) THE PROTECTION OF HUMAN RIGHTS ACT, 1993

(ACT NO. 10 of 1994)

[08th 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 | (ii) Date of Assent |
| (iii) Short Title | (iv) Date of Commencement |

4. Answer all the following: -

Marks: 48

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

Abolishment of Capital Punishment

OR

Decriminalization of Section 377 of Indian Penal Code

(B) State the guidelines given by the Supreme Court in M.C. Mehta v/s U.O.I.

OR

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

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

- i. Criminal law Journal
- ii. All India Reporter
- iii. Supreme Court Cases

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

A stout old lady was walking with her basket down the middle of a street in Petrograd to the great confusion of the traffic and with no small peril to herself. It was pointed out to her that the pavement was the place for pedestrians, but she replied: 'I'm going to walk where I like. We've got liberty now.' It did not occur to the dear old lady that if liberty entitled the pedestrian to walk down the middle of the road, then the end of such liberty would be universal chaos. Everybody would be getting in everybody else's way and nobody would get anywhere. Individual liberty would have become social anarchy. You have submitted to a curtailment of private liberty in order that you may enjoy a social order which makes your liberty a reality. Liberty is not a personal affair only, but a social contract. It is an accommodation of interests. In matters which do not touch anybody else's liberty, of course, I may be as free as I like. If I choose to go down the road in a dressing-gown who shall say me nay? You have liberty to laugh at me, but I have liberty to be indifferent to you. You and I please ourselves and ask no one's leave. We have a whole kingdom in which we rule alone, can do what we choose. But directly we step out of that kingdom, our personal liberty of action becomes qualified by other people's liberty. I might like to practice on the trombone from midnight till three in the morning. If I went on to the top of Everest to do it, I could please myself, but if I do it in my bedroom my family will object, and if I do it out in the streets the neighbors will remind me that my liberty to blow the trombone must not interfere with their liberty to sleep in quiet. There are a lot of people in the world, and I have to accommodate my liberty to their liberties.

We are all liable to forget this, and unfortunately we are much more conscious of the imperfections of others in this respect than of our own. A reasonable consideration for the rights or feelings of others is the foundation of social conduct.

1. What according to the author would be social anarchy?
2. What is Liberty described as in the above passage?
3. When does one's personal liberty of action become qualified by other people's liberty?
4. What do we all tend to forget?
5. What is the foundation of social conduct?
6. Provide a suitable title for the above passage.