

Legal Language.

Sam-I. 130.1.2017/11.00 to 20

Q. P. Code : 302802

Legal Language Jan - 2017

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

(3 HOURS)

8 - 1

TOTAL MARKS: 100

1. Do as directed:

- Workers were digging a canal. (Change the voice)
- How wonderful is this place! (Change into assertive sentence)
- The Teacher asked the students, "What do you mean by life?" (Change into indirect speech)
- No actor of India has been as successful as Amitabh Bacchan. (Change the degree of comparison)
- when i was a student I attended all lectures events and participated in competitions (Punctuate the sentence)
- He is greater than me (Change into negative sentence)
- What is an Affidavit?
- State any two features of law magazine 'One India, One People'.
- Explain the citation:-
Raghuram Patel v. Rajan Joshi, AIR 1997 SC 452
- Give the full forms of (1) DMC (2) CPJ

Marks: 20

2. Write short notes on the following: (Any four)

- Ubi jus ibi remedium
- Caveat emptor
- Respondeat superior
- Explain the meaning of Conviction and Writs
- Complaint and Pleint
- Describe the search for case laws in the following instance:
The right of maintenance of Hindu divorcee wife.

Marks: 20

3. Answer any two of the following:

Marks: 12

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 State and Human Rights Courts for better protection of Human Rights and for the matter 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.-

- This Act may be called the Protection of Human Rights Act, 1993'
- It extend 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 matter relatable to any of the entries enumerated in List II in the schedule to the Constitution as applicable to that State.
- It shall be deemed to have come in force on 28th day of September 1993.

Identify the following:-

- | | |
|------------------------|--------------------------|
| i) Enacting formula | ii) Short title |
| iii) Official citation | iv) Date of commencement |

[TURN OVER

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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 persons are employed for the exhibition of equestrian, acrobatic and other performances, by the Central Government;
- (b) in relation to other establishment in a State, by the State Government

Identify the following:-

i) Short title

ii) Marginal notes

iii) Long title

iv) Enacting formula

C.

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 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) Official citation

ii) Long title

iii) Date of Assent

iv) Date of commencement

4. Answer all the following:

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

Effect of demonetization

OR

Uniform Civil Code: Is it the right time to implement?

(B) Define Law Reports? Write briefly on any two of the following:

(i) Criminal Law Journal

(ii) All India Reporter

(iii) Supreme Court Weekly

Marks: 48

(C) Briefly outline the facts, issues and guidelines in any one of the following:

D. K. Basu v. State of West Bengal

OR

Vishakha v. State of Rajasthan

(D) Read the following passage and answer the question below: -

What does social democracy mean? It means a way of life which recognises liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty would produce the supremacy of the few over the many. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them. We must begin by acknowledging the fact that there is complete absence of two things in Indian Society. One of these is equality. On the social plane, we have in India a society based on the principle of graded inequality, in which there are some who have immense wealth as against many who live in abject poverty. On the 26th of January 1950, we have entered into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics, we will be recognising the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy.

- (a) What does social democracy mean?
- (b) Accordingly to the author, what is Absence in Indian Society?
- (c) What contradiction is pointed out by the author?
- (d) Explain the expectation of author behind principle of 'one man one value'.
