

PARUL UNIVERSITY**FACULTY OF LAW****B.A. LL.B. / B.Com. LL.B. / B.B.A. LL.B. Summer 2018 – 19 Examination****Semester: 2****Date: 17/04/2019****Subject Code: 17393152****Time: 10.30 am to 1.00 pm****Subject Name: English Literature and Legal Language II****Total Marks: 60****Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 Do as directed.**A) Objective type questions. (½ Mark Each) (Any 16)****(08)**

1. What transition words do in a sentence?

a) make it easier to say	b) to connect sentences
c) Just for Fun	d) None
2. The transition word “equally “ is in which category ?

a) Compare	b) Add
c) Both	d) None
3. Add the correct transition word in the following sentence. Everyone knows that having their cell phone in the classroom is unacceptable _____ people still bring it.

a) First	b) However
c) Then	d) None
4. Add the correct transition word in the following sentence. _____ I clean my room ____ I eat my breakfast.

a) First, also	b) First then
c) Both	d) None
5. In the following sentence .How many transition words are there? First I went to the mall then I went back to my home where I also ate a pizza.

a) 2	b) 3
c) 1	d) None
6. Add the correct transition word in the following sentence. I haven't got my dinner ____ .

a) although	b) yet
c) Both	d) None
7. Put the right transition word in the following sentence .I like to sing _____ it helps me having friends.

a) Because	b) add
c) Also	d) Next
8. In the following sentence. How many transition words are there? Yesterday, I went to my uncle's house because it was his birthday, Also I saw my best friend Leon.

a) 2	b) 3
c) 1	d) 0
9. Put the right transition word in the following sentence. Each day, I go to the supermarket _____ I go to the pharmacy.

a) Also,	b) because
c) of course	d) None
10. Honesty is the _____ policy of all.

a) best	b) better
c) both	d) None
11. The turtle is the _____ of all.

a) Slowest	b) slow
c) slower	d) None
12. Everyone Knows that Mary is the _____ at mathematics.

a) smartest	b) smarter
c) smart	d) None

13. Copyright is an exclusive right granted to someone who creates a literary, artistic, musical or other creative work

- a) True
- b) False
- c) Both
- d) None

14. A patent gives an inventor the exclusive right to exploit an invention for a period of 20 years.

- a) True
- b) False
- c) Both
- d) None

15. A trade mark is a design, logo or wording which distinctively identifies a product.

- a) True
- b) False
- c) Both
- d) None

16. Debts means "money owed."

- a) True
- b) False
- c) Both
- d) None

17. operating costs means "money spent on running a business"

- a) True
- b) False
- c) Both
- d) None

18. Capital reserves means "money owned by a company."

- a) True
- b) False
- c) Both
- d) None

B) Objective type questions) (½ Mark Each) (Any 16)

(08)

1. Our company expanded _____ we hired new personnel.

- (a) Therefore
- (b) Moreover
- (c) because
- (d) since

2. _____ an invoice is paid by cheque, make sure it is deposited as soon as possible

- (a) Whenever
- (b) Both
- (c) Until
- (d) None

3. Please be on time _____ try to be early.

- (a) Moreover
- (b) Both
- (c) However
- (d) None

4. _____ the boss arrives, I am the who makes rules

- (a) Until
- (b) Both
- (c) since
- (d) None

5. She was attractive _____ she was not beautiful.

- (a) Moreover
- (b) Both
- (c) although
- (d) None

6. We hope to receive the order on time _____ we will cancel it .

- (a) further
- (b) Both
- (c) otherwise
- (d) None

7. _____ last week ,she has not been the same

- (a) Otherwise
- (b) Both
- (c) Since
- (d) None

8. Betty had seniority, _____ she was laid off.

- (a) Otherwise
- (b) Both
- (c) however
- (d) None

9. _____ to your request of last week, we are sending you a catalog

- (a) Since
- (b) Both
- (c) Further
- (d) None

10. She feels like giving up her job _____ of the consequences she will face.

- (a) As if
- (b) Both
- (c) regardless
- (d) None

C. Match the following

1. bail out
2. drawn on
3. set back
4. go under
5. put up
6. write off
7. wind up
8. wipe out

- a) to destroy, eliminate
- b) to dissolve a company
- c) to cancel the record of a bad debt
- d) to provide money for an enterprise
- e) to become bankrupt
- f) to delay or impede the progress of something
- g) to obtain money from an existing source
- h) to rescue

Q.2 A) Read the comprehension passage below and answer the following questions: (Any 8 out of 9) (08)

How the Right to Compensation Was Crystallized

In the decade following *Rudul Sah*, the Supreme Court awarded small sums of compensation as redress for the violation of the right to life under the Constitution. In *Bhim Singh v. State of Jammu and Kashmir*, Bhim Singh, a member of the Legislative Assembly of Jammu and Kashmir, was unlawfully arrested to prevent him from attending an Assembly session. His wife filed a petition before the Supreme Court seeking his release. Though Bhim Singh was released before the hearing, the court observed that in such cases of illegal detention, the illegality could not be ‘washed away or wished away’ merely by freeing the person. Since it had the power to award monetary compensation, the court ordered the state to pay Bhim Singh the suitable sum of 50,000 rupees. The court did not elaborate how the amount of compensation was calculated.

In another case, the Delhi Police colluded with a landlord who wanted to unlawfully evict two female tenants. The two women were beaten up and the nine-year-old son of one of them died due to police brutality. The court ordered compensation of 75,000 rupees to be paid to the mother for the murder of her child.

In another blatant violation of fundamental rights, police authorities in Sholapur, Maharashtra paraded an undertrial prisoner (accused of murder) through the streets, his hands cuffed and his arms tied together. The Supreme Court ordered the state of Maharashtra to pay compensation for this unpardonable act of humiliation, but set the amount at merely 10,000 rupees.

Finally, it was a case involving the high-handedness of Orissa police officials that provided the Supreme Court an opportunity to systematically analyse the right to seek compensation for infractions of Article 21. In *Nilabati Behera v. State of Orissa (Nilabati Behera)*, the court took a simple letter sent by Nilabati Behera to the Supreme Court—stating that her twenty-two-year-old son Suman Behera had died in police custody—and converted it into a writ petition. The Orissa police had arrested Suman for allegedly committing a theft. Barely a day after he was taken into custody, his dead body was found near a railway track. The lacerations on his body suggested that he had died an unnatural death. His mother sought compensation, claiming that the police had violated her son’s right to life under Article 21. Countering that Suman had escaped from police custody and was run over by a passing train, the police and the state disclaimed responsibility for his death. Interestingly, the Additional Solicitor-General appearing for the state did not dispute the state’s liability to pay compensation if it were established that Suman actually died in police custody. A doctor deposed before the court that all of Suman’s injuries were caused by blunt objects and could have been the result of lathi blows. The medical evidence dismissed the possibility of injury in a train accident.

The court distinguished between the ‘public law’ remedy of compensation for the violation of fundamental rights from ordinary remedies via private law proceedings like civil suits. The court also took into account ‘sovereign immunity’ on account of which the state and its officers are immune from legal proceedings relating to any act done in the exercise of the state’s ‘sovereign functions’. In *Nilabati Behera*, the court asserted that the sovereign immunity defense would not be available in public law proceedings under Article 32 or 226 of the Constitution, though it could apply to proceedings in private law involving torts committed by the state. The court also watered down the caveats it had imposed in *Rudul Sah* on awarding compensation for violation of the right to life, stating that it was an ‘acknowledged remedy for enforcement and protection’ of fundamental rights. It stressed that it would be highly inequitable and unjust to expect a socio-economically disadvantaged person—who did not possess the wherewithal for enforcement of his rights in tort law—to pursue ordinary civil proceedings. It awarded a compensation of 1.5 lakh (150,000) rupees to Nilabati Behera and ordered the state of Orissa to initiate criminal proceedings against those who killed her son.

Thus, for the very first time, the Supreme Court drew the distinction between compensation as a remedy in public law and private law proceedings. Until the *Nilabati Behera* judgement, compensation was granted on an ad hoc basis, without any structured formulation. The Supreme Court crystallized this remedy into a rule of law through its verdict in 1993.

1. Why did the court order the state to pay Bhim Singh a sum of 50000 rupees?
2. Describe the incident occurred in Sholapur, Maharashtra.
3. What happened to Suman Behra?
4. How did the court distinguish between the 'Public Law' and the 'Private Law'.
5. On what charges was Suman arrested?
6. How and when was the right to compensation crystallized?
7. What is Sovereign Immunity?
8. What reasons did the police officials give for Suman's death?
9. Is it inappropriate to award compensation to victims on an ad hoc basis? Why?

B) Reflect your opinion on "Laws and Procedures: Sexual Harassment in the Workplace." (06)

Q.3 A) Answer the following questions. (Interview Skills) (Any 4 out of 5) (08)

1. Why should we hire you?
2. What are your strengths?
3. Where do you see yourself 3 years from now?
4. What is more important for you: Work satisfaction or high salary? Why?
5. What are your weaknesses?

B) Write your own Resume in an appropriate format. (06)

Q.4 A) Answer the following questions. (In about 150 words) (Any 2 out of 3) (12)

1. Write a paragraph on "Why I Want to Be a Lawyer."
2. Write a letter to police Commissioner of your area informing him about some suspicious activity you have witnessed in nearby market place.
3. Write a paragraph on "trademark."

B) Picture Description. (04)



OR

B)



(04)