

PARUL UNIVERSITY**FACULTY OF LAW****B.A. LLB. / B.Com. LL.B./ B.B.A. LL.B. Winter 2017 – 18 Examination****Semester: 1****Subject Code: 17393101****Subject Name: English Literature & Legal Language****Date: 20/12/2017****Time: 10.30 am to 1.00 pm****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.

Do as directed. (Any 16 out of 18)

A) Fill in the blanks with the correct form of the verbs from the bracket:

(08)

1. She _____ (run) because she's late for her lesson.
2. Our teacher always _____ (give) us lots of homework.
3. We _____ (not want) to go to the concert.
4. What time _____ (you / meet) Pete tomorrow?
5. I _____ (not work) today. I'm on holiday.
6. People _____ (speak) English in Jamaica.
7. Archie _____ (not use) his computer at the moment.
8. _____ (Tony / live) near the park?
9. I dropped my mobile phone when I _____ (to walk) to school.
10. The train _____ (to arrive) and they got on.
11. What _____ (Jamie/ do) when you saw him?
12. It _____ (to rain) when we left the house this morning.
13. Emily wasn't riding her bike when the accident _____ (happen).
14. _____ (they/ sleep) when you phoned them?
15. I ____ (study) English for two years.
16. By the eighteenth century, English shipping _____ (become) as efficient as the Dutch.
17. Do you want to ____ (go/ski) with me?
18. By this time next year he ____ (to graduate) from the university.

(08)

B) Fill in the blanks with the appropriate words from the table: (Any 13 out of 15)

● unfair dismissal	● landlord	● capital	● redundancy
● lease of land and buildings	● maternity leave	● sick pay	● partnership
● formation of a business	● discriminate	● insolvent	● merger
	● tenant	● conveyancing	● real estate

1. To be _____ means not having enough money to pay your debts.
2. A _____ is the joining together of two or more things, such as companies, to form one single thing or company.
3. A _____ is a person who pays rent to the owner of a house, a flat or an office in return for living there, or for using the building for business purposes.
4. _____ is the legal process involved in transferring the ownership of a house or land from the seller to the buyer.
5. To _____ against someone means to behave differently towards that person, usually in the workplace, because of their age, sex or the colour of their skin.
6. _____ is a situation where someone loses his or her job for a reason that is not valid.
7. _____ is money that an employer must pay to an employee when that employee is ill and cannot work.

8. A _____ is an agreement to allow someone to use land or buildings for a fixed period of time in return for a payment of rent.
9. The _____ is the establishment of a new business in a specific way.
10. A _____ is a business which a minimum of two people own and control.
11. _____ is the time period when a woman is not at work before and after the birth of her baby. Her employer usually pays her for part or all of the time that she is away.
12. _____ is the total amount of money, property and other assets that a business has.
13. _____ is a situation where someone loses his or her job because an employer no longer needs so many employees.
14. A _____ is a person who owns a house, a flat or office and receives rent from someone for allowing them to live there, or use the building for business purposes.
15. _____ is a more formal way of saying land and buildings.

Define and describe the following legal terms: (Any 3 out of 4)

16. Maritime Law:
17. Breach of Contract
18. Unfair dismissal
19. Assets

Q.2 A) Read the following comprehension passage and answer the questions given below:

(08)

The Indian Constitution

The internal emergency declared under controversial circumstances by the Prime Minister, Mrs. Indira Gandhi on June 1975, which lasted until 21 March 1977, was a traumatic experience. Indian democratic institutions were subverted and came within a hair's breadth of being permanently undermined. However, by a combination of fortuitous circumstances, democracy and freedom were eventually restored. This essay attempts to recount the events of those two eventful years.

Ironically, Nani Palkhivala played a key role in events leading up to the emergency. In the sixties and early seventies, Palkhivala's name was associated with the great legal battles concerning fundamental rights. He was a living legend amongst the legal fraternity and many thinking citizens. Some of the cases created by Nani Palkhivala created an enormous tension between the executive, led by Mrs. Gandhi, and the judiciary. Matters came to a head following the supreme court's judgement in the famous Fundamental Rights case (Keshavananda Bharti vs State of Kerala 1973), in which the court, by a majority of seven to six, invalidated apportionment (25th amendment) Act, and held that parliament had no power to effect any change to the constitution which would alter its basic structure. Chief Justice Sikri who presided over the Bench, retired on 25th April 1973, a day after that judgement had been delivered. On the day, the three senior-most judges of the court (who had decided against the government) were passed over for the office of chief justice, in violation of the unbroken convention then prevailing of the senior-most judge being appointed to that office. The fourth senior most judge Mr. Justice A.N. Ray, who had decided in favour of the government, was instead chosen for the office. This led to vigorous protest all over India and Nani Palkhivala organised a public meeting in Bombay at which some of the most distinguished lawyers and public figures unequivocally condemned the 'supersession' as subversive of the independence of the judiciary.

On 12th June, 1975, Indira Gandhi lost an important election case before the Allahabad High Court. This court ruled that she was guilty of corrupt electoral practices and had forfeited her right to sit as a Member of Parliament. It also disqualified her from holding any elected office for a period of six years she turned to Nani Palkhivala to present an appeal against this decision before the Vacation Judge of Supreme Court. Palkhivala was asked to obtain an unconditional stay of the operation of the judgement. It was a great tribute to Palkhivala's stature as a lawyer that he was sought out by Mrs. Gandhi, notwithstanding his public and staunch opposition to many of the decisions of her Government. Palkhivala made a strong plea on her behalf for a full stay, arguing that, 'the nation was solidly behind her as Prime Minister and that there were momentous consequences, disastrous to the country, if anything less than the total suspension of the order under appeal were made'. This plea was rejected by the Judge, Justice Krishna Iyer, who, following well-settled precedents, granted only a conditional stay on 24 June, 1975 (Indira Gandhi vs Raj Narain). This disabled Mrs. Gandhi from either voting or speaking as a member of Lok Sabha (The Lower House of the Parliament), although she could attend Parliament and participate in its proceedings as Prime Minister. She had thus become an ineffective and tainted Prime Minister.

1. Which personality is at the centre of this passage?
2. Who declared Emergency in India in 1975?
3. For how many years did the Emergency last?
4. Why was Indira Gandhi ruled guilty by the Allahabad High Court?
5. Give the synonym for the word 'Tainted'.
6. Which was the reason for vigorous protests all over the India?
7. How did the decision of the High Court affect the PM?
8. Which was the concerned battle for Nani Palkhivala?

B) Write a short passage on the article given in Q 2 (A)

(06)

Q.3 Answer the following questions. (Any 5 out of 7)

(15)

1. Mention a few terrorist attacks that led to stringent detention laws.
2. What is Section 377 of Indian penal code? Do you agree with it?
3. Describe the 'SWAT valley in Pakistan.
4. What is Collegium? Is this a fair way to elect Judges?
5. Explain: 'The King should not be under man but should be under God and Law'.
6. What is a PIL? How does it help the common man?
7. What unique provision does the South African Constitution have in its Bill of Rights?

Q.4 A) Descriptive Writing in around 120 words. (Any 3 out of 4)

(15)

1. Describe the following picture in your own words:



2. Write a story on: Transformation
3. Write an Email to your student coordinator complaining about the sub-standard quality of Hostel Food and its adverse effects on health. Also suggest possible measures for it.
4. Write a Paragraph on the Topic: The benefits of Reading.