

NATIONAL LAW UNIVERSITY, DELHI

LL.M. (Professional), Semester-I (Batch of 2020-21)

End -Term (Online) Assessment-2020

Subject: Basic Introduction to the Law & Legal System

Time: 6:00 Hours

Total Marks: 100

INSTRUCTIONS:

1. THE ANSWER SCRIPT SHOULD BE WRITTEN IN CALIBRI FONT. THE FONT SIZE SHOULD BE 12 WITH 1.5 LINE SPACING AND NARROW MARGINS I.E. 1.27 CMS FROM ALL THE FOUR SIDES. THOSE WHO INTEND TO SUBMIT HAND WRITTEN ANSWER SCRIPTS, FOR THEM THE MAXIMUM LENGTH OF THE ANSWER WOULD BE ONE PAGE MORE THAN THAT INDICATED IN THE RESPECTIVE QUESTIONS.
2. THE MAXIMUM LENGTH OF THE ANSWER TO EACH QUESTION IS INDICATED. ANYTHING BEYOND THE PRESCRIBED LIMIT WILL NEITHER BE READ NOR EVALUATED.

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- Q1. Differentiate between formal and substantive conceptions of rule of law while identifying the pros and cons of both of them. In what ways do you think the Indian legal system embodies either of these conceptions of rule of law. **(20 Marks, 2 Pages)**
- Q2. What do you think is the *ratio decidendi* of Wilkinson v. Downtown. Identify the difficulties faced by you in finding out the same and what do these difficulties tell us about the nature of judicial precedent as a source of law. **(20 Marks, 2 Pages)**
- Q3. Read the statute 'The Maintenance and Welfare of Parents and Senior Citizens Act, 2007' and answer the following questions:
- a) Compare section 125 of the Code of Criminal Procedure with the said legislation and cite the current position of law **(10 Marks, 1 Page)**
 - b) Compare chapter III and chapter IV of the statute from the point of view of interpretation of statutes **(5 Marks, Half Page)**
 - c) Summarise the content of the substantive provisions of the statute and the enforcement mechanism. **(20 Marks, 2 Pages)**
- Q4. Answer the following questions based on *Githa Hariharan v. The Reserve Bank of India*:
- a) Analyse the case from the point of view of various approaches to understanding the term 'law.' **(15 Marks, 2 Pages)**
 - b) What insight does the issue offer with respect to the nature of law? **(10 Marks, 1 Page)**