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Term End Examination 2024-2025
Programme – B.A. LL.B.-2022/B.A. LL.B.-2023
Course Name – Legal Method
Course Code - BALLB303
(Semester III)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Identify which of the following is an example of an international law.
- | | |
|--|------------------------------|
| a) Traffic regulations | b) Constitution of a country |
| c) Universal Declaration of Human Rights | d) Employment contracts |
- (ii) Determine the purpose of statutory law.
- | | |
|---|---|
| a) To establish precedents for future cases | b) To resolve conflicts between individuals |
| c) To codify laws enacted by a legislative body | d) To interpret and clarify constitutional provisions |
- (iii) Determine the primary function of administrative law.
- | | |
|---|--|
| a) To regulate the relationship between individuals and the state | b) To define and punish crimes against society |
| c) To protect intellectual property rights | d) To govern international trade agreements |
- (iv) Identify that the customary law is more prevalent in societies that:
- | | |
|---|---|
| a) Have a strong centralized government | b) Emphasize individual rights and freedoms |
| c) Rely heavily on written laws and legislation | d) Place a strong emphasis on community and tradition |
- (v) Identify that when a conflict arises between custom and enacted law, which one typically takes precedence.
- | | |
|---------------------------|--|
| a) Custom | b) Enacted law |
| c) Both have equal weight | d) The decision is left to the discretion of the judge |
- (vi) Cite an example of customary law
- | | |
|--|--|
| a) A statute passed by the legislature | b) A judicial decision interpreting a constitutional provision |
| c) A long-standing practice of resolving disputes within a community | d) A regulation issued by an administrative agency |
- (vii) Identify the object of interpretation.

- a) To ascertain the meaning of the words used in a statute. b) To determine the intention of the legislature.
- c) To apply the law to the facts of a particular case. d) To ensure that the law is just and equitable.
- (viii) Indicate the kind of interpretation that is based on the literal meaning of the words used in a statute.
- a) Literal interpretation b) Purposive interpretation
c) Historical interpretation d) Golden rule interpretation
- (ix) Select the rule of interpretation that is most likely to be used when the literal meaning of the words used in a statute leads to an absurd or unreasonable result.
- a) Literal interpretation b) Mischief rule
c) Golden rule d) Purposive interpretation
- (x) Select the correct definition of the supremacy of the Constitution:
- a) The Constitution is the highest law of the land. b) The Constitution is the supreme source of power for all organs of government.
c) The Constitution is the supreme law of the land and the supreme source of power for all organs of government. d) The Constitution is the supreme law of the land, but it can be overridden by the Parliament.
- (xi) Identify the organ of government that has the power of judicial review:
- a) The legislative branch b) The executive branch
c) The judicial branch d) None of these
- (xii) Choose the correct comparison of the supremacy of the Constitution in India and the United Kingdom.
- a) The Constitution is supreme in India, but the Parliament is supreme in the United Kingdom. b) The Constitution is supreme in both India and the United Kingdom.
c) The Parliament is supreme in both India and the United Kingdom. d) The Judiciary is supreme in both India and the United Kingdom.
- (xiii) Predict the outcome of the following case: A person accidentally injures another person while trying to defend themselves from an attack.
- a) The person will be found guilty of assault. b) The person will be found guilty of self-defense.
c) The person will not be found guilty of any crime because they did not have the mens rea required for assault. d) Cannot be predicted without more information.
- (xiv) Complete the following sentence: "Actus non facit reum nisi mens sit rea" means that...
- a) an act does not make a person guilty unless there is a criminal intent. b) strict liability is the imposition of liability without proof of fault.
c) mens rea is a mental element of a crime. d) All of these
- (xv) Select the definition of the Rule of Eiusdem Generis.
- a) A rule of statutory interpretation that states that general words following specific words of a distinct category should be interpreted to have the same meaning as the specific words. b) A rule of statutory interpretation that states that the literal meaning of a statute should be followed.
c) A rule of statutory interpretation that states that the intent of the legislature should be given priority over the literal meaning of a statute. d) None of these

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain the distinctions between general legal customs and local legal customs. (3)
3. Interpret the role of external aids such as parliamentary history and social developments in understanding statutes. (3)
4. Recall any three criticism of Salmond's definition of law. (3)
5. Define law according to the Natural Law School. (3)
6. Reframe the Latin maxim "Ubi jus, ibi remedium" and its significance in legal systems. (3)

OR

Evaluate the principle of "Noscitur a Sociis" and explain its application in interpreting legislation. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Discuss the significance of precedent in the common law system. (5)
8. Interpret and discuss the parts of a judicial decision, specifically 'Ratio Decidendi' and 'Obiter Dictum,' and their significance in forming precedent. (5)
9. Interpret the "Mischief Rule" in statutory interpretation, providing its historical context and explaining its advantages and disadvantages in legal interpretation. (5)
10. Explain the concept of appellate jurisdiction in the Indian judicial system and its significance. (5)
11. Interpret the role of legal research in informing public policy, discussing its impact. (5)
12. Illustrate the role of Public Interest Litigation (PIL) in advancing social justice in India. (5)

OR

Define the principle of "justice, equity, and good conscience" and its origins. (5)

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