



BRAINWARE UNIVERSITY

Term End Examination 2023

Programme – BBA LL.B.-2021

Course Name – Law in a Globalized World

Course Code - BBALLB404

(Semester IV)

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) Choose the correct interpretation of the doctrine of judicial precedent
 - a) a decision of the higher court will bind a lower court
 - b) a decision of the higher court will not bind a lower court
 - c) a decision of the lower court will bind a higher court
 - d) a decision of the higher court will bind a higher court
- (ii) Choose the correct interpretation of the doctrine of stare decisis
 - a) A doctrine of statutory interpretation
 - b) A doctrine of precedent
 - c) A doctrine of legislative powers
 - d) A doctrine of Parliamentary sovereignty
- (iii) Identify the Article under which Equality before Law or the equal protection of the laws has been mentioned in the Indian Constitution
 - a) Article 21
 - b) Article 25
 - c) Article 19
 - d) Article 14
- (iv) Identify the main basic principle of common law
 - a) Legal statutes
 - b) Judge made precedents
 - c) Customs
 - d) Conventions
- (v) CEDAW applies to:
 - a) Women only
 - b) Girls and women of all ages
 - c) Adolescent girls and women only
 - d) Only aged women
- (vi) Choose the landmark case that testified the enforcement of fundamental rights of working women and to prevent sexual harassment of working women in all workplaces
 - a) Vishakha v. State of Rajasthan
 - b) Madhu Kishwar v. State of Bihar
 - c) Githa Hariharan v. RBI
 - d) Anjali Roy v. State of W.B
- (vii) Indicate the concept on which Classical hindu law is based upon
 - a) Smriti
 - b) Dharma
 - c) Shashtra
 - d) Equality
- (viii) Choose the provisions which articulate the constitutional vision of Justice in India

- a) Free and Independent Judiciary
c) Fundamental Duties
- b) Directive Principles of State policy
d) Special Status to the State of Jammu and Kashmir
- (ix) Indicate the term best referred to the belief that one racial category is innately superior or inferior to another
a) prejudice.
c) stereotype
- b) racism
d) discrimination.
- (x) Choose the Convention which outlaws Hate Speech
a) International Covenant on Civil and Political Rights
c) Convention on the Rights of the Child
- b) International Covenant on Economic, Social and Cultural Rights
d) International Convention on the Elimination of All Forms of Racial Discrimination
- (xi) Choose the case decided by the Indian Judiciary provided jurisprudential genesis for human rights development in India
a) Visakha v. State of Rajasthan
c) Maneka Gandhi v. Union of India
- b) M.C. Mehta v. Union of India
d) Mandal Case
- (xii) Interpret the legal nature of the Universal Declaration of Human Rights
a) It is a UN General Assembly resolution.
c) It is part of the American Constitution
- b) It is a UN Security Council resolution
d) It is a multilateral treaty
- (xiii) Select the following category of Fundamental Rights which incorporates 'Abolition of Untouchability'
a) Right to Religion
c) Right to Freedom
- b) Right to Equality
d) Right to Exploitation
- (xiv) Identify the case in which guidelines for arrest of persons by the police were given by the Supreme Court
a) Maneka Gandhi vs. Union of India
c) Hussainara Khatoon vs. State of Bihar
- b) Auto Sankar vs. State of Tamil Nadu
d) D.K. Basu vs. State of WB
- (xv) Establish Public Interest Litigation in India is linked to which of these:
a) Judicial Review
c) Judicial Intervention
- b) Judicial Activism
d) Judicial Sanctity

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Discuss the concept of common law and equity law (3)
3. Discuss the main provisions of Geneva Conventions (3)
4. Discuss two landmark cases on Child labour in India (3)
5. Define Precedent and describe its characteristics (3)
6. Appraise the significance of Universal Declaration of Human Rights (3)

OR

Distinguish between ICCPR and ICESCR (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Analyze Public Interest Litigation as a tool of social transformation. (5)
8. Write a review on CEDAW and India's position on it (5)
9. Illustrate the foundation of the doctrine of stare decisis and its position in India (5)
10. Define Civil law and discuss its main characteristics with examples based in the Indian context. (5)
11. Write a note on Alternative Dispute Resolution System. (5)
12. Appraise the significance of Judicial Contribution in bringing Social Change. (5)

OR

Assess the challenges before the Indian legal system and recommend necessary reforms. (5)
