

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Term Examination, MAY 2021

Course: Legal Methods and Legal Reasoning	Semester: II
Program: BBA LLB ITIL/BFIL, BA LLB EL, BBA LLB CL, BA LLB CL/LL/CL	Time: 03 hrs.
Course Code: CLCC1001	Max. Marks: 100
Instructions: Attempt all questions.	

SECTION A

Each Question will carry 5 Marks.

S. No.		CO
Q1.	Define Morality. Explain the relationship between Law and Morality.	CO1
Q2.	Explain the deductive methods of legal reasoning.	CO4
Q3.	Explain delegated and subordinate legislations.	CO3
Q4.	Provide differences between doctrinal and empirical research.	CO4
Q5.	Explain The Planning Stage in research.	CO4
Q6.	Briefly explain the concept of “Social Engineering”.	CO1

SECTION B

- 1. Each question will carry 10 marks**
- 2. Write short / brief notes.**

Q7.	<p>Although our Constitution is called ‘a bag of borrowings’, the constitution framers do deserve the credit for gathering the best features of each of the existing Constitutions. To support the above statement, explain the salient features of the Constitution of India.</p> <p style="text-align: center;"><u>OR</u></p> <p>Alternative Dispute Resolution mechanism provides scientifically developed techniques to Indian judiciary, which helps in reducing the burden on the courts. ADR provides various modes of settlement including, arbitration, conciliation, mediation, negotiation and Lok Adalat. Analyze the statement and explain providing differences between the any two modes of ADR.</p>	CO2
Q8.	Why judicial precedents are an important tool in promoting consistency within the legal system. Explain.	CO3
Q9.	“You see something related to your assignment topic that you really find relevant, so you copy and paste in your own assignment without giving a credit to the actual author.” The above	CO4

	conduct amounts to plagiarism or not? If it is then in the light of definition of plagiarism, explain the types of plagiarism and its consequences?	
Q10.	Briefly discuss different tools of data collection. Discuss the observation method of data collection along with its merits and demerits.	CO3
Q11.	Briefly explain the Analytical and Historical School of Law and point out four differences between Analytical School of Law and Historical School of Law.	CO4 CO1
SECTION-C		
<p>1. Attempt any one. 2. Each Question carries 20 Marks. 2. Write long answers.</p>		
Q12.	<p>“India is considered to be the land of colours, the land of diversity. With a landscape bridled with such diversity, it had become almost impossible for law to percolate into the practices of the local folks everywhere. Consequently, men and women have always conformed to their prevailing customs and practices to regulate their lifestyles. The Judiciary at certain instances has intervened to check the arbitrary imposition of such customs. In doing this, however, the courts always have to consider that the black letter law first as the superior law in our country and then examine customary law and cultural practices so that they can be taken into account as long as they do not unreasonably contradict the law. The examples of such instances may include firstly, <i>Sabarimala Temple</i> case wherein the Court lifted the ban on the entry of women aged 10-50 years in the historical temple of <i>Sabarimala</i> in Kerala and opened gates to women of all ages. Secondly, <i>Shayara Bano’ triple talaq judgment in which Supreme court banned</i> the arbitrary and whimsical practice of <i>triple talaq</i> and lastly <i>the judgment in Animal Welfare Board of India v. A. Nagaraja</i> wherein the apex court expanded the scope of justice not only to humans but also to animals when it banned the use of bulls in Jallikattu.”</p> <p>The above mentioned extract is Authored by Sahajveer Baweja in article titled “Remembering the Sabarimala Verdict: A Conflict of Customs and Law” in the Journal of Indian Law Institute published in volume 62, page no 224 in year 2020.</p> <p>Analyse the abovementioned and answer the following questions:</p> <p>a) Discuss the requisites of a valid custom and enumerate some customs, which have been integrated into law. (10 Marks)</p> <p>b) Whether customary law have a binding force. (5 Marks)</p>	CO4

- c) Arrange the above-mentioned information using standard modes of citation followed in ILI style of footnoting or Blue book 20th Edition. **(5 Marks)**

OR

COVID – 19 pandemic is not only affecting health of the citizens but also impeding various industries and trembles them to their roots. Corona virus pandemic has notably thrown various sectors in India like oil, gas, agriculture, automobiles, aviation, retail, etc into disorder. Hardly any sector would remain unaffected with the havoc created by this latest pandemic. Same is with the education sector. This pandemic not only affected education sector in India but also around the world. Most of the governments, around the world, have temporarily shut down the schools and colleges in order to contain the spread of virus. Closure of educational institutions not only affected students, teachers and schools but also leave impact on societal and economic structure. All the recognized boards, be it ICSE, CBSE, IB or all recognized state boards have either cancelled or postponed their examinations. Institutions like IIT's; IIMs have also closed their campuses and shifted to online mode of classes. Most of the competitive exams like NEET, GATE, NET, GMAT remains suspended and the future of the students remain in dilemma.

Learning should never be stopped. In order to keep in mind this statement, every educational institute is using the digital method for learning and teaching and it gives rise to artificial intelligence. Now we no longer assume that traditional classrooms are the best method of teaching as it is replace with online classes. Online learning is now widely accepted by the almost all the parents. Moreover, due to spread of coronavirus and to follow the protocols of social distancing, it is important to sit at home and at the same time, studies must be continued. Hence, virtual learning is perfectly filling the gap.

Virtual Learning is not new to us but we are not habitual either. Virtual Learning act as a bridge to fill the gap between learners and education but it comes with lots of challenges with it that student and teacher have to face. This paper also emphasis on challenges that comes with virtual learning in India with certain recommendations to overcome such challenges.

In the light of the abovementioned excerpts, answer the following questions:

- a) Frame a suitable title. **(5 Marks)**
- b) Structure a statement of problem **(5 Marks)**
- c) Prepare a hypothesis in relation to the objective of the excerpt. **(5 Marks)**
- d) Define research methodology and design a workable research methodology. **(5 Marks)**