

2016

(December)

**LAW**

Paper : 5.4

(Optional)

**C : Legal Language and RTI**

1. Choose the correct answers :  $1 \times 10 = 10$

(i) Who among the following is the author of the book "The Language of the Law" ?

- (a) Felix Frankfurter
- (b) Urban A. Laveery
- (c) Anton Chekov
- (d) Arthur T. Vanderbilt

(ii) Concision, clarity ....., simplicity of structure are the fundamental principle of legal writing.

- (a) Cogency
- (b) Courage
- (c) Eloquence
- (d) Tact

(iii) "Ex turpi causa non oritur astio" means

- (a) He who seeks equity must come with clean hands.
- (b) The law is a rule of right.
- (c) No action arises out of a wrongful consideration.
- (d) The law pays regard to equity.

**(iv) Which of the following Section deals with the appointment of Public Information Officer under the 'Right to Information Act, 2005' ?**

**(a) Section 5**

**(b) Section 6**

**(c) Section 7**

**(d) Section 8**

**(v) Which of the following terms are used in civil law ?**

**(a) Plaintiff**

**(b) Defendant**

**(c) Injunction**

**(d) All of the above**

**(vi) The expression "no one should be punished twice for the same offence" includes which of the following maxim ?**

**(a) Lex est norma resti**

**(b) Jus respicit acquitatem**

**(c) Acquitas sequitur legem**

**(d) Nemo debet bis puniri pro uro delicto**

(vii) What is the minimum period for disposal a request under the RTI Act, 2005 ?

- (a) 60 days                      (b) 45 days  
(c) 30 days                      (d) 25 days

(viii) The Assam Right to Information Act was enacted in

- (a) 2005                      (b) 2008  
(c) 2003                      (d) 2001

(ix) Which of the following function is among the five functions of the lawyer as per Arthur T. Vanderbilt ?

- (a) Honesty  
(b) Industry  
(c) Judgement  
(d) None of the above

(x) After the expiry of limited period, an appeal

- (a) Rejected at instance  
(b) Appeal may not be allowed  
(c) Appeal may be allowed on reasonable ground  
(d) None of the above

2. Answer the following questions :  $2 \times 5 = 10$

(a) Write the concept of law as per Law of Tort.

(b) What do you mean by legal citation ?

(c) What do you mean by 'third party information' under the Right to Information Act, 2005 ?

(d) Write the expression of the maxim "Affirmanti, non neganti, incumbit probatio."

(e) What is the rate of cost to be payable for providing information under the Right to Information (Regulation of Fee and Cost) Rules, 2005 ?

3. Give a brief idea about the history of legal language. What are the characteristics of legal language ?  $6 + 6 = 12$

Or

Write the duties of lawyer's to the court and client.  $6 + 6 = 12$

4. Write the concept of brief writing, case comment and drafting of law reports. 12

Or

(a) State the terms used in civil law and criminal law. 6

(b) What is the utility of Latin words and Law Register in legal writing ? 6

5. Explain the following : 6+6=12

(a) Ex turpi causa non oritur action

(b) Nemo debet bis puniri pro uno delicto.

Or

Write short notes on the following : 6+6=12

(a) Acquitus sequitur legem

(b) Acquitus agit in personam

6. What do you mean by Right to Information ?  
What is the procedure for obtaining information under the RTI Act, 2005 ? 2+10=12

Or

(a) Under what circumstances a Public Information Officer can not be obliged to give information ? 8

(b) Define the doctrine of severability as per the RTI Act, 2005. 4

7. State the constitution, power and function of the Central Information Commission under the RTI Act, 2005. 12

Or

What are the contents of an Appeal ? Mention the documents to accompany an Appeal. Write the procedure to be followed in deciding an Appeal.

4+4+4=12

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