

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Legal History of India
Semester-II (Batch: 2015-20)

End Semester Examination: April-May 2016

Date: 2nd May, 2016

Duration: 3 hours

Max. Marks: 50

Instructions:

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in-line.
- Do not write anything on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.

Part-A**Marks**

- Q.1 The area encompassed by 18th century modern India was significantly fractured following the decline of the Mughal Empire in the first half of the 18th century. At the same time Europeans also participated in the Indian Political struggle to make their fortune. In the situation of ambiguity and inconsistency gradual but steady modernization of law took place. The growth was uneven and was based trial and error method. Discuss the 18th Century. (7+13=20)
- (a) Elaborate the "Indian Legal System" of the 18th century India.
- (b) Illustrate and analyse the potential contributors who led the transition and modernization of law.

Part-B

Answer any three questions

(3x10=30)

- Q.2 The colonial era in India began in 1502, when the Portuguese Empire established the first European trading centre at Kollam, Kerala. The Dutch East India Company established trading posts on different parts along with the Indian coast. English people came to India as body of Merchants. On 31 December 1600 Queen Elizabeth granted a Charter to the Company which incorporated the London East India Company. Thus the Company became juristic person with the exclusive privilege of trade with East Indies. Courtenay Peregrine Ilbert stated it as "the germ out of which the Anglo Indian Code ultimately developed".
- (a) Which charter or charters empowered the company to govern all the servants of the company in India?
- (b) Discuss how company secured their right to govern by their own laws in India?
- (c) Discuss the standard of justice during the early administration of India.
- Q.3 Illustrate the sustainable development by inspecting and analyzing in the ancient Indian legal system?
- Q.4 The 1857 uprising marked the new era reflecting political maturity of English to deal Indian problem more technically. They used legal system as tool to consolidate their hold in India and tried to slow down the political demand of Indians. However rise and growth

of Nationalism led its impact over the development of legislative and constitutional system of India ultimately resulting in the development of parliamentary form of Government even before independence of India.

Critically evaluate and justify the aftermath of Revolt of 1857 in the context of development of law.

- Q.5 The proposal for setting up of the Federation of India did not materialize because the Government of India Act, 1935 proposed that federation could come into existence only if as many princely states (which had been given option to join or not to join) were entitled to one half of the state's seats in the upper house of the federal legislature. Due to this, Central Government in India continued to be governed by the provision of the Act of 1919.

However, some parts of the Government of India Act, 1935 came into force.

- (a) Which parts of the Act implemented before Independence of India?
- (b) Discuss the genesis behind the Government of India Act, 1935?
- (c) Give a critical appraisal to the provisions of the Act Government of India Act, 1935.
