

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Legal History of India
Semester-I (Batch: 2019-24)

End Semester Examination: October-2019

Date: 21st October, 2019

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

Answer the following (any four):

- Q.1 During the Ancient India, Hindu society, beliefs and institutions gradually evolved and definite shape was given to them. Several significant doctrines of present are deeply rooted in ancient Hindu ideology. In order to understand ancient legal system, it is necessary to understand important factors that played vital role in the development of ancient legal system. (10)
- In the light of the above statement answer the following?
- (a) In determining the social order which two important concepts considered to be most effective?
 - (b) How those social order relevant to the present-day legal system of India?
 - (c) Discuss the similarities and differences between ancient judicial system and present-day judicial system.
- Q.2 Describe the status of justice in Madras during the early settlement period by answering the following questions; (10)
- (a) What types of courts were functional during the period? Describe their constitution, function and jurisdiction.
 - (b) Which law and judicial system was governing the settlement?
 - (c) What were the major drawbacks of the judicial administration?
 - (d) What is the prolong impact of the judicial arrangement in the present time?
- Q.3 Which Charter is known as Judicial Charter? Why was it passed? What are the important provisions of the Charter? Discuss the aftermath of the Charter? (10)
- Q.4 In the words of Lord Macaulay; (10)
- Internal administration, with all its blemishes, gives him a title to be considered as one of the most remarkable man in our history. He dissolved the double government. He transferred the direction of affairs to English hands. Out of a frightful anarchy, he deduced at least a rude and imperfect order. The whole organization by which justice was dispensed, revenue collected, peace maintained throughout a (vast) territory...., was

- formed and superintended by him. He boasted that every public office, without exception which existed when he left Bengal, was his creation. It is quite true that this system Was at first far more defective than it now is. But whoever seriously considers what it is to construct from the beginning the whole of machine so vast and complex as a government, will allow that what he effected deserves high admiration.

In the light of the above-mentioned observations of Lord Macaulay, answer the following;

- (a) Whose contribution has been appreciated by Lord Macaulay?
 - (b) What was the contribution of the officer of the East India Companies in the development of Indian Legal System?
 - (c) How is it relevant in the present time?
- Q.5 Is the degree of Law sufficient to understand practice of law? With reference to the professional life of M.K Gandhi, illustrate the major learning lessons of Gandhi as a Lawyer. Critically evaluate the relevance of the same in the present time? According to you, Gandhi belongs to which theoretical school of law? Why? (10)
- Q.6 Write an essay on legislative and constitutional development the first half of the twentieth century? (10)

Part-B

- Q.7 Answer the following (any two): (2x5=10)
- (a) Write a short note on the Charter Act by which Governor General of Bengal became the Governor General of India.
 - (b) Discuss the provisions of the Regulating Act of 1773.
 - (c) The independence of India was the natural and inevitable outcome of the process of creating natural consciousness and common purpose, accompanied by Raj, unconsciously and by the Indian nationalist consciously, over an extended period of time. The passing of the India's Independence Act, 1947 marked the end of British Raj in India and becomes the most important legislative document which freed India from colonial rule.

In the light of the above statement, discuss the salient provisions of the India's Independence Act, 1947.
