

interpreting the meaning of that "ownership." In a 1984 case in Ontario, an aboriginal group claimed that its property rights should be interpreted as full ownership in the contemporary sense of private property, which allows for the sale of the land or its resources. But the provincial court instead ruled that the law had previously recognized only the aboriginal right to use the land and therefore granted property rights so minimal as to allow only the bare survival of the community. Here, the provincial court's ruling was excessively conservative in its assessment of the current law. Regrettably, it appears that this group will not be successful unless it is able to move its case from the provincial courts into the Supreme Court of Canada, which will be, one hopes, more insistent upon a satisfactory application of the constitutional reforms.

Questions :

- 1) Why did the Government of Canada recognise the aboriginal rights ?
- 2) What is the burden on the provincial courts ?
- 3) What are the aboriginal rights in Canada as defined in its constitution ?
- 4) What happened when aboriginal groups claimed its property rights ?
- 5) What is regrettable regarding the aboriginal rights ?

Q. No. 5. b) Translate the following passage to English.

Marks : 6

ಮನುಷ್ಯನ ಮನಸ್ಸಿನ ಸ್ವರೂಪವನ್ನು ಸರಿಯಾಗಿ ಅರ್ಥಮಾಡಿಕೊಳ್ಳ ಬೇಕಾಗಿರುವುದು ಕಾನೂನನ್ನು ಅರ್ಥೈಸುವವರ ಮುಖ್ಯ ಕರ್ತವ್ಯವಾಗಿದೆ. ಮನುಷ್ಯನು ಏನನ್ನು ಮಾಡಬೇಕು ಮತ್ತು ಏನನ್ನು ಮಾಡಬಾರದು ಎಂದು ಹೇಳುವುದು ಅವರಿಗೆ ಸೇರಿದ್ದಾಗಿದೆ. ಮನೋವಿಜ್ಞಾನವು ಕಾನೂನು ರಚನಾಕಾರರಿಗೆ ಕಾನೂನನ್ನು ರೂಪಿಸುವುದಕ್ಕೆ ಅಲ್ಲ ಅದನ್ನು ಕಾರ್ಯಗತಗೊಳಿಸುವುದಕ್ಕೆ ಸಹಾಯ ಮಾಡುತ್ತದೆ. ನ್ಯಾಯಶಾಸ್ತ್ರವು ಮನುಷ್ಯನ ಬಾಹ್ಯನಡತೆಗೆ ಸಂಬಂಧಿಸಿರುತ್ತದೆ. ಮತ್ತು ಅವರ ಆಲೋಚನೆಗಳು, ಮಾನಸಿಕ ಪ್ರಕ್ರಿಯೆಗಳಲ್ಲಿ, ಆದರೆ, ಶಿಕ್ಷಾಶಾಸ್ತ್ರವು ಮನಃಶಾಸ್ತ್ರಜ್ಞರ ಸಂಶೋಧನೆ ಜ್ಞಾನವನ್ನು ಪಡೆಯುವಲ್ಲಿ ಪ್ರಯೋಜನಕಾರಿಯಾಗಿದೆ. ಎಲ್ಲಾ ಕಾನೂನುಗಳ ಹಿಂದಿನ ಶಿಕ್ಷೆಯು ಒಂದು ಮನೋವಿಜ್ಞಾನವಾಗಿದೆ ಎಂಬ ಅಭಿಪ್ರಾಯವನ್ನು ಹೊಂದಿರುವ ನ್ಯಾಯಾಧೀಶರ ಶಾಲೆ ಇದೆ. ನಿರ್ಲಕ್ಷ್ಯ, ಉದ್ದೇಶ, ಪ್ರೇರಣೆ ಮತ್ತು ಇತರ ಮಾನಸಿಕ ಪರಿಸ್ಥಿತಿಗಳ ಅಧ್ಯಯನವು ನ್ಯಾಯಶಾಸ್ತ್ರ ಮತ್ತು ಮನೋವಿಜ್ಞಾನದ ಒಂದು ಭಾಗವಾಗಿದೆ.

**First Semester 3 Year LL.B. Examination, September/October 2023
(June 2023)
ENGLISH**

Duration : 3 Hours

Max. Marks : 80

- Instructions :**
1. Answer the questions from all Units.
 2. All questions carry equal marks.
 3. Write neatly and legibly.
 4. Marks will be reduced for spelling and grammar mistakes.

UNIT – I

Q. No. 1. a) Explain the preparation of M.K. Gandhi to go to England. Marks : 10

OR

Explain the 'Great Trial'.

Q. No. 1. b) Write short notes on **any one**. Marks : 6

1) Lala Laburam's Case.

OR

2) Gandhi's journey to South Africa.

UNIT – II

Q. No. 2. a) Answer **any ten** of the following. Marks : 10

Fill in the blanks with articles or prepositions.

- 1) _____ post office is near my house.
- 2) I want to buy _____ dress.
- 3) The boy sat _____ the bench.
- 4) Sudha is going to the movie _____ her friends.

Change the voice of the following.

- 5) Madhu told me a story.
- 6) This sweater was knit by my mother.
- 7) Tell the truth.
- 8) By whom was this painted ?

Change into direct/indirect speech.

- 9) Sagar said, " I am going to Nagpur tomorrow".
- 10) "Show me your Ticket," said the guard.
- 11) She told that she was not able to understand his words.
- 12) The policeman asked the driver if he had the licence.

Change the following as directed in the brackets.

- 13) Though he ran fast, he missed the bus. (Change to compound)
- 14) Hari is the tallest boy in the class. (Change to negative)
- 15) Can we gather roses from thorns ? (Change to Assertive)

Q. No. 2. b) Frame sentences using **any six** of the following idioms. Marks : 6

- a) Far and wide.
- b) Bone of contention.
- c) In the twinkling of an eye.
- d) Blow one's own trumpet.
- e) Every now and then.
- f) Swim with the Tide.
- g) Turn a new leaf.
- h) As a matter of fact.

UNIT – III

Q. No. 3. a) Write a letter to the editor of a newspaper complaining about the frequent power cuts in your local area. Marks : 10

OR

Write a report on a bank robbery in the city.

Q. No. 3. b) Write a paragraph on **any one** of the following. Marks : 6

Endangered animals.

OR

A day without electricity.

UNIT – IV

Q. No. 4. a) Draft a plaint for your client who wants to claim maintenance for her and her child from her ex husband. Marks : 10

OR

Write an essay on :
Legal profession is a noble profession.

Q. No. 4. b) Refute the following statement in a paragraph. Marks : 6

Education is too commercialized now a days.

OR

Frame sentences using following legal words.

- a) Minor
- b) Petition
- c) Litigation
- d) Right
- e) Warrant
- f) Defendant.

UNIT – V

Q. No. 5. a) Read the following passage and answer the questions that follow.

Marks : 10

The struggle to obtain legal recognition of aboriginal rights is a difficult one, and even if a right is written into the law there is no guarantee that the future will not bring changes to the law that undermines the right. For this reason, the federal government of Canada in 1982 extended constitutional protection to those aboriginal rights already recognized under the law. This protection was extended to the Indian, Inuit, and Métis peoples, the three groups generally thought to comprise the aboriginal population in Canada. But this decision has placed on provincial courts the enormous burden of interpreting and translating the necessarily general constitutional language into specific rulings. The result has been inconsistent recognition and establishment of aboriginal rights, despite the continued efforts of aboriginal peoples to raise issues concerning their rights.

Aboriginal rights in Canada are defined by the constitution as aboriginal peoples' rights to ownership of land and its resources, the inherent right of aboriginal societies to self-government, and the right to legal recognition of indigenous customs. But difficulties arise in applying these broadly conceived rights. For example, while it might appear straightforward to affirm legal recognition of indigenous customs, the exact legal meaning of "indigenous" is extremely difficult to interpret. The intent of the constitutional protection is to recognize only long-standing traditional customs, not those of recent origin; provincial courts therefore require aboriginal peoples to provide legal documentation that any customs they seek to protect were practiced sufficiently long ago – a criterion defined in practice to mean prior to the establishment of British sovereignty over the specific territory. However, this requirement makes it difficult for aboriginal societies, which often relied on oral tradition rather than written records, to support their claims.

Furthermore, even if aboriginal peoples are successful in convincing the courts that specific rights should be recognized, it is frequently difficult to determine exactly what these rights amount to. Consider aboriginal land claims. Even when aboriginal ownership of specific lands is fully established, there remains the problem of