

Total number of printed pages—4

19 (III) ELRE 3-4

2019

**ELEMENTS OF RESEARCH**

Paper : 3-4

Full Marks : 80

Time : Three hours

**The figures in the margin indicate full marks for the questions.**

1. Choose the correct answers :  $1 \times 10 = 10$ 
  - (a) In India, the decisions of the House of Lords, Privy Council and Supreme Court of USA or Canada have only persuasive value. (True/False)
  - (b) Civil law suits usually involve money damages, injunctions, declaratory relief or other reliefs. (True/False)
  - (c) In legal research either \_\_\_\_\_ methods are used to arrive at conclusion. (inductive or deductive/ doctrinal or non-doctrinal)
  - (d) Act means the whole Act whereas a section or part of a section in an Act may be enactment. (True/False)

Contd.

- (e) There are mainly \_\_\_\_\_ techniques of data collection. (2/3)
- (f) The mischief rule of interpretation originated in Heydon's Case in the year \_\_\_\_\_. (1583/1584)
- (g) According to purpose, interview can be classified as Diagnostic, \_\_\_\_\_ and Research interview. (Focussed/Treatment)
- (h) The word 'hypothesis' is a combination of two words, \_\_\_\_\_ and 'thesis'. ('hipo'/'hypo')
- (i) Sample is a subset of \_\_\_\_\_. (population/data)
- (j) In random sampling, the probability of selecting an item from the population is \_\_\_\_\_. (known/unknown)
2. Answer the following questions : 2×5=10
- (a) What are the main features of civil law?
- (b) What is called legal material?
- (c) What is Golden Rule of interpretation?
- (d) What do you understand by the term interpretation of data?
- (e) Give example of uncontrolled observation.

3. Define criminal law and distinguish criminal law from civil law. How can a case be both criminal and civil? Write a few lines on branches of civil law. 2+4+3+3=12

OR

Write an assessment on case law technique. Trace its significance. Is case law technique the same as precedent? 6+4+2=12

4. Write notes on : 4×3=12
- (a) Report of Commission
- (b) Enactment
- (c) Notification.

OR

Define the term 'Judgement' as per the Code of Civil Procedure. Discuss the importance of judgement as a legal material. Write few lines on 'Judgement in Court'.

2+8+2=12

5. What are 'literal method' and 'mischief method' of interpretation? Give a brief summary of each of them. 6+6=12

**OR**

What do you mean by the term 'interpretation' of statutes? The rules of interpretation are "like the tool of a carpenter or sculptor". Amplify the statement.

4+8=12

6. What is 'Report Writing'? Write the importance of Report Writing in research. What are the main components of research report?

2+2+8=12

**OR**

Discuss the major steps necessary for doing legal research.

12

7. What is interview method? What are the types of interview? Point out the merits and demerits of the interview method.

2+4+3+3=12

**OR**

"Science begins with observation and must ultimately return to observation for its final validation."

Elucidate the above statement in the light of the observation method. Point out the characteristics, merits and demerits of the observation method.

3+3+3+3=12