

GUJARAT NATIONAL LAW UNIVERSITY
SILVASSA CAMPUS
 Course: **Legal Methods**
Semester- I (Batch: 2025-30)

End Semester Examination: October- November 2025

Date: 24th October, 2025

Duration: 3 hours

Max. Marks: 50

Instructions:

- **Attempt any five questions out of six.**
- Read the questions properly and write the answers in the given answer book.
- Do not write anything on the question paper.
- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.
- Word Limit: 10 Marks: Min -Max words

Marks

- Q.1 Discuss the various sources of law with reference to both primary and secondary sources. In your answer, also distinguish between formal and material sources of law. Explain each source in detail and illustrate your discussion with suitable examples from the Indian legal system. (10)
- Q.2 Explain the relationship between law and language. In your answer, elucidate the dichotomy between the two and illustrate your discussion with reference to Steven D. Smith's class reading *Law as Language*. (10)
- Q.3 Rahul owns a small chemical factory on the outskirts of a town. For years, he has been disposing of untreated chemical waste into an open drain that flows into a nearby river. Local residents began to complain about foul smells and fish deaths, but Rahul insisted that his factory followed "normal industry practice" and that the discharge was harmless. One day, a toxic leak occurred, and several villagers fell ill after consuming contaminated water. Among them was Shreya, who was hospitalised for two weeks. (10)

Shreya sued Rahul for damages under tort law, alleging negligence and nuisance. Rahul defended himself by claiming that: (i) the level of chemicals in the water was never scientifically proven to be above safe limits, (ii) the villagers were themselves careless in not checking the safety of their drinking water, and (iii) his act of disposing waste was lawful because no explicit statutory prohibition had been notified by the Pollution Control Board against his factory.

During trial, the following controversies arose: whether Rahul owed a duty of care towards the villagers, whether he actually discharged harmful levels of chemicals into the river, whether the villagers' illnesses were directly caused by his discharge, whether "industry practice" could be a valid defence, and whether the absence of a statutory ban meant that Rahul's actions were not unlawful.

Identify which of the controversies in this problem involve:

- a. Questions of law (interpretation of legal principles and doctrines). (3 Marks)
- b. Questions of fact (requiring evidence and factual determination). (3 Marks)
- c. Mixed questions of law and fact (application of legal principles to the specific facts). (4 Marks)

- Q.4 Write short notes on any four interpretative techniques used in legal reasoning. In your answer, explain the purpose of each technique and illustrate with relevant examples from Indian statutes or case law. (10)
- Q.5 Discuss the concept of criminal justice with reference to the purposes it serves in society. Explain the main theories of punishment and illustrate each theory with examples. Further, describe the different kinds of punishment recognized under the Indian legal system and explain their objectives. (10)
- Q.6 With reference to “*The Case of the Speluncean Explorers*” by Lon Fuller, discuss how the judges’ reasoning reflects different theories of law. Analyze the case to highlight the practical application of these theories in judicial decision-making. (10)
