

Name:	 UPES UNIVERSITY WITH A PURPOSE
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2019

Course: General English I Program: BALLB /BBA LLB /B.Com/BSc LLB Course Code: CLNL1001	Semester: I Time: 03 hrs. Max. Marks: 100
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Instructions: All questions are compulsory

SECTION A [10]

S. No.		Marks	CO
Q 1	Do as directed: <ol style="list-style-type: none"> 1. If you _____ (be) him, what would you do? (Fill in the blank) 2. She would have felt despondent if Rajini _____ (promote, not) as an HoD. (Fill in the blank) 3. You _____ (move up) in the organization if you perform well. (First Conditional) 4. She _____ (never, see) a bear before she moved to Alaska. (Fill in the blank) 5. His only focus was improving the lives of others. (Identify the tense of the sentence.) 6. In linguistics, _____ is the set of rules, principles, and processes that govern the structure of sentences in a given language, usually including word order. (Fill in the blank) 7. The process of _____ turns verbs into nouns. (Fill in the blank) 8. _____ is the branch of the branch of linguistics and logic concerned with meaning. (Fill in the blank) 9. We _____ (have) that car for ten years before it broke down. (Fill in the blank) 10. The actress along with her manager and some friends _____ (plan) a trip to Venice every year. (Fill in the blank) 	10	CO2

SECTION B [20]

Q 2	<p>As a team leader, you have just received a voice mail request from Tanya Moore, asking if she could lead next week's meeting. Tanya has been with the company for six weeks and joined your team last week itself. She comes across as an opinionated and dominating person. You cannot allow her to chair the meeting. This needs to be communicated to her.</p> <p>Frame a response for the same keeping principles of effective communication in mind.</p>	5	CO1
Q3	Rewrite the following sentences for precision:	10	CO3

	<ol style="list-style-type: none"> 1. For the purpose of controlling how his art collection could be displayed subsequent to his death, the doctor created a very restrictive trust. 2. Rejection of an insurance policy holder's facially valid claim is not an action that an insurance claims agent should undertake lightly. 3. The bank was not notified by either the depositor or anyone else that the ATM card had been stolen. 4. A juror's vote should reflect his own opinion. 5. Being fearful for her life, counsel argued that the defendant acted in self-defense. 		
Q4.	<p>Hong Kong Crafts Pvt. Ltd. has decided to upgrade its manual stock-keeping to a digitized one. They have got a bar code installed on every product. The machine reads the code and the user has to either use add or delete option depending upon the buying and selling status of the product. Mr. Vikram, who is a very senior employee and has been the head of the stock-taking department, is not comfortable with this change and resists it.</p> <p>Identify the barrier in this case. How can this be overcome?</p>	5	CO1
SECTION-C [20]			
Q5	<p>Convert the following sentences into passive:</p> <ol style="list-style-type: none"> 1. The Critical Legal Studies movement debunks claims of formalism and objectivity in the decision-making process made by legal liberalism. 2. St. Augustine justified the existence of the State on the premise that it was an instrument to defend the Church also. 3. Rachana has the best attendance record in the department and Avishek considered her his most dependable employee. 4. She was liked by all the colleagues and they considered her to be a good friend 	4	CO2
Q6	<p>Read the given excerpt and draw a mind map on the same, identifying the main idea. (Source: https://www.uscourts.gov/educational-resources/educational-activities/facts-and-case-summary-gideon-v-wainwright)</p> <p>Clarence Earl Gideon was an unlikely hero. He was a man with an eighth-grade education who ran away from home when he was in middle school. He spent much of his early adult life as a drifter, spending time in and out of prisons for nonviolent crimes.</p> <p>Gideon was charged with breaking and entering with the intent to commit a misdemeanor, which is a felony under Florida law. At trial, Gideon appeared in court without an attorney. In open court, he asked the judge to appoint counsel for him because he could not afford an attorney. The trial judge denied Gideon's request because Florida law only permitted appointment of counsel for poor defendants charged with capital offenses.</p>	12	CO4

	<p>At trial, Gideon represented himself – he made an opening statement to the jury, cross-examined the prosecution’s witnesses, presented witnesses in his own defense, declined to testify himself, and made arguments emphasizing his innocence. Despite his efforts, the jury found Gideon guilty and he was sentenced to five years imprisonment.</p> <p>Gideon sought relief from his conviction by filing a petition for writ of habeas corpus in the Florida Supreme Court. In his petition, Gideon challenged his conviction and sentence on the ground that the trial judge’s refusal to appoint counsel violated Gideon’s constitutional rights. The Florida Supreme Court denied Gideon’s petition.</p> <p>Gideon next filed a handwritten petition in the Supreme Court of the United States. The Court agreed to hear the case to resolve the question of whether the right to counsel guaranteed under the Sixth Amendment of the Constitution applies to defendants in state court.</p> <p>Procedure:</p> <p>Lower Courts: Bay County Circuit Court, Fourteenth Judicial Circuit of Florida</p> <p>Lower Court Ruling: The trial judge denied Gideon’s request for a court-appointed attorney because, under Florida law, counsel could only be appointed for a poor defendant charged with a capital offense. The Florida Supreme Court agreed with the trial court and denied all relief.</p> <p>Issue:</p> <p>A prior decision of the Court’s, <i>Betts v. Brady</i>, 316 U.S. 455 (1942), held that the refusal to appoint counsel for an indigent defendant charged with a felony in state court did not necessarily violate the Due Process Clause of the Fourteenth Amendment. The Court granted Gideon’s petition for a writ of certiorari – that is, agreed to hear Gideon’s case and review the decision of the lower court – in order to determine whether <i>Betts</i> should be reconsidered.</p> <p>Ruling:</p> <p>Reversed and remanded. In its opinion, the Court unanimously overruled <i>Betts v. Brady</i>.</p> <p>Argued: January 15, 1963</p> <p>Decided: March 18, 1963</p> <p>Unanimous Decision: Justice Black (who dissented in <i>Betts</i>) wrote the opinion of the court. Justices Douglas, Clark, and Harlan each wrote concurring opinions.</p> <p>Reasoning:</p> <p>The Court held that the Sixth Amendment’s guarantee of counsel is a fundamental right essential to a fair trial and, as such, applies the states through the Due Process Clause of the Fourteenth Amendment. In overturning <i>Betts</i>, Justice Black stated that “reason and reflection require us to recognize that in our adversary system of criminal justice, any person haled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him.” He further wrote that the “noble ideal” of “fair trials before impartial tribunals in which ever defendant stands equal before the law . . . cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him.</p>		
Q7	<p>Punctuate the following sentences:</p> <ol style="list-style-type: none"> 1. Harish manages the customer relations department of a public utility company. (Convert to Future Continuous) 	4	CO2

	<p>2. There are seven people in the department handling the correspondence to customers. (Convert to Simple Future)</p> <p>3. I don't feel right cracking down on them. (Convert to Past Perfect)</p> <p>4. She makes no attempt to check the work of her favourites for compliance with quality standards. (Convert to Present Perfect Continuous)</p>		
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SECTION-D

Q7	<p>Rewrite the following paragraph using different techniques of concise writing:</p> <p>It cannot be gainsaid that one of the primary obligations owed by an agent to his or her principal is to act with the degree of carefulness, competence, and diligent devotion to duty that are normally exercised by and/or employed by agents of ordinary skill and prudence in like or similar circumstances. In the situation in which the agent in question is possessed of special skills and/or knowledge, that is a factor to be taken into account in reaching a determination whether the agent in question did or did not act in accordance with the legal standard of due care and diligence. Moreover, it goes without saying that it is the duty of an agent to undertake a course of action only within the metes and bounds of the actual authority granted by the principal to the agent. It is the duty of an agent to act in compliance with all instructions that are within the bounds of the law and that are received from either the principal himself or persons theretofore designated by the principal as respects actions taken by the agent for or on behalf of the principal.</p>	25	CO3
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Q8	<p>Read the following case and answer the given questions:</p> <p>Avishek manages the customer relations department of a public utility company. The department is responsible for replying to customer requests for information and customer complaints. There are seven typists in the department who handle the correspondence to customers dedicated by the staff. Rachana who had been a typist in the department for ten years is promoted to office supervisor. She was considered the fastest and most accurate typist who had ever worked for Avishek. Rachana has the best attendance record in the department and Avishek considered her his most dependable employee. She was liked by all her colleagues and they considered her to be a good personal friend. As a supervisor Rachana does a good job handing out work assignments but she does little else to supervise the typists. She does not like to criticize the typists and does not enforce office rules. No matter what a typist does, Rachana will not take any disciplinary action. She makes no attempt to check the work of the typists for compliance with quality standards or to see that work is complete on time. In fact, she spends most of her time typing to reduce the workload of other typists.</p> <p>The Human Resource department has been receiving an increasing number of complaints from various staff from different departments about the poor quality of the typing and the slow turnaround time of the work. A number of the complaints target towards Rachana's poor supervisory skills, complaints were also received about the typists under Rachana taking excessively long coffee breaks and spending</p>	25	CO1
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time on personal phone calls. The Human Resource department conveys the complaints to Avishek, who has been asked to inquire and rectify the problem. When Avishek had a word with the typists, they told him that Rachana frequently invites them to her house for dinner or to play bridge. It appears to Avishek that they all like Rachana as a friend, but they are becoming concerned about her lack of supervisory skills. Avishek finds it difficult to raise the concern with Rachna due to various reasons. He is in a dilemma that if he ignores the complaints, which seem genuine, the organization as a whole suffers the consequences.

Questions

- Q1. Prepare a communication model for the organization. [6]
- Q2. Identify the communication barriers and the situations in which they exist. [7]
- Q3. Why does Avishek find it difficult to talk to Rachana about her negligence and casual attitude? [6]
- Q4. How can Avishek overcome this situation for everyone's benefit? [6]