

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**B.A.LL.B. (HONS.) FYIC
THIRD SEMESTER
MID TERM EXAMINATION
SEPTEMBER - 2022
PAPER - V : CONSTITUTIONAL LAW - I
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is compulsory and each part carries 5 marks. Attempt one question each from Section B & C and each question carries 10 marks

SECTION - A

1. Write short notes on the followings:
 - a. Independent India's decision to retain membership of Commonwealth of Nations with a British monarch at the Head was heavily criticised in the Constituent Assembly as being inconsistent with our declaration of a Sovereign Democratic Republic. How far do you agree with this criticism? Give reasons in support of your answer.
 - b. How far do you agree with the use of principle of *ejusdem generis* to interpret the term 'other' authorities in Art 12 of the Constitution?
 - c. The Parliament of India enacted the Constitution (One Hundred and Third Amendment) Act, 2019 which enabled the State to make reservations in higher education and matters of public employment on the basis of economic criteria alone. The Act inserted Articles 15(6) and 16(6). Article 15(6) enables the State to make special provisions for the advancement of any economically weaker section of citizens, including reservations in educational institutions.

Contd.....P.2

Article 16(6) enables the State to make provisions for reservation in appointments. These newly inserted provisions will be subject to a 10% ceiling, in addition to the existing reservations. What is the Constitutional Validity of 10 percent reservation for Economically Weaker Section?

- d. Nita Farahany said, "The time has come for us to call for a cognitive liberty revolution to make sure that we responsibly advance technology that could enable us to embrace the future while fiercely protecting all of us from any person, company or government that attempts to unlawfully access or alter our innermost lives." Is the *right to cognitive liberty* part of freedom of speech and expression? Discuss

SECTION - B

2. Discuss in detail if it is possible for a constitutional amendment to remove the expression 'Socialist' from the Preamble of the Constitution. Also do you think it is advisable to add 'Parliamentary' before 'Democratic' in the Preamble.
3. State of UP is proposed to be divided in 2 parts- Harit Pradesh and Awadh Pradesh- of 40 Lok Sabha seats each. The Bill regarding the same is sent to UP Vidhan Sabha in September 2022 for its opinions. The UP legislature rejects the Bill on third day of its receipt. However, Parliament passes UP Reorganisation Act, 2022 conferring statehood to Harit Pradesh and Awadh Pradesh with 39 Lok Sabha seats each and two Lok Sabha seats of Lucknow and Sitapur are constituted in Union Territory of Lucknow. Do you think Parliament is competent to do the same? Also is it required for Parliament to obtain the views of UP Legislature afresh?

SECTION - C

- 4.(a) In a State Madhya Bharat certain public spirited citizens having expertise in Artificial Technology filed a writ petition in the High Court against famous Social Media Platform, named as Handbook and the State's Department of Housing and Urban Development for allegedly violating citizens' Right to Fair Housing against Horizontal Discrimination guaranteed under Articles 14, 15 and 17 of the Indian Constitution. In the petition, it was contended that the Social Media Platform Handbook allowed advertisers certain tools on their advertising platform that could exclude and discriminate people on the basis of race, caste, religion, sexual orientation, place of birth, familial status, disability, etc. The department responded that the matter of housing is a

private matter of the people and the state cannot interfere in any way. The social media platform's reply was that fundamental rights do not apply to them. How will this issue be resolved by the High Court?

- (b) The government constructed a road for the convenience of the people. But on completion of the road, it was found that there was no footpath along it, no public toilet, and no positive measures had been taken to help any senior citizens or people with disabilities. The Supreme Court accepted the Public Interest Litigation (PIL) against the state's inaction. While helping the petitioners, you need to determine how this state's inaction has denied equal protection of the laws to senior citizens and persons with disabilities under Article 14 of the Indian Constitution.
- 5.(a) A private employer investigated the social media accounts of one of its employees and found that he was participating in the LGBTIQ+ rainbow movement and had disclosed his sexual orientation on his social media status. Seeing this, the employer fired his employee without any notice. Invoking the writ jurisdiction of the Supreme Court, the employee argued that the fundamental rights enshrined in Article 15(2), Article 17 and Article 21 had been violated. The employer argued in court that fundamental rights cannot be enforced against private action and, therefore, the present writ petition is not maintainable. The employer also argued that he too has the right to freedom of expression to employ only heterosexual people at their workplace. How would the Supreme Court be able to resolve the issue?
- b. In a state, people protested non-violently against the agricultural policies of the government. People used social media platforms to make the protest a success. The protest began to receive worldwide support through social networking. In response, the government shut down the internet indefinitely in the state. The protesters challenged the government's order under Article 32 in the Supreme Court. The government contended that they shut down the internet because the security of the state was in danger. The petitioners said that this is a violation of their freedom of expression and expression. How will the Supreme Court settle the dispute?

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**B.A.LL.B. (HONS.) FYIC
THIRD SEMESTER
MID TERM EXAMINATION
SEPTEMBER 2022
PAPER - II: DEVELOPMENT ECONOMICS
(MAJOR-III)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is compulsory and each part carries 5 marks. Attempt one question each from Section B & C and each question carries 10 marks

SECTION - A

1. Write short notes on the followings:
 - a. "Development must be conceived of as a multidimensional process which aims at providing mechanism for better human life." Elucidate.
 - b. Does disguised unemployment on land mean that development using surplus labour is a painless and costless process?
 - c. "Social dualism is an inevitable consequence of development rather than a basic cause of underdevelopment itself." Do you agree with the statement? Give arguments in support of your answer.

Contd.....P.2

- d. The underdeveloped economies are caught in a low-level equilibrium trap where the rate of saving and investment are at a low level." In light of the statement, examine the conditions which are conducive to trapping in LDCs.

SECTION - B

2. "The economic measures of development are often supplemented by non-economic social indicators." In light of the statement, discuss the notable attempt of UNDP to analyse the comparative socio-economic development of nations.
3. "The structural forces at work within countries and in the world economy tends to perpetuate underdevelopment and poverty and cause countries to get caught in 'vicious circles' related to unequal trade between countries and the dependence of poor countries on the rich for aid and investment." In view of this statement, discuss the reasons behind the underdevelopment of LDCs.

SECTION - C

4. Lewis recognized that any increase in prices and purchasing power for farmers is not a stimulus to industrialization but an obstacle to the expansion of the capitalist sector. How does this square with the idea of the agricultural sector providing a market for industrial goods, and the view of the World Bank that a stagnant rural economy with low purchasing power holds back industrial growth in many developing countries? Elucidate.
5. "The problem of structural disequilibrium that arises at the factor level is the root cause of unemployment in the least developed countries." Discuss the theory that explains the phenomenon mentioned in the statement.

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**B.A.LL.B. (HONS.) FYIC
THIRD SEMESTER
MID TERM EXAMINATION
SEPTEMBER - 2022
PAPER - IV: FAMILY LAW- I
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is compulsory and each part carries 5 marks. Attempt one question each from Section B & C and each question carries 10 marks

SECTION - A

1. Write short notes on the followings:
 - a. "Live-in Relationship is not a walk -in walk out Relationship." Comment.
 - b. Are Family Courts an effective Alternative Dispute Resolution forum?
 - c. Is Hindu Marriage a Contract or a Sacrament?
 - d. Registration of Marriage under the Special Marriage Act,1954.

SECTION - B

2. "Clear Proof of Custom will outweigh the Written text of Law". Discuss bringing out the importance of custom as a Source of Hindu Law. Illustrate with examples from the Hindu Marriage Act,1955

Contd.....P.2

3. Discuss whether the child will be a Hindu in the following cases:
 - a. 'x' a child is born of a Sikh Mother and a Hindu Father.
 - b. 'y' a child is born of a Hindu Mother and a Muslim Father.
 - c. 'z' a child is born of a ST Mother and ST Father.
 - d. 'P' a child is born of Hindu Parents subsequently mother converts to Islam, the child is brought up as a Muslim.
 - e. 'Q' a child is born to a Hindu Father and Christian Mother. Though it was not shown that the child was brought up as a Hindu, there was also nothing to show that the child was a Muslim, Christian, Parsi or Jew.

SECTION - C

4. Discuss the validity of the following marriages.
 - a. 'x' a Hindu female gets married to herself.
 - b. 'A' a Hindu male married 'B' a male in the year 2022 with written consent of his first wife 'C'
 - c. 'D' a Hindu male gets married to 'E' his father's widow.
 - d. 'F' a Hindu female gets married to her stepson 'G'
 - e. 'H' a Sikh Male gets married to 'I' a Arya Samajist/Female by garlanding each other on a full moon night at a temple.
5. Examine the Validity of the following under Muslim Law.
 - a. 'x' gets married to 'y' a woman undergoing Iddat.
 - b. 'A' gets married to his wife's sister 'B' after the death of wife 'C'
 - c. 'D' a Muslim male gets married to a Hindu Woman 'E'
 - d. 'F' a Muslim male marries a fifth wife 'G' during the lifetime of four wives.
 - e. 'H' a Hindu male is married to 'I' a sikh female. 'H' Converts to Islam to marry a muslim girl 'J' as he was deeply in love with her.

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**B.A.LL.B. (HONS.) FYIC
THIRD SEMESTER
MID TERM EXAMINATION
SEPTEMBER 2022
PAPER-III: INDIAN ECONOMICS
(MINOR)**

**TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is compulsory and each part carries 5 marks. Attempt one question each from Section B & C and each question carries 10 marks

SECTION - A

1. Write short notes on the followings:

- a. "While the share of agriculture sector in Indian economy has progressively declined due to the high growth rates of the industrial and services sectors, the significance of agriculture sector in India's economic and social fabric goes well beyond this indicator." Elucidate.
- b. What are the major problems faced by the industrial sector in India? Can the 'Make in India' initiative launched by the Government of India eliminate some of these problems?
- c. "A thriving private sector with new firms entering the market, creating jobs and developing innovative products contributes to a more prosperous society." In light of the statement discuss the present outlook in respect of the significance of the private sector.

Contd.....P.2

- d. Discuss the core elements of Industrial Licensing Policy of India.

SECTION - B

2. "The objective of India's development strategy has been to establish a socialistic pattern of society through economic growth with self-reliance, social justice and alleviation of poverty." In view of the statement, discuss the implications of planning adopted within democratic political framework of India.
3. "The need for continued investments in agricultural innovations and productivity growth is as important today as it was in the initial years of the Green Revolution. However, sustaining productivity gains, enhancing smallholder competitiveness and adapting to climate change are becoming increasingly urgent concerns across all production systems." In light of the statement, discuss the lessons learnt from the aftermaths of Green Revolution and suggest novel agricultural strategies which could help in bringing second Green Revolution in India.

SECTION - C

4. "Targeted and Directed efforts to plan for specific future industrial outputs and outcomes is at the heart of a proper understanding of industrial policy." In light of the statement, compare the industrial policy of 1991 to the earlier industrial policies. Is this change beneficial for the Indian economy? Discuss.
5. "Economies of scale brought about largely by technological advances are responsible for the growth of large industrial units in India." Has the growth of these units affected the micro and small-scale enterprises? Give arguments in support of your answer. Also discuss the measures that have been undertaken by the Government of India to promote the development of MSMEs.
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**B.A.LL.B. (HONS.) FYIC
THIRD SEMESTER
MID TERM EXAMINATION
SEPTEMBER 2022
PAPER-III: NON-WESTERN POLITICAL
THOUGHT (MINOR)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is compulsory and each part carries 5 marks. Attempt one question each from Section B & C and each question carries 10 marks

SECTION - A

1. Write short notes on the followings:
 - a. "Jihad is as much within oneself as it is outside". Explain.
 - b. Discuss Fazl-Ur-Rahman's views on Quranic revelation.
 - c. Kautilya's king is not divine in origin. What, then, guides the law making process?
 - d. What are views on the Varna system in the Mahabharata?

Contd.....P.2

SECTION - B

2. Quranic revelations are as much 'Philosophical' as they are 'Divine'. Critically analyse.
3. Discuss Ibn Khaldun's Theory of Civilisation in light of the cyclical theories given by Plato and Aristotle.

SECTION - C

4. "State is like a living organism. If one organ bleeds, the whole body suffers." Discuss Kautilya's Saptanga theory in the light of this statement.
 5. "Manusmriti lay the roots of the present-day discriminative social system in India." Critically analyse.
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**B.A.LL.B. (HONS.) FYIC
THIRD SEMESTER
MID TERM EXAMINATION
SEPTEMBER 2022
PAPER- II: NON-WESTERN POLITICAL
THOUGHT (MAJOR-III)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is compulsory and each part carries 5 marks. Attempt one question each from Section B & C and each question carries 10 marks

SECTION - A

1. Write short notes on the followings:
 - a. Compare the 'Story of Fall' in Quran with that in Bible.
 - b. Discuss Abdolkarim Souroush's views on Quranic revelation.
 - c. Discuss the meaning of Jati in the Bengali connotation.
 - d. Discuss Panchatantra as a variation of Arthashastra.

Contd.....P.2

SECTION - B

2. "In Ibn Taymiyyah's writings lay the roots of present day Islamic extremism". Critically analyse Ibn Taymiyyah's views on Jihad in the light of this statement.
3. Draw a critical comparison between the Mandate of Heaven in the ancient Chinese society and the Divine Right Theory.

SECTION - C

4. Compare and contrast the idea of 'Myth of Metals' in Plato with the Varna system.
 5. "Danda was an instrument at the hands of the king to counter 'matsyanyaya'." Discuss Manu's conception of Raj-Dharma in the light of this statement.
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**B.A.LL.B. (HONS.) FYIC
THIRD SEMESTER
MID TERM EXAMINATION
SEPTEMBER 2022
PAPER-II: SOCIAL RESEARCH METHODOLOGY
(MAJOR-III)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is compulsory and each part carries 5 marks. Attempt one question each from Section B & C and each question carries 10 marks

SECTION - A

1. Write short notes on the followings:

- a. Research is normally influenced by a series of important practical and ethical considerations. Do you think that sociologist's choice of research topic and the methods they use to investigate them are primarily based on practical considerations?
- b. Explain the purpose of sampling in research.
- c. What is the importance of objectivity in social research?
- d. What is a descriptive research design? How is it different to explanatory research design?

Contd.....P.2

SECTION - B

2. Explain the procedure of social science research.
3. Positivists argue that by replicating the logic and methods of natural sciences, sociology can uncover laws of human behavior. However, sociologists from other perspectives have different views not only on whether this is possible but on the very nature of science itself. Elucidate whether sociology is a science or not.

SECTION - C

4. Sociologists do not always collect their own data as part of their research but instead sometimes use existing secondary data such as official statistics. However, some critics argue that there are so many problems associated with secondary data that it only has a limited role to play in sociological research. With this statement and your own knowledge, evaluate the claim that secondary data has only a limited role to play in sociological research.
 5. Choose any social issue. Make a research design for its case study.
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**B.A.LL.B. (HONS.) FYIC
THIRD SEMESTER
MID TERM EXAMINATION
SEPTEMBER 2022
PAPER - V: JURISPRUDENCE - I
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is compulsory and each part carries 5 marks. Attempt one question each from Section B & C and each question carries 10 marks.

SECTION - A

1. Write short notes on the followings:
 - a. Write a critical note on Custom as a source of law.
 - b. What do you understand by statement- *Natural law is a 'lower law' and not 'higher law'*. Explain.
 - c. What is the Consequentialist morality (provide illustration), does it resemble with universal or objective morality?
 - d. What do you understand by Doctrine of *Res Judicata* explain.

SECTION - B

2. According to Salmond, there are two main sources of law- formal and material. Formal sources are those from which law derives its validity, i.e. the will of State, which is expressed through statutes and judicial decisions. In light of the statement how do you define precedent? Further, critically analyze whether precedent is superior then legislation and custom?
3. Jurisprudence is a theory or philosophy of law. It deals with the deep questions related to legal concepts. In light of the statement how will you define Jurisprudence? Discuss in detail its nature, importance. Further, discuss the purpose of jurisprudence for law students?

SECTION - C

4. Japiya is a democratic country. In December 2019, there was outbreak of CON-virus. The virus was contagious and started affecting large number of population. The country highly believes in individual rights including freedom, privacy and agency. In terms of individual rights, it is a role model for rest of the world. But after understanding the epidemic situation, the administration segregated patients and started *assistive killing* the severely ill patients. It was done to control the spread of disease. In the meantime few people criticized the said move and challenged it in the Supreme Court. They also filed petitions against Doctors and medical staff for conducted assistive killing. Their contention was that law is lacking inner morality and thus not a law at all, as it violates the right to human dignity. On the other hand administration stated, *it is an extraordinary situation and thus the ordinary expressions of law and dignity doesn't apply*. While analyzing the proposition discuss that whether it is possible to ignore the basic values or principles of law? Is it appropriate to punish medical staff? Further, as a judge to the case, what measures you suggest. Elaborate your answer in light of Law and Morality discourse.

5. Scorching heat of summer baked the grubby streets of Naampalli. Three young men, two below twenty-five years and one in mid thirties, were called to clear a block in a manhole near railway station, Naampalli, Tamil Nadu. Due to suffocation two of them died immediately after they entered the manhole. In spite of various laws prohibiting manual scavenging, it is still in practice. In various different studies it is found that people practicing as manual scavengers belongs to so-called 'lower communities' of the society. While sharing his plight and pain Govind, a manual scavenger stated that after working throughout the day he couldn't eat or sleep without alcohol. In fact, majority of people from the community are habitual of alcohol. Further, it is observed on an average five to ten people died every year. But there are no effective measures to curb the problem. It is important to know that people of particular communities or caste are performing manual scavenging throughout generations. While addressing the issues how do you analyze the proposition? Provide a detailed Rawlsian analysis to the same?
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