



B.A.LL.B. (HONS.) FYIC
MID TERM EXAMINATION - SEPT. 2019
SEVENTH SEMESTER
PAPER -: .CRIMINAL LAW
(PROCEDURAL LAW- I)
TIME DURATION: ONE AND A HALF HOURS

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

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

- 1. Write short notes on the followings:
- a. Define and Distinguish between Cognizable and Non-cognizable offences
- b. When a person is charged of two offences of rape in one FIR, charges being tried separately and the accused is convicted and sentenced to imprisonment of ten years in each of the offences, can court order that sentences shall run consecutively.
- c. Whether Warrant under section 94 can be issued by Judicial Magistrate second Class? If such warrant is issued what is its effect?
- d. When and how objections to attachment of property of person absconding can be filed? Can absconder file such objection?

- 2. When police officer can arrest a person without a warrant? What are the rights of the accused?
- 3. Whether examination under section 53 CrPC and expression 'such other tests' used in explanation to section 53 includes Sound spectrograph/Voice Print Studies? Whether accused can be compelled to give his voice samples? Discuss the law relating to medical examination of accused and victim of rape.

- 4. Ms. A lived with Mr. B in live in relationship for 7 years at New Delhi. She alleged that Mr. B is not maintaining her and has filed petition for maintenance under section 125 CrPC. She had also filed an application for interim maintenance but that application was withdrawn. Trial court ordered interim maintenance of Rs. 10000 per month. Mr. B has filed an appeal against the order contending that a) Maintenance is not admissible in live-in relationship, b) in the absence of any application claiming interim maintenance, the same can not be granted. Decide with the help of decided cases.
- 5. Mr. A is accused of murdering Mr. X at Village, Sidhuwal, Patiala for which an FIR was registered and investigation of the offence commenced. Officer in charge of Police Station, Village Sidhuwal arrested Mr. A at Jhajjar and he was produced before the Magistrate at Jhajjar for Transit remand. Mr. A has filed an application for Bail before the court at Jhajjar. Can the magistrate at Jhajjar grant bail while considering request for Transit Remand? What would be the situation if the same person is arrested in pursuance of a warrant of arrest issued by a competent magistrate? Discuss the law and decide with the help of decided cases.



B.A.LL.B. (HONS.) FYIC
MID TERM EXAMINATION - SEPT. 2019
SEVENTH SEMESTER
PAPER - : LAW OF EVIDENCE
TIME DURATION: ONE AND A HALF HOURS
MAXIMUM MARKS: 40 (FORTY)

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

- 1. Write short notes on the followings:
- a. The accused was charged with man slaughter in killing a man by driving over him. A witness X saw him drive at very rapid speed but did not see the accident. Soon after the incident X went to the victim and heard his groan. The deceased told him about the accident. As a judge will you consider the statement made to the man relevant or reject it since X had not seen the accident and it was only a hear say. Discuss
- b. In a case the police constable was taking the accused by a horse wagon and after sometime he left the accused in charge of the horse carriage driver then the accused made the confession to the driver who was a private person, Will the court consider the confession; Discuss.
- c. When "Character" is relevant in civil and criminal cases?

d. Wheather a judgement in a previous case is admissible as an evidence in a subsequent case? If so, for what purpose?

SECTION - B

- 2. Define the term "Evidence" and explain with the help of relevant illustrations and cases, the different types of evidence?
- Facts which from part of the same transaction or which are the occasion
 cause or effect of fact in issue or which show motive preparation and
 previous or subsequent conduct are relevant. Explain with illustrations.

SECTION - C

- Discuss in detail with the help of relevant case laws, the law relating to dying-declaration.
- 5. Define the term "Expert". Also discuss in detail with the help of relevant case laws, the law concerning Expert Testimony in the Indian Evidence Act, 1872

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B.A.LL.B. (HONS.) FYIC
MID TERM EXAMINATION - SEPT. 2019
SEVENTH SEMESTER
PAPER - : BANKING LAW
TIME DURATION: ONE AND A HALF HOURS
MAXIMUM MARKS: 40 (FORTY)

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

- 1. Write short notes on the followings:
 - a. Explain difference between Commercial and Cooperative banks.
 - b. X wrote a letter, 'Received a sum of Rs. 5000. He also affixed a stamp of 20 paise as a receipt. Will you treat it as a promissory note. Explain
 - c. Draft a specimen of a Bill of Exchange on assumed facts.
 - d. On a promissory note the name of the payee should be certain but X a student of RGNUL Patiala wrote a promissory note in favour of the Registrar of RGNUL Patiala. It is signed and stamped also. Now in a suit for recovery as a judge will you treat it as a promissory note or not. Explain

SECTION-B

- 2. Describe the different types of banks and functions?
- 3. Under the Banking Regulation act 1949 what are the powers and functions of the RBI?

- 4. What is the meaning of Negotiable Instruments and explain the different types?
- 5. What are the presumptions regarding Negotiable Instruments?





B.A.LL.B. (HONS.) FYIC

MID TERM EXAMINATION - SEPT. 2019

SEVENTH SEMESTER

PAPER - : CYBER CRIMES AND IT OFFENCES

(CRIMINAL LAW GROUP)

TIME DURÂTION: ONE AND A HALF HOURS

MAXIMUM MARKS: 40 (FORTY)

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

- 1. Write short notes on the followings:
- a. Cyberspace
- b. Difference between Cyber Crime and Conventional Crime
- c. Cyber Crime
- d. WIPO Digital Agenda.

- 2. What are the different types of Cyber Crimes? Mention the Kinds of IT offences covered under the IT Act? Also, highlight the grey areas of the IT Act?
- "The United Nations Commission on International Trade Law. With a Mandate to further the progressive Harmonization and unification of the law of international trade. Elaborate the Salient features of UNCITRAL Model Law.

- 4. Elaborate the Concept of copyright? What works are protected by copyrights
- 5. What is the difference between Patents and Trademarks?





B.A.LL.B. (HONS.) FYIC
MID TERM EXAMINATION - SEPT. 2019
SEVENTH SEMESTER
PAPER -: COMPARATIVE CONSTITUTIONAL LAW
(CONSTITUTIONAL LAW GROUP)
TIME DURATION: ONE AND A HALF HOURS
MAXIMUM MARKS: 40 (FORTY)

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

- 1. Write short notes on the followings:
- a. Significance of Comparative Constitutionalism
- b. Separation of Powers
- c. Government of the Republic of South Africa and Others v. Grootboom, (2001 (1) SA 46(CC)
- d. Aviation Security Case, 2006 (German Constitutional Court's decision)

- 2. a) Compare Germany's emphasis on human dignity with America's reliance on individual liberty in each country's leading abortion cases. (4marks)
 - b) How Indian and Canadian Constitutionalism influenced South Africa's Transformative Constitutionalism? (3marks)
 - c) Explain the Judicial Law-Making, the Judicial Discretion and the role of a judge in the democracy. (3marks)
- 3. a) European Court of Human Rights (ECtHR) held that Judicial Oversight of Communication Surveillance is the rule of law in order to protect the privacy rights of an individual. Explain it. (4marks)
 - b) Explain the implications of the use of National Identity (ID) Cards worldwide on the rule of law and democracy. (3marks)
 - c) How the rule of law is important to understand our commitments to constitutionalism? (3marks)

- a) State Action on the basis of the principle of "Separate but equal treatment" is inherently discriminatory in nature. Explain it with respect to the Thirteenth Amendment to the United States' Constitution. (3marks)
 - b) Compare United States' Substantive Due process with India's Substantive Due Process while explaining the Lochner Era and New Deal Legislation. (4marks)
 - c) What are the constitutional choices for the hypothetical feminist drafter of the Constitution? (3marks)
- a) Analyse Indian and the United States Supreme Courts approaches on the freedom of speech against the government. (4marks)
 - b) Explain constitutional morality with respect to right to personal autonomy in India. (2marks)
 - c) Whether Obscenity is a freedom of Expression? Explain with the help of United States and Indian Case laws. (4marks)





B.A.LL.B. (HONS.) FYIC
MID TERM EXAMINATION - SEPT. 2019
SEVENTH SEMESTER
PAPER -: LAW OF WRITS
TIME DURATION: ONE AND A HALF HOURS
MAXIMUM MARKS: 40 (FORTY)

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. Explain how the courts in exercise of writ jurisdiction are moulding the relief in writ petitions.
- b. An order of retrenchment of employees was passed by a private company. It was challenged by filling a petition under Article 226 of the Constitution. Will the Writ be maintainable?
- c. Will Delay be excused in the following cases (Provide relevant justification for your answer).
 - i) When a government servant is suspended, the suspension continues and the same is challenged after 12 years. (1.5Marks)
 - ii) Where a writ of quo-warranto is prayed against an usurper of Public office after 4 years without reasonable explanation for delay of four years.

(1.5Marks)

iii) A notification under an Act was published in 1969. First representation against the acquisition was made in 1971 and thereafter in 1973, 1977. 1978and 1986. (2Marks)

d. Writs can only be filed against State as laid down in Article 12 of the Indian Constitution Comment. Is there any exception to the above rule?

SECTION-B

- 2. Explain how different is the position of Writs under the constitution from the preconstitution period.
- 3. Article.32 can not be invoked just to test the validity of any legislation or an administrative action, unless it adversely affects petitioner's fundamental rights. Critically explain.

- What is judicial activism? In this context evaluate the contribution of the Supreme Court of India, Which is empowered to act as the guardian of the constitutional provisions.
- 5. Discuss
 - a) "Res judicata is basically a rule of private law but has been transposed into the area of writ proceedings as well."
 - b) Can a writ petition filed by a party under Art, 226 of the Constitution before a High Court and dismissed, be filed before the Supreme Court under Art.32 of the Constitution.



B.A.LL.B. (HONS.) FYIC
MID TERM EXAMINATION - SEPT. 2019
SEVENTH SEMESTER
PAPER - : MERGERS AND ACQUISITION
(BUSINESS LAW GROUP)
TIME DURATION: ONE AND A HALF HOU

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

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

- 1. Write short notes on the followings:
- a. Whether the following amounts to reduction of share capital:
 - a) Buy back of shares
 - b) Extinguishment and cancellation of preference shares
- b. Comment on the following statements:
 - a) Companies do not remain independent in consortium
 - b) There can be an item wise sale in slump sale
- c. Reliance Ltd has a share capital of rupees ten crores divided into one crore shares of Rs. 10 each. The Board of Directors passed a resolution for buying back fifteen lakhs shares out of the securities premium account. The post buy back debt:equity ratio remained below 2:1 and the articles of company authorised buy back of shares. The company filed a petition before the Tribunal for sanctioning of buy back under section 230 of the Companies Act. Discuss the validity of this petition

An application was filed by Tyagi Technology Pvt. Ltd under section 230 of the Companies Act seeking approval of proposed scheme of arrangement to pay to creditors. The Scheme created four classes of creditors namely Class A for creditors of statutory dues, Class B secured creditors, unsecured creditors as part of Class C and Class D creditors as the dues of the employees. The scheme proposed to pay 100 per cent of the amount due and payable for statutory dues within a period of 24 months. Similar was the position regarding Class B secured creditors. Regarding unsecured creditors, the Scheme proposed payment of 50 per cent of the total outstanding amount within a period of 24 months. Regarding Class D employees dues, the scheme proposed payment of 100 per cent of monthly salary of all employees, 100 per cent payment of annual bonus of all employees below the grade of assistant manager and 50 per cent of the outstanding bonus of above the grade of assistant manager again within a period of 24 months. There was a clear approval of scheme in meeting of secured creditors, statutory creditors and employees. However, from meeting of unsecured creditors, it was clear that what was put to vote in meeting was a scheme envisaging payment of 50 per cent debt of unsecured creditors over a period of 24 months which was modified orally in course of proceedings, to repayment of 100 per cent dues to unsecured creditors within 24 months without any formal amendment to scheme which created confusion. In the course of voting some of the creditors present had voted in favour of the scheme for the newly propounded arrangement, namely, 100 per cent of the principal amount to be repaid. However, as this was not part of the original scheme the Chairman of the meeting had counted such votes as against the scheme. A petition was filed with the Tribunal submitting that if these votes were taken into account, majority of the unsecured creditors had supported the scheme. Thus, a direction should be given for a fresh meeting of secured creditors. Decide the petition.

SECTION - B

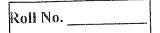
2. Distinguish between Demerger and Slump Sale. What are the different clauses in Joint Venture Agreements?

3. Distinguish between pros and cons of equity and debt financing. What are the funding options for corporate restructuring?

SECTION - C

4. Explain the various steps involved in mergers.

5. Discuss the provisions under the Income Tax Act. 1961 that are applicable to mergers and amalgamations.





B.A.LL.B. (HONS.) FYIC MID TERM EXAMINATION - SEPT. 2019 SEVENTH SEMESTER PAPER - : SOCIO-ECONOMIC OFFENCES TIME DURATION: ONE AND A HALF HOURS MAXIMUM MARKS: 40 (FORTY)

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

- 1. Write short notes on the followings:
- a. Different types of liabilities that can be imposed for white collar crimes.
- b. Distinction between traditional offences and white collar crime
 - c. Definition of essential commodity
 - d. Doctrine of alter ego

- Define white collar crime. Also discuss its generic features.
- a) What are the salient features of National Medical Commission Act, 2019. (5marks) Discuss.
 - b) Are white collar crimes-'crimes' in the real sense? Discuss

(5marks)

SECTION - C

4. a) Discuss the criminal liability that can be imposed for violating the provisions of Drugs and Cosmetics Act, 1940.

(7.5 marks)

b) Amit was running a small medicine shop in Patiala. On 01-02-2018, inspection was conducted at his shop and samples of different drugs were taken. According to the report of Government Analyst, the drugs were not of standard quality and one of the sample was also found to be adulterated. Criminal prosecution was initiated against Amit under section 18 of the Drugs and Cosmetics Act, 1940. Can Amit take the defence that he was ignorant of this fact? Help him in-establishing his defence

(2.5marks)

5. a) What is meant by money laundering? Discuss the criminal liability that (5marks) can be imposed for the offence of money laundering. (b) Anil, a union minister with the previous government is being accused of the offence of money laundering. Raids were conducted on his house and business premises. Documents were seized and Anil was arrested by the officials of the Department on 02-04-2019. On 03-04-2019, Anil applied for bail before the special Court. What factors are to be taken into consideration by the Court while deciding the bail application of Amit? (5marks) Discuss.

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RG/MT/20/09/19

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



B.A.LL.B. (HONS.) FYIC
MID TERM EXAMINATION - SEPT. 2019
SEVENTH SEMESTER
PAPER -: LAW AND MEDICINE
(OPTIONAL)
TIME DURATION: ONE AND A HALF HOURS
MAXIMUM MARKS: 40 (FORTY)

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

- 1. Write short notes on the followings:
- a. Dr. Pandit an Ayurvadic Doctor (BAMS) works at Ayurvedic hospital but sometimes practice modern medicine (Allopathy) and by reading books of surgery he operated Mr. Tanuj for intestinal stone by cutting the abdominal with an ordinary knife, in consequence of which Mr. Tanuj died. Mr. Pandit took the plea that he performed the surgery in good faith with bonafide intention to cure him. Decide.
- b. Explain the scope of criminal liability against a medical practitioner in case of death caused due to medical negligence.
- c. Explain the functions of Central Mental Health Authority (CMHA) under the Mental Healthcare Act 2017.
- d. Guru Gandhi a spiritual guru with millions of followers, influencing his religious importance amongst followers and to attract others, started advertising in the print media and television channels to sale magical mantras and instruments along with certain medicine without prescribing any formula of preparation to cure orthopedic cure, specifically joints pain of the human body. Whether the act of Guru Gandhi violate any law. Comment with the help of relevant provisions and judicial interpretations.

2. Write Short note on.

- (a) Role of judiciary for protection of Right to health in India.
- (b)Briefly explain the unethical acts prescribed under Indian Medical Council (Professional conduct, Etiquette and Ethics) Regulations, 2002 amended in 2016.
- 3. "The Constitution of India Part III and Part IV creates the obligation for the state to protect and promote right to health and health care of individual in particular and to maintain the public health in general." In reference to above statement explain the constitutional perspective of Right to health as human rights of individual.

- 4. Mr. X was mentally ill for a month during 15th July to 15th August 2018 but after due care and treatment he became absolutely fit to perform his official and family obligation. His minor son Y also suffered the mental sickness in the month of August and was admitted in the hospital in September 2018 where the consent and directions of Mr. X are required to take care of Mr. Y. Whether X is competent to give any advance directives. Explain the meaning of advance directives under Medical Health Care Act 2017.
- 5. Tanu while suffering with mental illness was brought to the mental health center for her treatment along with her minor son Raghu aged 2 years. The Psychiatrist treating Tanu after examination and observation of her behaviour suggested separating Raghu from Tanu during her treatment, initially for 15 days. Whether Tanu has the right to refuse the separation of her child? Decide and explain the provisions relating to rights of persons with mental illness as per Mental Healthcare Act 2017.



B.A.LL.B. (HONS.) FYIC MID TERM EXAMINATION - SEPT. 2019 SEVENTH SEMESTER

PAPER -: INDIRECT TAXES

(OPTIONAL)

TIME DURATION: ONE AND A HALF HOURS

MAXIMUM MARKS: 40 (FORTY)

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

- 1. Write short notes on the followings:
- a. Define mixed and composite supply. Whether supply of Battery with UPS is mixed supply or composite supply?
- b. Whether supply of consumables by a Naturopathy clinic like oils and diet is exempt from GST? Explain.
- c. Define and distinguish between Kacha Arhatia and Pacca Arhatia with the help of suitable examples and their liability under GST law.
- d. What is the threshold limit for registration under GST? Also discuss the limit for availing primary composition scheme.

- (a) Define Aggregate Turnover and Compute Aggregate Turnover of Mr. BP Bajaj from the following facts: Value of Supply of Liquor Rs. 25 Lacs; Value of Food and Beverages supplied during the tax period Rs. 18 Lacs; Value of supplies of services on which tax is payable on Reverse Charge Rs. 3 lacs; Value of supplies which are zero rated Rs. 5 lacs.
 (b) Write Short note on Reverse Charge mechanism in case of goods and
- 3. Analyse the amendments introduced by Constitution (One Hundred and First Amendment) Act, 2016.

4. (a)Mr. G. Singh is a professional who is providing services to his clients. During the month of August 2019, he has provided services worth 1000000 (ten lacs). He is registered under GST as a service provider. Services provided by him are taxable @ 18%. During the month he has expended the following amounts:

Office Rent Paid for the month Rs. 100000 (one lac only) (Land owner is

also registered under the GST)

services.

Internet Bill Rs. 5000 (Five thousand only)
Mobiles and Telephone Bills Rs. 15000 (Fifteen thousand only)
Salary to employees Rs. 150000 (One Lac fifty thousand only)

Assuming that all services received by Mr. A are taxable at 18%. Compute tax liability of Mr. A for the month of August 2019 and the

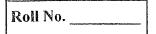
Input Tax Credit admissible to him.

(b) Write short note on Input Tax Credit

(5+5 marks)

(5+5 marks)

- 5. (a)Mr. Deepanshu is exclusively supplying services to his clients. His turnover during the previous financial year which ended on 31st March 2019 was Rs. 42 Lacs. Amendments to CGST Act by Amendment Act of 2018 have been notified from 01st February 2019. Mr. Deepanshu wants to avail the benefit of alternate composition scheme and has filed an intimation for availing the scheme on 30th June 2019. His turnover for the months of July and August is Rs. 1000000 (ten lacs). Cost of his input services for these months is Rs. 200000(two lacs). Assuming that the applicable Rate of Tax on services provided and inputs of Mr. Deepanshu is 18% and also assuming that alternate composition scheme has been made operational from 01st July 2019, compute tax liability of Mr. Deepanshu under CGST and SGST Acts.
 - (b)Discuss the conditions for availing Primary and alternate Composition Scheme under section 10(2A) of CGST Act. (5+5 marks)





B.A.LL.B. (HONS.) FYIC
MID TERM EXAMINATION - SEPT. 2019
SEVENTH SEMESTER
PAPER - : INTERNATIONAL COMMERCIAL
ARBITRATION
TIME DURATION: ONE AND A HALF HOURS
MAXIMUM MARKS: 40 (FORTY)

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

- 1. Write short notes on the followings:
- a. Diaz International Co. incorporated in India imported virgin coconut oil from Beagle International Co. incorporated in Sri Lanka. The subsidiary Co. of Beagle International Co. based in India imported the oil and supplied it to Diaz International Co. The dispute arose as to supply of adulterated coconut oil. The Diaz International Co. contended it is domestic arbitration so the arbitral institution designated by the High Court should appoint the arbitrator. Comment.
- b. Discuss the difference between domestic and foreign arbitration in regards to enforcement of their awards.
- c. Institutional arbitration is more preferred form of arbitration in International Commercial Arbitration then ad hoc arbitration. Comment
- d. Distinguish between the terms arbitral clause and submission agreement.

- 2. The term commercial in International Commercial Arbitration includes within its scope exchange of goods and services and related activities. Discuss the meaning of the term commercial as defined in International Commercial Arbitration.
- 3. The concept of resolving the international trade disputes through international commercial arbitration has evolved over a period of time. Comment

- 4. Digicom Co. based in Singapore and Info Com Co. based in New Delhi entered into a contract for the supply of Computer parts. The arbitration agreement stated that at the time of dispute the parties may go for arbitration at the Singapore International Mediation Centre or they may file a suit in the civil courts in New Delhi. Comment on the validity of such an arbitration agreement.
- 5. Arecon Co. based in South Africa entered into a trade contract with Hindustan Contractors Co. Chennai for the construction of highways in India. The contract between these two companies contained an arbitral clause. The Indian Co. further entered into sub contracts with Frazer Co. Hyderabad and Blue Dragon Co. Chennai for supply of expertise and raw materials. At the time of dispute it was found out Blue Dragon Co. was at fault for the supply of inferior quality of cement. Can Blue Dragon Co. be made liable under the arbitration proceedings between Arecon Co. and Hindustan Contractors Co. Discuss.





B.A.LL.B. (HONS.) FYIC MID TERM EXAMINATION - SEPT. 2019 SEVENTH SEMESTER PAPER - : CRIMINAL JUSTICE AND FUNDAMENTAL RIGHTS

(OPTIONAL)

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

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

- 1. Write short notes on the followings:
- a. Rationale of Criminal Justice System
- b. Right to Die
- c. Sexually Coloured remark
- d. Outraging the modesty of women

- 2. Refer to the United Nations Convention against Torture and the provisions of Constitution of India and discuss the Prevention of Torture, Inhuman or Cruel Treatment?
- 3. Discuss the provisions and principles involved in speedy trial. Support your answer with case laws?

SECTION - C

- 4. Write a detailed explanatory note on the legal provisions related to Sexual offences against women under the Indian Penal Code 1860.
- 5. Elucidate the objectives for enacting the sexual harassment of women at workplace Act 2013. Discuss in detail the procedure enshrined in the act for dealing with sexual harassment complaints?

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