Roll no. _____

RG/MT/23/09/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

PATIALA

KNOWLEDGE EMPOWERS

B.A.LL.B. (HONS.) FYIC
FIFTH SEMESTER
MID TERM EXAMINATION
SEPTEMBER - 2025
PAPER- I: ADMINISTRATIVE LAW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)

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

Section - A

1. **Compulsory**

Write short note on the following:

a. Discuss the role of the Conseil d' Etat in French Administrative Law?

b. The doctrine of Separation of Powers in its strict sense is undesirable and impracticable. Comment.

c. Classification of delegated legislation.

d. Explain the maxim " Delegatus non potest delegare"?

Contd.....P.2

Section - B

2. Define the concept of Administrative Law and discuss how its nature and scope have expanded in the modern welfare state?

3. The Classical Principle of Rule of Law as propounded by A.V. Dicey has undergone a major transformation into the modern concept of Rule of Law. Analyse with relevant Constitutional provisions and Judicial Pronouncements?

Section - C

4. Examine the reasons for the growth of delegated Legislation in India with relevant illustrations?

5. Analyse the grounds of judicial control of delegated legislation in India with suitable judgements?

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
FIFTH SEMESTER
MID TERM EXAMINATION
SEPTEMBER - 2025
PAPER -II : PUBLIC INTERNATIONAL LAW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)

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

Section - A

1. **Compulsory**

Write short note on the following:

a. Compare and contrast the two definitions of Lauterpacht Oppenheim on International Law

b. Explain in brief *Opinio juris sive necessitatis*

c. Discuss the theories of subjects of international law

d. Explain the various manners of recognition with the help of case laws?

Contd.....P.2

Section - B

2. "State X has a bilateral agreement with State Y in which both agree on reciprocal freedom of movement and financial transactions between their nationals in their respective territories. In application of this agreement, many nationals of state Y moved to state X which is more prosperous in resources. In addition, state X has granted access to the authorities of state Y to use its territory for military exercises. After several years, the relationship between the two states deteriorates and state X decides to denounce the above treaty and expel all nationals of state Y establish on its territory. In response state Y initiates proceeding before ICJ claiming that state X has violated the treaty and corresponding customary law, general principles of good faith and *pacta sunt servanda*".

   Decide the dispute according to accurate and appropriate international law and referred the cases decided by ICJ.

3. Explain the different theories regarding the relationship between International law and Municipal law. Also give the reference of Indian practice regarding relationship between International law and Municipal law.

Section - C

4. In a situation of war between State A and State B, both nations levy allegations against each other for the violation of principles of the United Nations Charter, 1945. Determine the essential elements of state responsibility for affixing accountability under the Responsibility of States for Internationally Wrongful Acts, 2001 against the erring state.

5. Define Recognition. Explain the difference between Recognition of Government and Recognition of State? Can the Recognition of state be withdrawn?

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B.A.LL.B. (HONS.) FYIC
FIFTH SEMESTER
MID TERM EXAMINATION
SEPTEMBER - 2025
PAPER- III: BHARTIYA NAGRIK SURAKSHA SANHITA - I
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)

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

Section - A

1. **Compulsory**

Write short note on the following:

a. What are the differences between Cognizable and Non-Cognizable offences?

b. Can a private agency have a right to do an investigation according to section 2(L) of BNSS, 2023?

c. Differentiate between the adversarial and inquisitorial forms of justice. Discuss which model the Indian criminal justice system under the Bharatiya Nagarik Suraksha Sanhita, 2023, primarily follows.

d. Write a note on sentencing powers of the Courts under BNSS,2023.

Contd.....P.2

Section - B

2. Describe in general the different officials who carry out their responsibilities and exercise authority under the BNSS, 2023.

3. How do the provisions relating to FIR given in BNSS, 2023 differ from those under the Code of Criminal Procedure, 1973 particularly with respect to electronic FIR, zero FIR, and conducting inquiry before registration of FIR.

Section - C

4. Whether the indefeasible right of the accused to get default bail under section 187(2) of BNSS (Section 167(2) of CRPC), if not already availed of, remains enforceable even after filing of charge-sheet? Discuss with relevant case laws.

5. Examine how the law of arrest has changed in recent years. What are the rights guaranteed to an arrested person? Discuss with judicial pronouncements.

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B.A.LL.B. (HONS.) FYIC
FIFTH SEMESTER
MID TERM EXAMINATION
SEPTEMBER - 2025
PAPER- IV: CIVIL PROCEDURE CODE
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)

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

Section - A

1. **Compulsory**

Write short note on the following:

a. Explain with the help of suitable examples Preliminary and Partly Preliminary and Partly Final Decree.

b. Whether the order rejecting the application for impleading a legal heir under Order XXII is a decree or an order?

c. Counter Claim.

d. Premature Discovery.

Contd.....P.2

Section - B

2. A is a wholesale supplier of Sugar and B is a shopkeeper engaged in the business of making and selling sweets at Patiala. A entered into a contract with B for supply of 100 Kg. sugar on 10th July 2025 at the rate of Rs. 40 per kg. On the same date, A entered into contract with C at Patiala for supply of 100 Kg. of sugar at the rate of Rs. 40 per kg. On violation of the terms of the contract by A, both B and C want to file a civil suit against 'A'. Can 'B' and 'C' join as plaintiffs against 'A'. Decide giving reasons for joinder or non-joinder, as the case may be. Explain the law relating to joinder and misjoinder of parties and the effect of misjoinder and non-joinder. When can objections be taken against misjoinder and non-joinder?

3. It is asserted that after the decision in Secretary of State v. Mask and Co., the difference between lack of jurisdiction and irregular exercise of jurisdiction has reached a vanishing point. Explain the statement in the light of judicial decisions.

Section - C

4. Explain Dasti Summons. Also explain various modes of service of summons on a defendant and on witnesses.

5. After demise of Mr. X, T (the elder son of X) filed a civil suit against U, V and W (sons and daughters of X), for partition of the joint family property and for possession of 1/4th share, in the civil court at Patiala on 01st November 2024. Process was issued to U, V and W and they filed their written statements in response thereto. They claimed that T had already been given cash in lieu of the joint family property and that he invested the money in business. It was further claimed that since T had already been paid in lieu of his share, he is not entitled to the partition of the property. Issues were settled and the matter was fixed for plaintiff evidence. Plaintiff adduced his evidence and thereafter defendant was directed to adduce his evidence. When defendant was producing his evidence in court, plaintiff filed an application for amendment of pleadings on 14th September 2025 claiming that after the death of their mother (Y) in August 2025, he searched her bank lockers and found a document purporting to be the *Will* of their father wherein T has been given 40% of the share in the property whereas balance 60% was to be shared equally by U, V and W. T, therefore, filed an application for amendment of pleadings claiming possession of 40% on the basis of *Will*. Discuss the law and decide the application in the light of judicial decisions regarding amendment to pleadings especially after the commencement of the trial.

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RG/MT/29/09/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
FIFTH SEMESTER
MID TERM EXAMINATION
SEPTEMBER - 2025
PAPER -V : COMPANY LAW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)

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

Section - A

1. **Compulsory**

Write short note on the following:

a. The directors of Express Co. Ltd. want to convert their company into a public limited company. Identify the key differences between a private company and public company under the Companies Act, 2013. What will happen if the members of a private company exceed the maximum number provided under the Companies Act, 2013?

b. "A promoter is neither an agent nor a trustee of the company under incorporation, but certain fiduciary duties have been imposed on him under the companies Act". In view of the statement identify the duties of a promoter. Substantiate your answer with the help of the judgment given in the case of *Emile Erlanger v. New Sombrero Phosphate Company (1878) 3 App. Cas. 1218.*

Contd.....P.2

c. "Though the method of private placement of shares offers a cost saving and tailored approach towards issue of shares but is subject to fulfillment of mandatory regulatory conditions as laid down under the companies Act, 2013". Examine the key requirements that a company must comply with while conducting a private placement. Highlight the consequences if a company fails to comply with the private placement rules under the Companies Act, 2013.

d. The Article 20 of the Texon Company's Articles of Association stipulates that all deeds, certificates, cheques and bonds must be signed by 4 officers of the company i.e., Working director, managing director, secretary and finance officer of the company. Later the Texon Co. Ltd. borrowed a sum of Rs. 50,00,000 from Mr. Rajesh and the mortgage deed was signed by 2 officers of Texon Co. Ltd. only and not by the managing director and secretary. Can Mr. Rajesh claim his money under the deed? Support your answer with suitable case laws.

Section - B

2. a) Sonal and Sonam, two persons who constitute a partnership firm sell 2000 square yards of land belonging to the firm to a private limited company which they formed. They claimed exemption from stamp duty on the ground that it is a sale by them in one name to themselves under another name. Will they succeed? Discuss and support your answer with suitable case laws.

   b) "The debts of a company have to be paid by the company itself rather than by its members". Elucidate the statement in light of the characteristic of limited liability of members of a company. Point out the exceptions to the principle of limited liability.

3. "The sanctity of a separate corporate identity is upheld only in so far as the entity is consonant with the underlying policies which give it life. As a result of the impact of the complexity of economic factors, judicial decisions have sometimes recognized exceptions to the rule about the juristic personality of the corporation." Critically analyze the statement in light of the established grounds for lifting of corporate veil. Support your answer with relevant case laws.

Contd.....P.3

Section - C

4. The Phoenix Co. Ltd. was incorporated with the main object of manufacturing and selling residuals arising from gas making and to provide such apparatus, materials, etc. as may be necessary for its purpose. Later it required caustic soda to convert a particular residual into a marketable product and even purchased it from various outside manufacturers for more than 5 years. In order to resolve this problem of procuring caustic soda, the Phoenix Co. Ltd. in June, 2025 resolved to establish its own factory to manufacture caustic soda as well. Discuss the validity of the action of the company. What are the consequences of an ultra vires transaction? Support your answer with suitable case laws.

5. Jeevika Co. Ltd. made a public offer of its securities by issuing a prospectus, in which it was stated that the company has not defaulted in its repayment to creditors as well as has been regularly paying its statutory dues under the Gujarat Value Added Tax Act, 2003 for the past ten years. When the disclosures were verified, it was found that Jeevika Co. Ltd. had made continuous defaults in repaying its creditors and had even no credible asset remaining with it since the last five years. These facts were not explicitly stated in the prospectus. Discuss whether the Jeevika Co. Ltd. and its Managing Director who had issued the prospectus will incur any liability under the Companies Act, 2013.

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B.A.LL.B. (HONS.) FYIC
FIFTH SEMESTER
MID TERM EXAMINATION
SEPTEMBER - 2025
PAPER- VI: RIGHT TO SERVICE AND RIGHT TO INFORMATION
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)

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

Section - A

1. **Compulsory**

Write short note on the following:

a. Distinguish the scope of 'Public Authorities' as defined in Section 2(h) of the Right to Information Act, 2005 from the scope of 'State' as defined in Article 12 of the Indian Constitution. Critically analyse whether the difference in scope aids access to information.

b. Discuss the stages and hierarchy of appeals provided in the Right to Information Act. 2005. Briefly mention the criticism(s) against the grievance redressal mechanism. Further. give reasons for agreeing or disagreeing with the criticism(s).

Contd.....P.2

c. Discuss the impact of the Right to Information (Amendment) Act, 2019 and the Right to Information Rules, 2019 on the functioning of the Central Information Commission and the State Information Commissions.

d. "One man's freedom of information is another man's invasion of privacy". Elaborate the right to information in relation with right to privacy.

Section - B

2. Compare Section 8(1)(a) of the Right to Information Act, 2005 and Article 19(2) of the Indian Constitution. Discuss the similarities and differences. Critically analyse whether the differences aid access to information.

3. Elucidate the evolution of Right to Information in India from the Official Secrets Act, 1923 to Right to Information Act, 2005.

Section - C

4. Compare the Right to Information Act, 2005, the Freedom of Information Act, 2000, and the General Law on Transparency and Access to Public Information, 2025 on the following grounds -
   a) who can access information.
   b) from whom can information be accessed.

   Further, critically analyze which model is better and why concerning each ground of comparison.

5. "Information and right to information are intended to be formidable tools in the hands of responsible citizens to fight corruption and to bring in transparency and accountability." Dissert on the case of Aditya Bandhopadhyay keeping in view the above opinion.
