Roll No. _____

RG/MT/20/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER - I: BHARATIYA NAGARIK SURAKSHA SANHITA -II
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 **Section - C** each questions carries10 marks.

SECTION - A

1 **Write short notes on the followings:**

a. Whether the Public Prosecutor or Assistant Public Prosecutor has the right to appear before the court without requiring any written authority? If so, under which provision of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) does this right exist?

b. Explain briefly how many ways are there to pronounce a judgement in a trial before a Criminal Court of original jurisdiction?

c. What is the objective of submitting a confirmation proceeding to High Court in a case where the Court of Session has awarded death penality?

d. What grounds are to be kept in mind by the Court while giving consent for withdrawal from prosecution?

Contd.....P.2

SECTION - B

2. 'A' and 'D' went to watch an IPL Cricket Match in Mohali, where they encountered 'B' in the stadium's parking area. A dispute arose between 'A' and 'B' over parking, leading to a heated argument. In the altercation, 'A' struck 'B' with a deadly weapon, causing severe injuries. As a result, 'B' was hospitalized, and 'A' was convicted under Section 118 of the BNS for voluntarily causing grievous hurt by dangerous weapons or means. Subsequently, 'B' succumbed to the injuries sustained in the attack. Can 'A' be retried for the murder of 'B' despite already being convicted under Section 118 BNS (S. 326 IPC)?

3. Evaluate the role of Advocates' i.e., Private Advocates, Legal Aid Counsel and Public Prosecutors for providing fair trials.

SECTION - C

4. Discuss the legal provisions related to the compounding of offences under the Bharatiya Nagarik Suraksha Sanhita, 2023. Whether the Court can take into consideration the compromise arrived between the accused and the victim in a non-compoundable offence? Comment.

5. Explain the procedure that shall be followed by the Court in the following cases —

   i) An application is filed in a criminal court that 'X' in a proceeding in that court has produced a forged document in that court. **(2.5 Marks)**

   ii) A court of Sessions at the time of delivery of any judgement or final order is of the opinion that a witness has knowingly and willfully given false evidence. **(2.5 Marks)**

   iii) A witness was summoned to appear before a Criminal Court at a certain time and place. However, he left the court before time at which it was lawful for him to depart. **(2.5 Marks)**

   iv) While in a proceeding in a Civil Court the accused interrupted the judicial proceeding. **(2.5 Marks)**

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-II: BHARATIYA SAKSHYA ADHINIYAM
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 **Section - C** each question carries 10 marks

SECTION - A

1. **Write short notes on the followings:**

a. The accused led the investigation officer to the spot where the murder weapon was hidden. Under which provisions of Bharatiya Sakshya Adhiniyam, this act of the accused is relevant and why?

b. Discuss the relevance of Test Identification Parade and Dock Identification Parade under the Bharatiya Sakshya Adhiniyam.

c. Explain the relevancy of previous conviction under BSA.

d. In a prosecution for rape by Suman against Dilip, the accused wants to prove that they had been in consensual sexual relationship for a long time. Can he give evidence of this fact?

Contd.....P.2

SECTION - B

2. In a criminal trial for murder, the following evidence is led by the prosecution:
   i) That the accused made misleading statements regarding the whereabouts of the victim by stating that the victim has gone to Mahakumbh whereas victim was already dead on that day.
   ii) That the accused led the investigation officer to the place where the body of the victim was buried and the place where murder weapon was hidden.
   iii) That the accused was last seen with the victim and they lived under the same roof.
   iv) That the accused went underground immediately when the police registered the case of missing victim.

   No evidence is given as to the motive of the accused.

   Explain the relevancy of such evidence in trial for murder under the relevant provisions of BSA. Whether it is necessary to prove motive in the above circumstances? Also explain the Panchsheel of circumstantial evidence.

3. What facts are relevant when the existence of 'right' or 'custom' is in question? Also discuss the relevance of the following in such cases?
   i) Recitals in documents.
   ii) Judgments.

SECTION - C

4. Satish and Pramod were charged for murdering Amar. Amar knew the assailants. One dying declaration was recorded by doctor at the earliest opportunity and another by Magistrate. In both Dying Declarations Amar named Satish and Pramod. But the one recorded by Magistrate was not in question and answer form. Explain the procedure for recording Dying Declaration. Discuss the relevancy and probative value of both dying declarations in this case.

5. Do you agree that the Science of comparison of fingerprints has reached to a point of exactitude as compared to the science of identification of handwriting? Also explain various modes of proving handwriting of a person.

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER - III : INSURANCE 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 **Section - C** each questions carries10 marks.

SECTION - A

1 **Write short notes on the followings:**

a. Mr. Sanjiv purchased a car for his personal use and insured it under a Motor Vehicle Insurance Policy. Later on, he sold the car to Mr. Bachan but did not intimate the insurance company about sale. One week later, Mr. Bachan met with an accident while driving the car. The Insurance company repudiates the claim of Mr. Bachan. Comment in the light of assignment of policies.

b. Vivek has a personal accident insurance policy. One day, he met with a car accident while driving at high speed and was taken to the hospital. During treatment, he developed a severe infection due to unsterilized medical equipment used during his surgery, which eventually led to his death. Analyze and identify the proximate cause of Vivek's death.

Contd.....P.2

c. Priya was on a holiday in Switzerland. During her trip, she went for skydiving and unfortunately met with an accident, resulting in severe injuries. Her medical expenses were Rs.5 lakh. In the hustle of getting the medical treatment done she lost her baggage as well. She filed for claim under the Travel Insurance policy for medical treatment and loss of baggage. The Insurance Company pays the claim only for loss of baggage and repudiated the claim for medical expenses. Comment.

d. ABC Insurance Company received a proposal to insure a large chemical factory with a sum insured of Rs.100 crore. The company assessed the risk and decided to underwrite the policy and shared the risk with another insurance company through re-insurance under Section 101 A of Insurance Act, 1938. In the light of present facts how re-insurance principle will work in case of loss of Rs. 50 crore.

SECTION - B

2. Mr. Raman purchased a Life Insurance Policy for a sum of Rs. 30 lakhs, nominating his wife as the beneficiary. After 5 years, Mr. Raman died in a car accident. His wife approached the insurance company to claim the policy amount. During the claim investigation, the insurance company found out that Mr. Raman was a heavy smoker and had high blood pressure, but he did not disclose this fact at the time of purchasing the policy. Analyze whether the insurance company can reject the claim on the ground of non-disclosure of material facts in the light of present facts.

3. Sanjh owns a *garment factory. He insured the factory building with two different insurance companies against fire:*
   Insurer A: Sum Insured – Rs. 10 lakh
   Insurer B: Sum Insured – Rs.5 lakh
   A fire broke out and caused damage of Rs.6 lakh to the factory. Saanjh filed a claim with both insurers.
   i) Calculate the contribution from each insurer based on the Principle of Contribution.
   ii) Can Saanjh claim Rs. 6 lakh from both insurers and make profit?

Contd.....P.3

SECTION - C

4. Discuss the validity of the life insurance claim in the following situations:
   i) Vinay and Sameer are business partners running a textile business. They mutually agreed to take life insurance policies on each other to ensure business continuity in case one of them dies. Vinay died in 2024, and Sameer filed a claim with the insurance company. However, Vinay's wife objected to the claim stating that Sameer had no insurable interest in Vinay's life.

   ii) PVC Pvt. Ltd., a company in Pune, took a Keyman Insurance Policy on the life of its Managing Director, Mr. Sharma, with a sum assured of Rs.2 crore. The policy stated that if Mr. Sharma died or became incapacitated, the insurance amount would be paid to the company. Unfortunately, 3 years later, Mr. Sharma died in an accident. His family approached the insurance company claiming the policy amount, stating that the money should belong to them as legal heirs.

5. Discuss the validity of the fire insurance claim in the following situations:
   i) Sanju runs a factory where paint is manufactured, he stores chemicals required to manufacture paint in the factory premises itself. Due to excessive heat in summers, the chemicals self-ignited (spontaneous combustion) and caused heavy smoke and heat damage without any visible flames. Sanju filed a fire insurance claim for the loss.
   ii) Deepak's house caught fire due to fire that originated in his neighbor's house due to an electrical short circuit in the air conditioningunit. The fire spread and damaged furniture, walls, and appliances. Deepak submitted a claim to his neighbour's insurance company.

Roll No. _____

RG/MT/24/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-III: SPECIAL LAW- II
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 **Section - C** each question carries10 marks

SECTION - A

1. **Write short notes on the followings:**

a. Discuss the object and reasons behind the enactment of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

b. Critically evaluate the presumption of culpable mental state under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

c. Definition of Sexual harassment.

d. Whether the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 are applicable for employees in the unorganised sector?

Contd.....P.2

SECTION - B

2. A, a 45 years old man allured a minor girl aged 12 years for chocolates and touched her private parts without removing the clothes. Discuss the liability of A if any under the provisions of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act). Cite relevant cases.

3. Equality in employment can be seriously impaired when women are subjected to gender specific violence, such as sexual harassment in the work place. Discuss the guidelines laid down by the Supreme Court in *Vishaka v. State of Rajasthan AIR 1997 SC 3011* for the effective enforcement of the basic human right of gender equality and guarantee against sexual harassment.

SECTION - C

4. Whether same gender sexual harassment allegations maintainable under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, commonly referred to as the POSH Act. Cite relevant caselaw.

5. A, a lady filed a complaint of sexual harassment against her boss B before the Internal Complaints Committee (ICC) after six months of the date of the incident. She mentioned before the committee that she was hesitant to file a complaint before the committee earlier as she was scared of the consequences of the filing of complaint. Discuss the procedure which can be followed by the ICC in this case.

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-III: SERVICE 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 **Section - C** each question carries 10 marks

SECTION - A

1. **Write short notes on the followings:**

a. Status of the Government Servants

b. Compulsory Retirement

c. Civil Post

d. Removal and Dismissal

Contd.....P.2

SECTION - B

2. Explain the doctrine of equal Pay for Equal work with the help of decided cases.

3. Compassionate appointment is not matter of right, but a matter of Policy. Is this statement true? Comment.

SECTION - C

4. Discuss in detail the statues and right of the Adhoc Employees. What is the procedure for the Regularisation of Ad- Hoc Employees.

5. Define Doctrine of Pleasure? What are the implications of Doctrine of Pleasure under Article 310 (1) of the Constitution of India? Also give a Critical comment on constitutional safeguards available to a Government Servant under Article 311 of the Constitution of India.

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RG/MT/24/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-III: INTERNATIONAL CRIMINAL LAW AND INTERNATIONAL CRIMINAL COURT
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 **Section - C** each question carries10 marks

SECTION - A

1. **Write short notes on the followings:**

a. International Criminal Law

b. *Nullum Crimen Sine Lege*

c. Apartheid

d. Aggression

Contd.....P.2

SECTION - B

2. Explain the evolution of International Criminal Law since World War II till contemporary era.

3. Explain the concept of sovereignty under the International Criminal Law. Explain the subjects under the International Criminal Law in detail.

SECTION - C

4. Explain the crime of genocide in detail. Explain the world's first conviction for genocide under the Tribunal. Mention the perpetrator who was held responsible for the guilty of crime of Genocide under the tribunal or ICC.

5. Can Crime Against Humanity be committed during the Peace time. Mention the examples of crime against humanity committed as "part of a widespread or systematic attack against a civilian population".

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Roll No. _____

RG/MT/25/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-IV: INSOLVENCY & BANKRUPTCY 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 **Section - C** each question carries10 marks

SECTION - A

1. **Write short notes on the followings:**

a. Write a short note on the status of 'Homebuyers' in the light of judgment of Pioneer Urban Land and Infrastructure Ltd. & Ors. v. U.O.I. and Ors 2019.

b. Explain the Doctrine of Clean Slate and its relevance

c. Discuss the importance and role of Interim Resolution Professional under the Corporate Insolvency Resolution Process.

d. Discuss the concept of Moratorium under Insolvency and Bankruptcy Code and what benefits does it hold for the corporate debtor?

Contd.....P.2

SECTION - B

2. Define the terms 'Insolvency', 'Bankruptcy' and 'liquidation'. Discuss in detail the evolution of Insolvency and Bankruptcy Code in India. Discuss the major pillars of the IBC 2016?

3. "It is only in exceptional cases that time can be extended, the general rule being that 330 days is the outer limit within which resolution of the stressed assets of the Corporate Debtor must take place beyond which it is to be driven into liquidation". Examine the statement in the light of 'mandatory period of 330 days' under Section 12 of Insolvency and Bankruptcy Code, 2016. Also discuss in what circumstances can the adjudicating authority exclude certain period for the purpose of counting the total period of 180/270 days.

SECTION - C

4. Explain the procedure for the approval and submission of a Resolution Plan under the Insolvency and Bankruptcy Code, 2016, highlighting the relevant legal provisions and judicial interpretations.

5. Discuss the process of initiation of CIRP by Financial and Operational Creditors. Why was there a suspension of CIRP in the year 2020? Also discuss that who are the persons not entitled to make an application?

Roll No. _____

RG/MT/25/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-IV: CRIMINOLGY AND PENOLOGY
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 **Section - C** each question carries10 marks

SECTION - A

1. **Write short notes on the followings:**

a. Define the concept of *'Crime'*.

b. *The Classical School of Criminology proceeded on the abstract presumption of free will and relied solely on the act without devoting any attention to the state of mind of the criminal. However, certain categories of offenders had to be treated leniently in the matters of punishment irrespective of the similarity of their criminal act.*

In the light of the above discussion, explain with the help of relevant examples, the Classical and Neo-Classical School of Criminology.

c. Discuss Sutherland's '*Theory of Differential Association*'.

d. Discuss the relevance of Economic considerations in the causation of crimes.

Contd.....P.2

SECTION - B

2. Do you agree with the statement that *criminology deals with the legal psychiatric aspect or medico-psychological, biological, pedagogical or sociological aspect of criminality and the factors related with it.*

   In the light of the statement, discuss in detail, the scope, meaning and concept of Criminology in reference to associated sciences and behavioral studies.

3. Discuss in detail the inter-relation between Criminology, Penology & Victimology.

SECTION - C

4. Explain in detail, the relevance of various principles/tenets and shortcomings of the Positive school of Criminology (Italian School) in the modern day context.

5. Do you agree with the statement by American Criminologist William Healy that *It is not one or two factors which turn a man delinquent but it is a combination of many more factors – say eight or ten – which cumulatively influence him to follow Criminal Conduct.*

   In the light of the above statement, discuss in detail with the help of relevant illustrations and case laws, the relevance of Multiple Factor Approach to Crime Causation in India.

Roll No. _____

RG/MT/25/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-IV: CITIZENSHIP & EMIGRATION 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 **Section - C** each question carries10 marks

SECTION - A

1. **Write short notes on the followings:**

a. Functional Separation and Geographical Contiguity are markers of evolution of citizenship. Discuss

b. Equality is the hallmark of citizenship. Critically analyze in light of Marshall's theory.

c. Comment on the dynamism of the concept of citizenship in the light of provisions of Indian Constitution.

d. The debate on citizenship in the Constituent Assembly had religious undertones. Elucidate the same in the light of the views of members of the Constituent Assembly.

Contd.....P.2

SECTION - B

2. Critically analyse the the hypothesis that there is a lack between citizenship status and citizenship exercise. Also explain the theory that postulates the hypothesis.

3. Citizenship entails certain rights and privileges that should be safeguarded from the shifting demands and whims of political agendas. Analyze this concept critically through the lens of Dahrendorf's views, highlighting how his ideas refine or differ from those of Marshall.

SECTION - C

4. The constitutional provisions on citizenship adopt an inclusive and secular approach. Explain the relevant constitutional provisions that reflect this, providing a critical analysis, and Constituent Assembly Debates.

5. Women were treated as helpless by the state, and the concept of national honor was enforced through legal mechanisms that categorized, identified, rescued, and returned these women through rules and governance, utilizing statistics for identification, recovery, and restoration. Critically examine how national honor was restored through legal language, focusing on the Abducted Persons (Recovery and Restoration) Act of 1949, along with relevant case law.

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-IV: INTERNATIONAL HUMAN RIGHTS 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 **Section - C** each question carries10 marks

SECTION - A

1. **Write short notes on the followings:**

a. Examine the sources of International Human Rights Law?

b. Discuss the core characteristics of human rights and its relevance in application of International Human Rights Law?

c. Explain the main points of Vienna Declaration and Programme of Action?

d. With reference to Universal Declaration of Human Rights, discuss its philosophical significance in protection of human rights?

Contd.....P.2

SECTION - B

2. Elucidate the historical foundation and evolution of the human rights law and its impact on the contemporary International Human Rights Law regime?

3. Critically appreciate the relation, both distinction and convergence, between the International Human Rights Law and International Humanitarian Law?

SECTION - C

4. Being a signatory of the United Nation Charter, 1945 what legal obligations does a member state owes under the International Human Rights Law?

5. While dealing with various dimensions of International Human Rights Law, application and enforcement of certain covenants along with its optional protocol become relevant. In light of this statement explain the obligations of state under these covenants vis-à-vis its subjects in reference to
   i) right to self-determination;
   ii) freedom of speech and expression;
   iii) liberty and protection of arbitrary detention; and
   iv) the reasonable restrictions/limitation on such rights and freedom.

Roll No. _____

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

PATIALA

KNOWLEDGE EMPOWERS

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-V: JUDICIAL PROCESS AND JUDICIAL REVIEW (OPTIONAL)
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 **Section - C** each question carries 10 marks

SECTION - A

1. **Write short notes on the followings:**

a. Correlation between Judicial Process and Contempt of Court with example

b. Role of Judicial Process in social change with examples.

c. Doctrine of per incuriam.

d. The role of "Rule of Law" as the cornerstone of the contemporary justice system.

Contd.....P.2

SECTION - B

2. Mr. Kailash is an attorney in the Supreme Court of India. He advocates for public interest litigation and has represented several cases concerning public accountability in court. On 22 May 2024. he tweeted, "Courts must resist pressure from the executive. and Mr. Justice Abhik Kumar exemplifies what a Supreme Court judge should not be." A cartoon depicting Justice Abhik Kumar, an incumbent Supreme Court justice, envisions a method to pacify the Prime Minister. Do you believe Mr. Kailash is culpable of contempt of court according to Indian law? Provide justifications.

3. The Supreme Court determined that truth should serve as a guiding principle throughout the whole judicial process, specifically highlighting the objective of uncovering the truth under an inquisitorial system. Elucidate the provisions on truth-finding mechanisms as outlined in the Constitution of India with decided case laws.

SECTION - C

4. "It is not everything said by a Judge when giving judgment that constitutes a precedent. The only thing in a Judge's decision binding as a legal precedent is the principle upon which the case is decided and, for this reason, it is important to analyse a decision and isolate from it the obiter dicta". In the light of this statement, elucidate the doctrine of precedent with relevant case laws.

5. Doctrine of 'Separation of Powers' has not been adopted in India in its truest sense. Illustrate citing relevant case laws.

Roll No. _____

RG/MT/27/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-VI: INVESTMENT 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 **Section - C** each question carries10 marks

SECTION - A

1. **Write short notes on the followings:**

a. With the help of precedents explain the term and determinants of 'investment' and 'investor'.

b. Explain the categorization of Foreign Direct Investment (FDI) and permissible routes for FDI in India?

c. Determine the objective of Foreign Contribution Regulation Act, 2010 (FCRA, 2010) and its relevance in national interest?

d. Write a short note on 'Capital Account Transaction' and 'Capital Account Transaction' in reference to regulation of foreign exchange under relevant provisions of Foreign Exchange Management Act, 1999 (FEMA, 1999).

Contd.....P.2

SECTION - B

2. "To understand foreign direct investment, one must first understand the basic motivations that cause a firm to invest abroad rather than export or outsource production to national firms." In the light of this statement, explain various theories of foreign investments and draw the distinction between them?

3. While explaining the meaning of FDI, provide the rationales to incentivize and protect the investment. Also, discuss the policies designed and implemented by India for the incentivization and protection of the foreign investment in India.

SECTION - C

4. What are the major schemes introduced under the Foreign Trade Policy and Procedure, 2023 and also discuss the significance of such policies in furthering exports from India?

5. Write a detailed note on:
   a) Eligible Receiver under FCRA 2010; **(3)**
   b) Obligation of Realization and Repatriation of Foreign Exchange in India under FEMA 1999; **(3)**
   c) Manner of making Overseas Direct Investment by Indian entity under Foreign Exchange Management (Overseas Investment) Rules, 2022. **(4)**

Roll No. _____

RG/MT/27/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

B.A.LL.B. (HONS.) FYIC
EIGHTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER - VI: REAL ESTATE LAW (OPTIONAL)
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 **Section - C** each questions carries10 marks.

SECTION - A

1 **Write short notes on the followings:**

a. MNC Developers started constructing a 15-storey residential cum commercial building in Zirakpur. However, during an inspection, the municipal authorities found out that the building exceeded the permissible height limit, violated the Floor Space Index (FSI), lack of proper fire safety measures under the local building code. As a result, the construction was halted, and the builder was asked to modify the plan. In the light of present facts discuss the importance of following Building Codes and FSI in a real estate construction.

b. MDM Real Estate Developer gives a contract of housekeeping services to Urban Fresh Catering Services to provide meals for the workers during construction of the project in Ambala. A designated space was given to them for opening a small canteen. After the completion of the project Urban Fresh continues to operate their canteen. MDM Real Estate Developer ask the owner of Urban Fresh to vacate the premises on the ground that his license to serve food is over and it is illegal occupation of land. Owner of Urban Fresh contends it is lease of the land in his favour. Comment in the light of present facts if the Urban Fresh is having lease or license.

Contd.....P.2

c. NYC Builders launched a large residential housing project in Dehradun and sold 200 flats to homebuyers. After two years, a third party filed a lawsuit against the homebuyers, claiming ownership rights over the land on which the project was built. The homebuyers now fear losing their property rights. However, the builder had obtained Title Insurance before commencing the project. Discuss the importance of obtaining a Title Insurance under Section 16 of Real Estate (Regulation and Development) Act in real estate projects.

d. Mr. Raj, a retired government officer, wants to invest his savings of Rs.10 lakh in Real Estate Investment Trusts (REIT's) instead of purchasing physical property. His financial advisor informed him that REIT's allow investment in large commercial real estate properties without direct ownership. However, Mr. Raj is still confused about the concept of REIT's and their functioning. Discuss the concept of Real Estate Investment Trust (REIT) with Mr. Raj explaining the advantages incase he invests in REIT's instead of directly purchasing physical real estate?

SECTION - B

2. Mr. Rajesh, a Doctor in Bengaluru, plans to invest his savings in real estate. He is considering purchasing a 3 BHK apartment in a newly developed township. The property promises high rental returns and price appreciation in the future. However, he is also exploring the option of purchasing a plot of land in commercial property in the outskirts of the city. In the light of present facts discuss with Mr. Rajesh various options available in the market to invest in real estate sector in India.

3. SDL Builders Pvt. Ltd. planned to construct a high-rise residential project in Goa near the beachfront. Despite completing all design plans and obtaining local authority approvals for building codes, the project faced a six-month delay due to pending environmental clearance. The delay increased project costs and frustrated homebuyers who had already invested. Discuss why is it mandatory to take an environmental clearance for large-scale real estate projects?

Contd.....P.3

SECTION - C

4. BCD Builders Pvt. Ltd. is planning to construct a large residential township in Mumbai. They require funding of Rs. 200 crore for land acquisition, construction, and development. The Real Estate Builder has approached you for advise on arranging finances for the Project. Guide him about the various financing options for the construction of the Project.

5. Sunrise Developers Pvt. Ltd. purchased 50 acres of land from Mr. Ajitpal for the purpose of developing a residential and retail township. After making full payment and starting construction, another person (Mr. J. Mehta) claimed ownership of the land, stating that Mr. Ajitpal had no legal right to sell the land. Upon title verification, it was found that Mr. Ajitpal was not the original owner and the land has a pending litigation and the property is mortgaged with a financial institution. Discuss the importance of Title Examination in a real estate project before purchasing land in the present issues.
