



Rajiv Gandhi National University of Law, Punjab
(Accredited with 'A' Grade by NAAC)

Open Book Online End Term Examination – May, 2022
B.A. LL.B. (Hons.) FYIC
Semester - IV

Subject – Comparative Public Administration (Major-IV)

Time – 1 ½ Hours

Maximum Marks – 40

Part - A

Attempt all question of this Part. Each question carries 5 marks.

- 1.a) Briefly explain the game of Prisoner's Dilemma in the context of international conflicts in Indo-Pacific. (3)
- b) How is it useful in the framing of India's policy towards international conflicts? (2)

- 2.a) How would you describe the French constitutional tradition in the light of the recent Presidential Elections in 2022? (3)
- b) How does it differ from the Anglo-American tradition? (2)

Part – B

Attempt any two questions. Each question carries 15 marks.

3. Elaborate on the following contributions of Chester Barnard to the classical theory of organisation:
 - (i) What leads to longevity of an organisation? Refer to the Roman Catholic Church as an example. (5)
 - (ii) What are the best practices to be applied in an office by an executive? (5)
 - (iii) What are the necessary features of the communication system in an office? (5)
4. Critically analyse Fred Riggs' classification of societies into fused, prismatic and diffracted societies. (3+3+3)
Discuss India's level of development in the light of the classification. (3)
Explain which development model India should follow to become a developed nation. (3)
5. How is the President of India elected? Explain the electoral college and weightage of votes in the electoral college. (5)



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What has been the role of the Prime Minister in Indian Presidential Elections? Explain with historical examples. (5)

Analyse the proportion of votes and potential candidates of different political alignments in India for the 2022 Presidential elections. (5)

6. According to Samuel Huntington, there have been three waves of democratisation from the 19th century. Briefly explain the process of democratisation in each of the waves. (3)

Critically analyse with examples the characteristics of a democratic government and how they are different from those of an authoritarian government. (3+3)

How has democratisation proceeded in the context of Colour Revolutions and Arab Spring? (3+3)



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Subject – Constitutional Law-II

Time – 1 ½ Hours

Maximum Marks – 40

Part - A

Attempt all questions of this Part. Each question carries 5 marks.

1. Seventy-third amendment of the Constitution does not prevent the State legislature from legislating on local government; rather, it allows the States to legislate on all issues pertaining to them as long as the minimum requirements of these amendments are met. Discuss with the help of decided cases the constitutional vires of a state legislation that allows no-confidence motion against the head of a panchayat even though Seventy-third amendment is silent on the point.
2. Shri Azad Singh was a leader of PCCC party and CM of an Indian State from 2002-07 during the term of twelfth Legislative Assembly of the State. His party named him Leader of Opposition during thirteenth term of Legislative Assembly of State from 2007-12. On 18th December, 2007 a majority of the members of the Assembly resolved to constitute a special legislative committee to inquire into some alleged irregularity during previous term of Shri Azad Singh as CM of the state. The Special Committee submitted its report on 3 September, 2008 and recommended his expulsion from House for remainder of the Assembly's term. On 10 September, 2008 he was expelled from the House. Do you think Shri Azad Singh can successfully challenge his removal as an MLA before the High Court?

Part - B

Attempt any two questions. Each question carries 15 marks.

3. The Supreme Court of India has held that if the floor test is delayed, there is a possibility of horse trading and it becomes incumbent upon the Court to protect democratic values. Do you think Supreme Court can order floor test in such a situation. Cite case law.



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4. Discuss in detail how the increasing backlog and procedural delay in the overall Indian legal system has been an important causal factor for the rise of tribunals in India. How far do you think that tribunals have been successful in combating the pendency in the system?
5. Bhattisgarh is an Indian state. Ms. Emoji Singh is a leader of All People's Party (APP) and was disqualified from membership of Bhattisgarh State Assembly in May 2019 on account of her conviction for five years in disproportionate assets case by the trial Court. She filed an appeal before the High Court and obtained a bail from the Court pending her appeal. Later APP won a landslide majority in Assembly elections of Bhattisgarh held in May 2021. Ms. Emoji did not contest the elections for Assembly because of the said disqualification. But her party named her as Leader of APP Legislature Party unanimously on 22-05-21. She met the Hon'ble Governor of Bhattisgarh to stake a claim to the office of Chief Minister on 23-05-21. Should the Governor appoint her as Chief Minister?
6. Arun Kumar J. is a High Court judge. He was a lawyer before his elevation to the High Court. On 20th April, 2022 a popular English daily published from Chennai ran a story that Arun Kumar J. was appointed as a receiver in a case between a Public Sector Bank and an MNC regarding ownership of a piece of land in the heart of state capital when he was a practicing lawyer and that he encashed a cheque of Rs. 40 lakhs in his personal account and which was given to him as a receiver of the disputed property. The said sum of 40 lakhs was never returned by him till the time story broke out. A Member of Parliament has sought your assistance on how to proceed with the removal of the judge concerned from his office. Give a detailed step by step response on how to initiate the removal proceedings against a sitting judge of a High Court under the Indian Constitution with the help of past precedents.



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B.A. LL.B. (Hons.) FYIC
Semester – 4th
Subject – Family Law - II

Time – 1 ½ Hours

Maximum Marks – 40

Part - A

Attempt all questions of this Part. Each question carries 5 marks.

1. A Hindu daughter seeks partition of dwelling house from her brothers in the year 2007. Discuss the validity of the same.
2. A Muslim makes a Wasiyat over and above the rule of 1/3rd in favour of his only daughter. No other legal heir was alive. Discuss the validity of such a Wasiyat under Sunni law and Shia law.

Part – B

Attempt any two questions. Each question carries 15 marks.

3. 'Karta holds a very important position in Hindu Joint Hindu Family'. Elaborate upon the powers of Karta in wake of 2005 Amendments. Discuss the position in which a junior male member can assume the office of Karta during the lifetime of senior most male member.
4. Under old Hindu Law, in a Coparcenary, there was a Karta 'K', his wife W, his two sons S1, S2, two daughters 'D1' and 'D2'. S1 has two sons 'P' and 'Q'. S2 is insane. Karta 'K' announces general partition. Divide the shares. What would have been the impact on this partition, if 'W' was expecting a child at the time of partition and partition was not postponed till delivery and a male child S3 is born after partition. While calculating the shares explain the relevant rules of partition in a Mitakshara Coparcenary.
5. In the year 1956, a Hindu Male 'M' dies intestate leaving behind an interest in Mitakshara Coparcenary. He leaves behind his father 'F', widow 'W', three sons S1, S2, S3 and a daughter 'D'. Elder son 'S1' was suffering from Cancer and daughter 'D' was insane. Calculate the shares of all after his death. Discuss the change in shares due to 2005 Amendment. Explain the criteria and relevant law in the calculation of shares.



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- 6.i) The Sunni Muslim died in an accident leaving behind (a) husband (b) mother and (c) daughter (d) daughter's husband, (e) Maternal Grand Father. As an expert advocate in Muslim Law make the distribution of the share to each of them as per the applicable doctrine of Increase (Aul) or Return (Radd).
- (ii) A Muslim father makes a 'Hiba' of immovable property in favour of his son, without the permission of mother and without actual delivery of possession. Discuss the validity of the same in the light of essential conditions of 'Hiba'.



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Subject – History of the Modern World (Minor)

Time – 1 ½ Hours

Maximum Marks – 40

Part - A

Attempt all questions of this Part. Each question carries 5 marks.

1. “My true glory is not to have won 40 battles....Waterloo will erase the memory of so many victories..but what will live forever is my Civil Code”. Explain.
2. On June 5, 1947, a plan was introduced by American Foreign Secretary, George Marshall which saved Europe from falling prey to communism. In response to this, Russian Foreign Minister Molotov also came up with a new plan. Examine the context and basic idea behind the Marshall and the Molotov Plan.

Part – B

Attempt any two questions. Each question carries 15 marks.

3. What mattered in 1789 and what made men revolutionary almost in spite of themselves- was the whole revolutionary situation'; and in producing that situation the work of the philosophers played very important role. Comment.
4. Was Czechoslovakia served on a dish to Hitler at Munich? Discuss its implications in the light of foreign policy of Nazi Germany?
5. Critically evaluate the contemporary relevance of the Non Aligned Movement in the light of recent 18th summit held at Baku, Azerbaijan?
6. Do you agree that if Gorbachev had followed different policies, USSR could have survived as communism survived in China?



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Subject – International Economics (Major-4)

Time – 1 ½ Hours

Maximum Marks – 40

Part - A

Attempt all question of this Part. Each question carries 5 marks.

1. The government of a country at times, tends to create a central pool to manage or prevent an adverse balance of payments on its national accounts and uses some direct measures to achieve that goal. Explain the significant direct measures used to cater to prioritize payments.
2. “Inclusion of flexibilities and commitments in a trade agreement is also like a double-edged sword. If there is too much flexibility, the value of the commitment is undermined. If there is too little flexibility, countries may refuse to make deep commitments or may easily renege on such commitments.” Justify.

Part – B

Attempt any two questions. Each question carries 15 marks.

3. Based on the nature of factors with which each of the countries are endowed, the data of trade between Singapore and Malaysia during a particular year of survey, reveals the following fact sheet:

Exports from Malaysia to Singapore		Exports from Singapore to Malaysia	
Item	Amount (in US Million dollars)	Item	Amount (in US Million dollars)
Electrical Machinery	9450	Electrical Machinery	16,920
Mineral Fuels	7040	Mineral Fuels	6392
Iron and Steel	737	Machinery	5825
Aluminum	536	Plastic Products	1433
Furniture	200	Organic Chemicals	808



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Time – 1 ½ Hours

Maximum Marks – 40

Dyeing Extracts	165	Copper	361
Wood	151	Precious stones	349

On the basis of the data available from the United Nations Comtrade, few qualitative observations have been drawn:

- Malaysia, as the 25th largest petroleum producer in the world with 750,000 barrels per day of production, exports primarily crude oil to Singapore for refining, which Singapore then exports back to Malaysia as gasoline or heating oil.
- Malaysia's export of mineral fuels is largely labor intensive, whereas Singapore's export of mineral fuel is largely capital intensive
- Electronics production in Singapore is more efficient, using fewer units of labor for a unit of output.
- Because of the relative factor proportions of production in each country, electronics production is much more labor intensive in Malaysia than Singapore.

With reference to these points, explain the principle that governs trade between Malaysia and Singapore. Also explain that if labour and capital are substituted for each other in both the countries, when will each be called labor intensive or capital intensive? Explain using the case of goods exported by these countries, as the basis for the explanation and diagrams.

- It is known that the monetary system of a country named Gretia Land is such that each unit of their currency "Gretia" is weighed against a fixed quantity of gold at the rate of 1 Gretia = 1 gram of gold. Gretia Land buys petroleum products from another country Canberra whose government uses its abundant gold reserves to back up its currency "Cinible" and the Cinible is also available from the Central bank of Canberra at a rate of 1 Cinible = 0.8 grams of gold, free of all restrictions. Assuming that Gretia Land and Canberra have very cordial relations with each other and Canberra buys precious stones from Gretia Land quite often, find out how will they settle their trade deficit



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Time – 1 ½ Hours

Maximum Marks – 40

towards each other if each of them ports gold to the other country to offset their trade deficit, at a cost of 5 Greta cents in addition to the fixed cost of gold? Explain the upper and the lower specie points for determining the exchange value between the currencies also using a diagram.

5. Every transaction in the Balance of Payments has an offsetting entry, so that the total of the balance of payments is zero. However, this does not always occur in real life practice, rather some adjustments always need to be made so as to bring the total of the balance of payments to a balancing point. How does this system of BOP account work in real life practice? Explain using a working example of how the Balance of Payments account is based on a double entry book keeping system and how can it be brought down to a zero - sum balance, despite a surplus or a deficit in the composite accounts? Also, explain what happens if there is an imbalance in the accounts on the BOP record? What major measures need to be taken to offset the disequilibrium in Balance of Payments of a country like India?
6. The International Monetary Fund was conceived as a watchdog of the monetary and exchange rate policies vital to the global markets; but the image of a controversial financial firefighter that it assumed; it soon began to be considerably criticized, though lauded for its efforts to promote financial stability across the globe and find itself more often at the forefront of the global economic crisis management. However, in the recent years, the working of the Fund even in the advanced countries has begun to draw an ire. What factors and circumstances on the policy front, have been responsible behind such a major transformation that has occurred with respect to the image that the Fund had developed and what precautions does it need to take in the light of the policy flaws that it is being criticized for?



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Subject – Jurisprudence - II

Time – 1 ½ Hours

Maximum Marks – 40

Part - A

Attempt all questions of this Part. Each question carries 5 marks.

1. Mr Ashok a civil contractor was hired by Mr Kamal for construction of a school. School was being constructed on the land owned by the government which was given on lease for 99 years to Mr Kamal. While digging, Mr Ashok discovered hidden treasure of gold and diamonds. Who has the right of ownership? Give reasons in support of your answer.
2. Paul Crutzen in the year of 2000 referred the term 'Anthropocene'. The term is still controversial in its recognition. Different schools of thought believe it as politics. What is your understanding about Anthropocene and do you agree with this idea? Further, what how do you see its relation with Law?

Part – B

Attempt any two questions. Each question carries 15 marks.

3. Mr Maniram purchased six bottles of "Aqua" brand mineral water from Mr Ashok who was an authorized distributor of Aqua Brand. After consuming the water, the son of Mr Maniram died. As a result of which FIR was registered against Mr Ashok and the owners of "Aqua". It was pleaded by the owners of "Aqua" that Mr Ashok sold adulterated water. In the light of the above illustration, explain the issue of liability in the present case and the principles governing compensation in the present case. Give detailed reasons in support of your answer.
4. Mr Gautam, (father of Mr Mahesh) being a displaced person, at the time of partition was given land by the then government on lease for 20 years on yearly payment of Rs 10 per month. The said lease commenced from 01-01-1948. Mr Gautam died in 1960 and after his death Mr Mahesh came in possession of the land and continued to be in possession, of land. After 01-01-1968, Mr Mahesh stoped paying rent to the



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- government and continued to be in possession of the land. In 2010, when the government issued notice for eviction, then Mr Mahesh claimed ownership on the basis of Adverse Possession. Will he succeed? Give detailed reasons in support of your answer.
5. The state of Ukrania is a democratic republic. It was one of the former colonial states. Ukrania has a written constitution, which aims at establishing a welfare state. Accordingly, it has laid down the provisions for socio-economic welfare of people. In order to achieve the same it has amended its original constitution and removed the right to property from the category of fundamental right. Accordingly, now state is empowered to acquire any land from its people. The said move was done in order to implement *equitable redistribution* of land resources including development schemes. Even after seventy years of such amendment 90% to 95% of land holding (including agricultural land) are still dominated by influential class of people. Further, a large number of people belonging to *constructed* marginalized sections continue to work on other's land. Thus the *constructed* marginalized people are still getting exploited and unable to receive the *justifiable* reward for their labour and hardship. Majority of philosophical expressions around property rights justify the ownership of private property, according to them it is the just and equitable reward against one's hardship. While analysing the proposition, relate your argument with Lockean theory of property as discussed in *Two Treatise of Government*. Further, according to Locke when and why state's interference is justifiable in controlling property? Elaborate your answer with reasons.
6. According to Margaret Davies, *Postmodern theory has a reputation for being difficult to read. It has to be said that most of the "primary" texts are written in a way which can discourage anyone, no matter what their philosophical background*'. In fact the difficulty with postmodernism is not about its text, but it is the deconstruction of meaning and all form of knowledge. Accordingly, knowledge in both its subjective and



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objective sense is a construction of expressions that depicts a *power* (Foucault), where its controller or regulator fixes its discourse within the boundaries. Accordingly, the naming or meaning given to an expression is illusion that needs to be questioned in all time and space. At the same time postmodern theory doesn't offer any 'alternative' for existing discourse. What is your understanding about this proposition and how postmodern literature is helpful in interpreting the law? Further, can you relate postmodernist idea with Amartya Sen's concept of development as freedom? Elaborate your answer with help of illustrations and circulated readings.



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Subject – Labour and Industrial Law

Time – 1 ½ Hour

Maximum Marks – 40

Part - A

Attempt all question of this Part. Each question carries 5 marks.

1. Employee on his way back home from the workplace gets hit by a stray cattle. He claimed notional extension. Decide his claim.
2. Whether the work done for 12 months in another state by a workmen independently qualifies for protection under Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979

Part – B

Attempt any two questions. Each question carries 15 marks.

3. Sheetal Industries Ludhiana manufactures PVC based pipes and other sanitary products such as connecting valves, Plastic Ts, exhaust and drain units to mention a few. On an average working day 179 workmen mark their presence in the manufacturing unit. Sheetal industries came into existence in 2016 in a small garage with 5 workmen and gradually the work force increased to 500 in a few years.

Melting and moulding unit has special temperature requirements for desired output. During one of the moulding shifts, one Salim Khan suffered an injury and consequently received medical aid from the management. After few days, some more workmen started getting injuries in the moulding unit. During the meeting of grievance redressal Committee, this issue was taken up and management assured to resolve the issue. However, after repeated incidents for few months, no action was taken by the employer.

Workmen of Sheetal Industries approached the Trade Union and they started deliberating on the issue at length. Trade Union sent a notice of concern to Sheetal Industries, however, no heed was paid to it. On 5th December, 2021 an Inspector paid a visit to Sheetal Industries and was casually told by workmen about the condition of moulding unit.

Labour Inspector in his inspection report highlighted the condition of the unit and submitted it to the authority concerned. You as a legal advisor to Appropriate Government, are supposed to suggest the appropriate action as per law.

4. Amit Rana Group (ARG) is running a human service agency for shopping malls and multiplexes. This agency provides for restroom cleaners, kiosk operators, bill boys,



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security services etc. In PVR Gurgaon, ARG rendered services and deputed 17 persons for 6 screens. On 5th November, 2020, the biometric attendance portal was modified to have the fingerprints of only 9 persons. On 6th may 2022, one Rita rani who was working on a tea kiosk gave a notice to resign from her current job to the employer after 4 years of service. She demanded service benefits such as gratuity etc. which were blatantly refused. Employer contended that the payment of Gratuity is not applicable on them. In this background decide the following points:

- a. Whether ARG is entitled to pay gratuity to Rita Rani?
 - b. On what grounds the ARG can claim exemptions from such payment and under what circumstances such exemption may be claimed?
5. Ratlam Oil Mills have significant market presence for manufacturing of domestic edible oils. Their flagship mustard oil 'R Marka' dominates Indian households. The process of manufacturing 'mustard Oil' involves drying mustard seeds, which are fed to Table Ghani or oil extractor wherein about 90% of the oil is extracted. Thereafter processing is done by expeller for additional extraction of oil Finally liquid oil is separated from solid waste by filtration.

Ratlam oil mills have outsourced the processing portion of the procedure mentioned above to one Mr Rinku Chand. He is a contractor and he gets the processing part done by his workmen in his factory and final refining and packaging is done by Ratlam Oil Mills as 'R Marka'.

Mr Shobhoy Das is one of the workmen of Mr Rinku Chand. He draws wages @9000/- per month. For the month of July and August, 2021 Mr Das did not receive his wages. He expressed his concern to his employer and Rinku Chand said that his bills are yet to be cleared by Ratlam Oil Mills.

Again in the month of September, same argument was given by Mr Rinku Chand. Now Mr Shoboy Das sued Ratlam Oil Mills and Mr Rinku Chand (second party) for the payment of wages. Decide as per the law applicable and substantiate your answer with the help of case law.

6. SSS industries have started a new venture in the state of Punjab for manufacturing of school uniforms, hospital uniforms, hotel uniforms and other related stuff. They wish to employ 25 females in cutting and stitching unit. 15 persons aging between 15-18 in folding unit. 35 males in drying, dyeing and marketing unit.



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They have approached you for preparing a duty chart with respect to timings of each category of workforce mentioned above for 3 weeks. Prepare the duty chart in accordance with the applicable legal provisions.



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Semester – 4th

Subject – Sociological Theories and Perspective (Minor)

Time – 1 ½ Hours

Maximum Marks – 40

Part - A

Attempt all questions of this Part. Each question carries 5 marks.

1. Identify a Social Institution in which you are currently involved. This could be education, economy, government, family and so on. Discuss ways in which this Institution is functional for society. What are the intended, or manifest functions, of this institution? What are the unintended, or latent functions? What dysfunctions occur in this institution and what other institution(s) is/are there to stabilize society in this case?
2. How useful is Gramsci's Theory of Hegemony and Domination to the study of Indian society. What are the possibilities and problems of Cultural Hegemony?

Part – B

Attempt any two questions. Each question carries 15 marks.

3. Can Indian society be understood from the viewpoint of Sorokin's model of social change? What are the Sociological ramifications of this transition from one culture to another? How has this transition influenced Indian culture?
4. What are the characteristics of Mechanical and Organic solidarity? As you read through Durkheim's descriptions of these two forms, think about a society – real or fictional – with which you are familiar. How does your chosen society fit into Durkheim's model? Are there tensions or unexpected aspects which make you question his logic or the usefulness of his distinctions?
5. How is Conflict functional for Lewis Coser? Substantiate his views by example of present day Indian Society.
6. Explain Weber's ideas on Bureaucracy in the context of Bureaucracy in India. What are some of the classic criticisms of the bureaucracy, and what are some popular solutions for reforming it?



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Subject – Sociology of Law (Major-IV)

Time – 1 ½ Hours

Maximum Marks – 40

Part - A

Attempt all question of this Part. Each question carries 5 marks.

1. Are 'Social Engineering' and 'Social Order' correlated? Illustrate.
2. How do you visualize 'Corporate Social Responsibility' as a new measure of Democracy?

Part – B

Attempt any two questions. Each question carries 15 marks.

1. What factors contribute to development of Sociology of Law in India? Discuss in details with reference to Social Legislation.
2. Critically appraise the Theory of Law, Power and Knowledge given by Michel Foucault?
3. 'Law is the most effective instrument for Social Engineering'. Do you agree or not? Validate your choice.
4. 'Sex Education is such crucial aspect of governance, which can help in controlling Juvenile Delinquency in India'. Exemplify in the framework of contemporary Indian context.
