



Rajiv Gandhi National University of Law, Punjab
(Accredited with 'A' Grade by NAAC)
Open Book Online Examination
End Term, 07th January – 2021

Semester- 3rd
Subject – Constitutional Law – I

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

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

1) You have been appointed Attorney General of India on 28-12-2020. Union Cabinet has sought your advise on the following two issues:

a) The Prime Minister and his party promised to divide Uttar Pradesh, India's largest in terms of population, in four parts with more or less same population and territory. They won Lok Sabha elections with two-third majority. But their numbers in Rajya Sabha are a little less than majority mark. Union Cabinet has sought your advice on the procedure to be adopted for redivision of the state on said lines. Discuss in light of constitutional provisions and decided cases.

(2.5 Marks)

b) PM and his Cabinet has decided to resolve a long standing boundary dispute with a neighboring country by way of exchange of territory in the eastern sector. He is expecting parliamentary opposition on the ground that India will loose more territory than it will gain by way of this settlement. The Cabinet has urged you to advise them on constitutional modalities for such a settlement in the backdrop of constitutional provisions and decided cases of Supreme Court.

(2.5 Marks)

2) Discriminatory housing practices are making exclusive societies, and violate the inclusive idea enshrined under the preambular words i.e. "We the people of India". While giving two examples about the



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discriminatory housing practices explain how Transformative Constitutionalism and Horizontal Application of Fundamental Rights can ensure right to housing in India. **(5 Marks)**

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) State of Punjab enacted Punjab School Education Act, 2020 for better organization and administration of school education in the state. It was hailed as a major step in ensuring quality learning in all public or private schools of the state. S. 9 of the Act provided basic qualifications to be qualified as a teacher in the schools and S. 10 of the same Act provided that scale of pay and other conditions of service of the employees of a recognized private school shall not be less than those of employees of a government school in Punjab. S. 11 provided that tenure of service shall not be less than that provided for government teachers in the state. However, s.12 of the said Act provided that these beneficial provisions of sections 9, 10 and 11 are inapplicable to the unaided minority schools of Punjab. The constitutional validity of s. 12 is challenged before Punjab and Haryana High Court by employees union of St. Patrick High School, Patiala. Decide.
- 4) State of Cholaland has enacted a law making all posts in connection with affairs of temples under state control, including the post of priests, non-hereditary by way of Cholaland Temple Control Act, 2020



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along-with throwing open these posts to all members of civil society irrespective of their denominational status and personal faith on the basis of a written test to be specially conducted by the state. The proviso attached to the said section also provided that such members of civil society can only be from the very faith that they seek to serve. Discuss in detail the constitutional validity of the said provisions.

- 5) Preventive State using highly advanced surveillance technologies to prevent crime has become 'new criminal justice system'. Explain how it affects the civil liberties guaranteed under the rule of law? Do we need to develop due process rights in the current preventive justice system in India?
- 6) It has been reported that some 60 percent of the world's production of mica - a mineral coveted for its sparkle, especially by the cosmetics industry - originates in two of India's most impoverished states: Bihar and Jharkhand. But before mica ends up in make-up products, it crosses many borders, through networks of middlemen and wholesalers. This lack of traceability helps conceal a harsh reality: those who mine mica are often children who never get to attend school. Moreover, illegal mining displaces the indigenous people, and pollutes the flora and fauna of the local place. What is Constitutional Obligation of the State to protect child interests and environment rights in India? Support your answer with the help of landmark judgments.



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Open Book Online Examination
End Term, 04th January – 2021

Semester- III
Subject – Development Economics (Major – III)

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

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

- 1) Does disguised unemployment on land mean that development using surplus labour is a painless and costless process? Comment.
- 2) “Pre-conditions for take-off is an era when society prepares itself for sustained growth.” Comment.

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) “The economic measures of development are often supplemented by non-economic social indicators.” In light of the statement, discuss the notable attempt of UNDP to analyse the comparative socio-economic development of nations.
- 4) “Lewis two-sector model is extremely valuable but it requires considerable modification in assumptions and analysis to fit the reality of contemporary LDCs.” Comment. Also discuss the Ricardian legacy which is inherent in the Lewis model.



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Maximum Marks – 30

- 5) Marx and Schumpeter share the view that 'crisis' is the ultimate outcome of capitalistic development. Critically examine the statement.
- 6) "Development is a chain of disequilibria that must keep alive rather than eliminate the disequilibria, of which profits and losses are symptoms in a competitive economy. Thus 'see-saw advance' is induced by a disequilibrium which in turn leads to new disequilibrium." In light of this statement, critically discuss the suitable developmental strategy.



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Open Book Online Examination
End Term, 05th January – 2021

Semester- 3rd
Subject – Indian Economics (Minor)

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

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

- 1) Research studies on pre versus post privatization comparison of PSUs have found significant increase in sales efficiency and income efficiency but insignificant change in the position of profitability of the PSUs. Do you agree? Justify your arguments using statistical information.
- 2) What value addition has been made by the Multidimensional Poverty Index in measuring and tracking the changes in the incidence of poverty in India as compared to the traditional approach defining poverty line? Explain.

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) Green Revolution induced the use of state of art technology for agricultural production, enabled India to become self-sufficient in food grain production, so much so that India now exports food-crops to the rest of the world. Despite all this, the issue of food security to the masses could not be resolved. Comment on the statement and discuss what causes this paradox in agricultural production. Also analyze statistically, the success of the new agricultural strategy in this regard.



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Time – 1 ½ Hour

Maximum Marks – 30

- 4) The watchword for the New Industrial Policy became the policy measures of Liberalization, Privatization and Globalization and that is why the government introduced three sets of reforms - deregulation, liberalization of foreign currency transactions and measures to institute foreign direct investment flows. In the light of this sequence of reforms, analyze how did the shape of industrial structure change, vis-a-vis the position of public sector as well as private sector prevalent at that time in India. To what extent have the policies reformed the industrial set up in the country?
- 5) Examine the public policy related to provision of work and survival security to the workforce in India. Give a macroeconomic perspective on the conditions of improving/ deteriorating employment conditions in India vis a vis the other developing nations of the world.
- 6) Since the liberalization of FDI policies in the early 1990s, India welcomed many MNCs to invest and was ascertained to receive humongous amount of Foreign Investment in future. However, it is argued that though FDI in retail sector would comprehensively integrate India into the worldwide market, yet it should not be freely allowed and encouraged from state welfare perspective of the country. Comment on this statement with reference to the FDI reforms, in the light of the ongoing discord between the state reforms and farming community and also the implications on the small retailers of the country.



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Semester- III
Subject – English - 3

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

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

- 1) Do you think Kulsum took the right step to nullify *triple talaq*?

- 2) Examine the given extract. Identify the vocabulary specific to Law and explain the selected words:

Every claim form must contain a concise statement of the nature of the claim. The claimant's claim is for damages for personal injuries and interest arising out of a collision caused by the defendant's negligence when driving a motor car along Oxford Street, London on 1 July 2005.

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) Why should students of law read Margaret Atwood's *The Handmaid's Tale* ?



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- 4) Read the given Paragraph and answer the questions that follow :

He will until appointed to the judicial bench in middle age, have spent his career in private practice, almost certainly as an advocate. It is customary to speak of the judge presiding over the trial, and in the case of a criminal trial, the expression is particularly apt. For the judge takes (or should take) no part in the adversarial contest between prosecuting and defending counsel. He will have played no part at all in the investigation and preparation of the case until he receives the papers very shortly before the trial begins. He is above the battle. But this detachment from the fray does not mean that he has no important role to play. His function is threefold. First of all it is his duty to see that the trial is regularly conducted according to settled legal rules . . . [for example] to rule whether the evidence is admissible or not. Secondly, and perhaps more importantly, the judge has many discretionary powers . . . which he exercises in accordance with what justice seems to him to require, his overriding duty being to ensure a fair trial for the defendant. Thus where two or more defendants are accused jointly, the judge may order them to be tried separately if he thinks it may be unfairly prejudicial to one defendant to be tried at the same time as another. The judge's third important role is to direct and sum up the case to the jury. So far as the law is concerned, he will instruct the jury as simply and as accurately as he can on the principles of law applicable to the case. Thus, he will, for example, tell the jury what mental intention must be proved before they can convict of murder, or



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Time – 1 ½ Hour

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what are the ingredients of theft. He must also instruct them, as a matter of law, that they must not convict the defendant unless they are all (or , after a long period of deliberation and a further judicial direction, by a majority of not less than 10-2) sure that he is guilty.

- a) What are three important functions of the judge in a criminal trial?
 - b) Which is the most important duty of the judge?
 - c) Why is it appropriate to say that the judge 'presides over' the trial?
 - d) Who is 'He' ? What is his profile?
 - e) Explain 'detachment from the fray'.
- 5) a. Read the given passage. Identify Dependent/Subordinate Clauses and make a list: (5 Marks)

I did not regard the verdict as a vindication of the legal system or evidence that a black man could get a fair trial in a white man's court. It was the right verdict and a just one, but it was largely as a result of a superior defence team and the fair-mindedness of these particular judges. The court system, however, was perhaps the only place in South Africa where an African could possibly receive a fair hearing and where the rule of law might still apply. This was particularly true in courts presided over by enlightened judges who had been appointed by the United Party. Many of these men still stood by the rule of law.



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b. Supply suitable Question Tags: (3 Marks)

1. You will never do what I tell you, ----
2. Nobody came, ---
3. You didn't attend the party,---
4. Wait a minute,---
5. Let's go for a walk,---
6. A stone that goes on rolling gathers no moss, ---

c. Convert the following sentences into Simple Sentences:
(2 Marks)

1. He must either pay fine, or he will have to go to jail.
2. The prisoners were neither allowed to communicate with their lawyers, nor had the opportunity to contact their families.

6) Does language vary according to situation, context and relationship between speakers? Elucidate with examples.



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Semester- 3rd
Subject – Jurisprudence

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

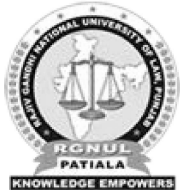
Attempt all question of this Part. Each question carries 5 marks.

- 1) Equality is one of the basic values of human life. It is argued by Immanuel Kant that all human beings are equal and worthy of dignity and respect. The proposition is substantiated with his idea of categorical imperative. While discussing the possibility of practicing the categorical imperative explain the Rawlsian concept of equality and Justice. Do you think that there is commonality between both these thinkers?
- 2) The followers of the Analytical School of Thought have outrightly rejected the Natural Law Philosophy as an abstract philosophy which had no relation to law. As according to them law is "*as it is*" and not "*as it ought to be*". In the present scenario, whether this statement holds its ground? Comment with the help of suitable example to justify your comment.

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) The Proponents of Natural Law Philosophy believes that human being is rational being and worthy of dignity and respect. Hence there shall not be any discrimination on the basis of body, gender, color or caste. The natural law philosophy assures the inherent right to



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Semester- 3rd
Subject – Jurisprudence

Time – 1 ½ Hour

Maximum Marks – 30

equality-diversity and life with dignity. The same is further substantiated by modern world's Constitutions. But despite these propositions, society “construct” its own narratives to “judge” the capacity of people in diversity. For instance, there is advocacy for aborting the severely disabled fetus. The supporter of the same argues that it is not worth living for a severely disabled person and it will result only in burdening the society. While relying on their “practical” claim, they further argue that COVID vaccine shall only be provided to disabled people lastly. It is stated because of disabled person's “non-productive” contribution to the society.

As a student of Jurisprudence how do you analyze the aforementioned arguments? Develop your answer with the help of relevant theoretical framework.

- 4) Savigny was a narrow minded nationalist who was of the view that law only has a national character which is peculiar to the country. The narrow interpretation of law lead to the rise of Nazism in Germany and evolution of the concept of “pure race” in Germany, which ultimately lead to the world war. Is this statement correct? Critically comment on the Theory of Volksgeist propounded by Savigny.
- 5) **Theorization:** The main principle of Legal realism is look at law with open eyes, to look, not at old books, but at the Law as it is actually operated in every day practice. As stated by Holmes, *it is about setting the ball rolling*. This is the reason that JC Gray stated that, *legislation is no more source of law: it is courts that put life into the dead words of*



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the statues. But at the same time we know the limitations, imposed by Ronald Dowlkin, on the Judges while interpreting a statute.

Proposition: Law is the tool to administer justice. It is evolving and dynamic in nature. The legal knowledge is used to enhance the understanding of law. It helps in developing the interpretative skills of lawyers and judges. But at the same time we know that knowledge is relative in nature. It is created for a particular purpose and to draw certain conclusions.

While relating the theory and proposition, write a critical note on the functioning of the Judges in administration of Justice. You may elaborate your answers with relevant examples.

- 6) The recent farm laws enacted by the Government of India, is being hailed as a major step by the Government of India in promoting the interest of the farming community in India. The government is projecting it to be an instrument of social engineering, however, the critics of the new farm laws think otherwise. Do you agree with this statement? Do you think laws enacted in India have acted as an instrument of social engineering and social change in India? Comment with the help of examples



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Semester- 3rd
Subject – Law of Contract - II

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

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

- 1) “The Liability of the surety is coextensive with that of the Principal debtor”. Justify this statement with relevant provision of Law of Contract with illustrations
- 2) A man gives a ring to B for being delivered to C. B instead pledges that ring to D. A brings an Action against D. Decide

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) Harish is the owner of Grocery store in Delhi and residing in Gurugram. He visits his grocery store two times in a week because he has another store in Gurugram. His Delhi based store is managed by one of his friend Ganesh who is residing in Delhi. Ganesh frequently orders grocery goods from Panipat based mill and paying them out of Harish bank account with Harish knowledge. In this Illustration, discuss the nature of authority exercised between Harish and Ganesh and how the agency can be created between Principal and agent?



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Subject – Law of Contract - II

Time – 1 ½ Hour

Maximum Marks – 30

- 4) “The mutual rights and duties of the partners are determined by the contract but they cannot override the provisions of the Act as these are subject to the provisions of the Act.” Justify it with relevant provisions of the Partnership Act.
- 5) When can a breach of conditions can be treated as a breach of warranty by the seller as per the provisions of Sale of Goods Act, 1930 and discuss the difference between conditions and warranties?
- 6) A falsely representing that he had authority to purchase and take delivery on behalf of C and obtained the possession of the goods from B. He further sold it to D. What is the status of transfer of title under Sale of Goods Act and also Explain the rule of *nemo dat quad non habet* in relation to the transfer of title in the present case.



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Semester- 3rd
Subject – Non-Western Political Thought (Minor)

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

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

- 1) POLITICAL PHILOSOPHY HAS ALWAYS BEEN DEALING WITH THE QUESTIONS RELATED TO THE EVOLUTION OF HUMAN CIVILIZATION AND TO PREDICT AND PRESCRIBE ITS IDEAL OR OTHERWISE FUTURE. IN CONTEXT OF THIS TREND OF POLITICAL PHILOSOPHY. WRITE A BRIEF NOTE ON IBN KHALDUN'S THEORY OF CIVILIZATION AND DRAW YOUR INFERENCES.

- 2) MODERN DAY POLITICS IS HIGHLIGHTING NATIONAL IN A STRONG MANNER. HOW DO YOU THINK RABINDRANATH TAGORE'S IDEAS ON NATIONALISM CAN HELP YOU IN ANALYSING THIS TREND?

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) CHINESE POLITICAL THOUGHT HAS BEEN RECOGNISED FOR ITS DISTINCT ORIENTALISM. WHAT ACCORDING TO YOU ARE THE PECULIAR PRINCIPLES OF CONFUCIANISM WHICH DISTINGUISHES IT FROM THE PRINCIPLES OF WESTERN POLITICAL PHILOSOPHY?



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Subject – Non-Western Political Thought (Minor)

Time – 1 ½ Hour

Maximum Marks – 30

- 4) AN ABSOLUTE STATE HAS BEEN PROMOTED BY MACHIAVELLI. HOW DO YOU RELATE THE PANCHTANTRA LITERATURE TO MACHIAVELLIAN APPROACH.

- 5) GANDHI'S PHILOSOPHY OF NON VIOLENCE HAS BEEN RECOGNISED AND FOLLOWED ALL OVER GE WORLD. DISCUSS HIS IDEAS ON STAYAGRAH WITH SPECIAL EMPHASIS ON THE ELEMENT OF NON VIOLENCE. SUPPORT YOUR ARGUMENT WITH RECENT EXAMPLES.

- 6) CASTE HAS REMAINED A CHARACTERISTIC ELEMENT OF POLITICS OF INDIA. DISCUSS THE UNDERSTANDING OF AMBEDKAR WITH REGARDS TO THE PROBLEM OF CASTE AND THE RELEVANCE OF HIS IDEAS.



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End Term, 04th January – 2021

Semester- III
Subject – Non-Western Political Thought (Major – III)

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

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

- 1) Illustrate ancient Chinese political cosmology with a diagram. Define the different concepts mentioned in the diagram.

- 2) Sufism is a term used for both orthodox and heterodox tendencies in Islam. Mention four orthodox Sufi lineages and two heterodox Sufi philosophers. What are the differences between orthodoxy and heterodoxy in Sufism?

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) The 2004 Amman Message recognised eight schools of Sharia as bona fide in Islam. Briefly discuss the main principles of each school. Which two sects were not recognised and why were they excluded?

- 4) The Hindu civilisation is an amalgamation of multiple and diverse traditions from different parts of the Indian sub-continent and also Southeast Asia. Critically analyse the process of integration of these traditions. What are the major differences between the Vedic and Tantric systems of worship and the Varna and Jati systems of social organisation?



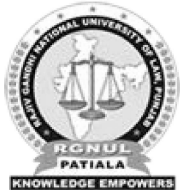
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Time – 1 ½ Hour

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- 5) Mahatma Gandhi was the most dominant personality in the Indian National Movement. What was his contribution to India's freedom? Who were some of his most prominent critics? Briefly discuss their major points of criticism.
- 6) Jawaharlal Nehru was the first Prime Minister of India. How did he emerge as the leader of the Indian National Congress in the presence of other stalwarts? His ideas laid the foundations of modern and free India. These foundational ideas were called the Nehruvian Consensus. How have these ideas been challenged in the last four decades?



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End Term, 04th January – 2021

Semester- III
Subject – Social Research Methodology (Major – III)

Time – 1 ½ Hour

Maximum Marks – 30

Part - A

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

- 1) By using sociological understanding, write the answers to the following questions in brief;
 - a) Can we use both hypothesis and research questions in a single research?
 - b) How science and philosophy are contrary to each other?
 - c) Do you think value neutrality is always possible in sociological research?

- 2) The Indian government has introduced three new agricultural laws that have opened up the agricultural discourse in Indian society. If you are asked to conduct primary research and collect information from academicians on the Constitutional validity of these laws, in this case, which data collection method you will apply to collect the information. Also, justify with an argument that the selected data collection method is appropriate.

Part – B

Attempt any two questions. Each question carries 10 marks.

- 3) Emphasizing on scientific discourse in sociology, in what ways does sociological methodology differ from the natural science



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Semester- III
Subject – Social Research Methodology (Major – III)

Time – 1 ½ Hour

Maximum Marks – 30

methodology such as biology, physics and chemistry? Whether, Auguste Comte and Herbert Spencer's research methods were scientific? If we use these same methods to carry out a similar kind of study today, would we be likely to get the same or different results? Discuss with examples.

- 4) The qualitative and quantitative research methodologies differ in the research process that underpins their mode of inquiry as well as to some extent, in methods, design of the study, sampling techniques, etc. If you are asked to conduct a qualitative and further primary research on 'social and cultural transformation in India due to covid-19 pandemic', in this case, which research design, sampling technique, and other procedures, you will use to conduct research?
- 5) Today, some sociologists are critical of the survey method. They have the opinion that the data collected by using the survey method can be dubious, inappropriate, biased, etc. which can affect the results and the whole study. Further, the levels of nonresponse and inaccurate responses are sometimes very high, especially when questionnaires are sent and received through the mail. Whether you agree or disagree with these sociologists. Write your views.



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Time – 1 ½ Hour

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- 6) Suppose a government has planned to expand a road in a particular area to avoid road accidents and the place is full of trees, attached to a forest and agriculture land, residential area, shops, educational institutes, etc. If you are asked to conduct sociological research and identify the post socio-legal, socio-economic, and environmental consequences of the expansion of road, which research method you will use in this case? Discuss in detail.
