



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

*End-Term Examinations***Paper Code: LB-401****Subject: Constitutional Law-II****B.A/B.B.A. LL.B. 4th Semester****3rd July, 2021**

Time: 3 hours and 30 minutes (writing exam- 10:00 am -12:30 pm; scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)

Maximum Marks: 75*Instructions:*

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)**Q.1 Short Answer Type Questions:**

- (A) *“Tests formulated in Ajay Hasia are not a rigid set of principles so that if a body falls within any one of them it must, ex hypothesi, be considered to be a State within the meaning of Article 12. The question in each case would be - whether in the light of the cumulative facts as established, the body is financially, functionally and administratively dominated by or under the control of the Government. Such control must be particular to the body in question and must be pervasive.”* Critically analyse how the various High Courts and the Supreme Court have applied the referred ratio post Pradeep Kumar Case to decide ‘other authority’?
- (B) State Legislature of Himachal Pradesh enacted a law ‘Maintenance of Residence Act 2021. It provides that residents from other states cannot purchase land in the state unless they have resided in the state for 20 years or more. Underlying objective of the Act is to protect the ‘*general interest of the people of the state*’, as more and more people want to settle in its natural beautiful but limited hilly terrains. The state apprehends that if such reasonable restrictions are not imposed, the state would be over-populated and that will hamper general interest of its people and topography. Mr. ‘X’ challenges this on the ground of violation of Article 19(e) of the Constitution. Decide in light of relevant cases.
- (C) Discuss the journey from ‘procedure established by law’ to ‘due process of law’ with the help of decided cases.

- (D) What is special majority under Article 368 of the Constitution. Explain the procedure to amend Article 368 of the Constitution itself.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** ‘Fundamental right under Article 20(2) can be claimed only when there has been prosecution and the same has resulted into conviction but Section 300 of the Code of Criminal Procedure applies in case of prosecution resulting into acquittal also.’ Critically analyse with the help of relevant provisions and case law.
- Q.3** Bank ‘X’ brings new rules to its customers. Clause 1 of Rule 10 stipulates penalty of five rupee per day for those who fail to maintain minimum balance, i.e., Rs. 3000 in urban branches and Rs. 2000 in rural branches. Mr. ‘A’ has one saving account in the bank and fails to maintain minimum balance. Consequently, his account is blocked. Mr. ‘A’ has not been intimated the same. A challenges the action of the bank as violative of his fundamental rights on following grounds:
- Classification of minimum balance and above that is violative of Article 14 of the Constitution.
 - Blocking the account without intimation is violation of his right to know.
 - Procedure adopted by the bank is not complying with ‘*audi alteram partem*’ hence violative of Article 21 of the Constitution.
- Decide with the help of decided cases.
- Q.4** In light of *Shayara Bano* case critically analyse how the custom as essential practice of personal law, has been used as shield against protection of fundamental rights under part III of the Constitution.
- Q.5** Critically analyse the journey of Directive Principles of States Policy, as how most of them in course of time have become enforceable by courts of law either because of interpretation as part of one or other fundamental right or through legislation.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

*End-Term Examinations***Paper Code: LB-402****Subject: Law of Crimes-II (Code of Criminal Procedure)****B.A./B.B.A. LL.B. 4th Semester****5th July, 2021****Time: 3 hours and 30 minutes (writing exam- 10:00 am -12:30 pm; scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)****Maximum Marks: 75***Instructions:*

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)**Q.1 Short Answer Type Questions:**

- (A) Differentiate between cognizable, non- cognizable, bailable and non- bailable offences with examples.
- (B) Ram was wrongfully confined by Shyam in his house. Can search warrant be issued against him? Discuss.
- (C) Ashok committed theft in Ramesh's house. Can he be tried summarily under Cr.P.C? Discuss.
- (D) What is an interlocutory order? Give examples.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** “The whole Cr.P.C revolves around the concept of fair trial of an accused person.” Elaborate the rights of the accused and the victims given under the Cr.P.C.
- Q.3** A murdered B in exercise of his right of private defence. A has applied for anticipatory bail in the court. Discuss the circumstances where bail is imperative and where the courts can exercise discretion in granting the same. Can A get anticipatory bail in this case? Does court allow anticipatory bail in dowry- death case?

- Q.4** What is a joint trial and joinder of charges? Can charges be altered once the same have been framed by the court at any later stage? A committed three different offences within a span of one year. Can he be tried in a single trial for all the offences?
- Q.5** Maintenance of women and children provided under section 125 Cr.P.C is a civil or criminal remedy? Can a Muslim divorced wife seek remedy under the Cr.P.C? Discuss who all are entitled to get maintenance under the Cr.P.C?



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code:LB-403

Subject: Administrative Law

B.A./B.B.A.LL.B. 4th Semester7th July, 2021

Time: 3 hours and 30 minutes (for writing exam- 10:00 am -12:30 pm and for scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type)**(3x5=15Marks)****Q.1 Short Answer Type Questions:**

- (A) Conditional Legislation.
- (B) Explain the meaning of Tribunal with special reference to Article 136 of the constitution of India in the light of relevant case laws.
- (C) Distinction between “Judicial Review” and “Appeal”.
- (D) Explain “Wednesbury’s Principle”.

SECTION-B (Long-Answer/Descriptive/Analytical Type)**(3x20=60Marks)**

Q.2 “The crux of the matter is that public corporation is a new type of institution which has sprung from new social and economic functions of Government and that is therefore does not neatly fit into old legal categories. Instead of forcing it into them, latter should be adopted to the needs of changing times and conditions”. In the light of the above- mentioned statement describe the object and characteristics of statutory corporations.

Q.3 “We are unable to subscribe to the view that if the Legislature can repeal an enactment, as it *normally* can, it retains enough control over the authority making the subordinate legislation and, such, it is not necessary for the legislation to lay down legislative policy, standard or guidelines in the statute”. Critically analyze the above-said with the help of relevant principles of law and decided cases.

Q.4 Rule 12 of the Education Code provides as follows:

"No School Leaving Certificate will be granted to any person unless -

- (a) he has been a student on the rolls of a recognized High School during the whole of the school year in which he applies for a certificate;
- (b) he has completed fifteen years of age on or before the first day of July of the year, in which he applies for the certificate."

However, Rule 12A provides further that:

Rule 12A: The Director is empowered to grant exemption from Rule 12 to those students on whose behalf recommendations for exemption are received from their respective Headmasters, provided such recommendations are accompanied by certificates of physical fitness from medical practitioners.

An application for exemption was filed by the mother of one Mr. X who is 11 years and six months old on the date of recommendation by the headmaster. The Director refused to grant him the exemption citing departmental practice that “No exemption will be granted to a student on the production of recommendation and medical fitness unless he/she has completed 13 year of age. Help the petitioner putting relevant rules and decided case.

Q.5 ‘X’ a member of departmental promotion committee and himself being a candidate for the post, participated in the deliberation for selection of all candidates including ‘Y’. When his name was being considered by the committee, ‘X’ withdrew himself from deliberation. Later, name of ‘X’ was at the top of the list of selected candidates and ‘Y’ was not selected for the post. ‘Y’ challenged the selections. Decide with the help of judicial decisions.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

*End-Term Examinations***Paper Code: LB-404****Subject: Law Poverty and Development****B.A./B.B.A. LL.B. 4th Semester****9th July, 2021**

Time: 3 hours and 30 minutes (writing exam- 10:00 am -12:30 pm; scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)

Maximum Marks: 75*Instructions:*

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)**Q.1 Short Answer Type Questions:**

- (A) Discuss the importance of the difference between negative and positive rights from the standpoint of the poor in India?
- (B) Discuss the role and contribution of Dr. B. R. Ambedkar in the context of views on the evils of social exclusion as put forward in his work “Annihilation of Caste”?
- (C) Discuss the challenges faced in de-criminalisation and legalisation of prostitution in the light of the Constitutional mandate of “life with dignity” to every citizen and the social setup in our country?
- (D) “Access to justice is still a far distant dream for beggars”. Discuss the legal status of begging in India in the light of recent judgments and statutes?

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** “The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006” is often misunderstood as a type of land distribution scheme. Discuss critically the important challenges in the implementation of the Act?

- Q.3** “Naxalism is an outcome of the friction between law, poverty and violence.” Discuss this statement in the context of India.
- Q.4 (a)** Analyze the role of Supreme Court in protecting the rights of poor in the implementation of criminal law in India?
- (b)** Discuss the rights of a poor person to get legal aid under the criminal law in India and also discuss the challenges faced by the poor in getting justice?
- Q.5** Analyze the National Food Security Act, 2013 in the light of the rights based approach. How far the Food Security has been addressed in India and what are the challenges?



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

*End-Term Examinations***Paper Code: LB-405****Subject: Fiscal Responsibility and Management****B.A./B.B.A. LL.B. 4th Semester****12th July, 2021**

Time: 3 hours and 30 minutes (writing exam- 10:00 am -12:30 pm; scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)

Maximum Marks: 75*Instructions:*

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type)**(3x5=15Marks)****Q.1 Short Answer Type Questions:**

- (A) What are externalities? Give an example of a positive externalities and its impact on welfare of the people.
- (B) Escape clauses provide flexibility to governments to overshoot fiscal deficit targets in times of need, enabling them to respond to economic shocks. Specify the various conditions as prescribed under the FRBM Act, upon which the escape clause can be invoked.
- (C) PPF is one of the safest fixed income products and offers the best tax saving options, if the ceiling of PPF contribution may increase to Rs. 3 lakh from the present ceiling of Rs. 1.5 lakh as it may boost the domestic savings as a percentage of Gross Domestic Product (GDP) suggested by the Institute of Chartered Accountants of India in its pre budget memorandum. How it will have an anti-inflationary impact? Explain.
- (D) How off- budget financing undermines Article 114 of the Constitution which requires that no money can be withdrawn from Consolidated Fund of India without appropriation by Parliament?

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** Suppose the government decided to use tax cuts to expand the economy, and was debating whether to tax cuts to high income households or low income households. Which choice would provide a greater stimulus? Thus which would do the least amount of damage to the government budget deficit to achieve a given amount of stimulus?
- Q.3** Why did the governments of many countries, despite a good economic situation, not reduce the debt of public finances of the state and budget deficits in the state budgets? Justify with suitable examples.
- Q.4** From the following data about a government budget, find out the following:

Capital Expenditure

Total Expenditure

Interest Payments

Particulars	Amount (in Crores)
Fiscal Deficit	15,000
Revenue Deficit	8,000
Primary Deficit	4,000
Revenue Receipts	7,000
Non debt capital Receipts	10,000

- Q.5** Explain whether or not you agree with the premise of the Ricardian equivalence theory that rational people might reason: “Well, a higher budget deficit (surplus) means that I’m just going to owe more (less) taxes in the future to pay off all that government borrowing, so I’ll start saving (spending) now.” Why or why not?



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: LB-406E

Subject: Economics-IV (Indian Economy)

B.A./B.B.A. LL.B. 4th Semester

14th July, 2021

Time: 3 hours and 30 minutes (writing exam- 10:00 am -12:30 pm; scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions:

- (A) Find out and prepare a list of major items that India used to import and export during 1990-91 and 2019-20.
(a) Observe the difference
(b) Do you see the impact of self-reliance? Discuss.
- (B) Some economists argue that farmers in other countries, particularly developed countries, are provided with high amount of subsidies and are encouraged to export their produce to other countries. Do you think our farmers will be able to compete with farmers from developed countries? Discuss.
- (C) What are sunrise industries and why they are need of the hour in India?
- (D) Many scholars argue that globalisation is a threat as it reduces the role of the state in many sectors. Some counter argue that it is an opportunity as it opens up markets to compete in and capture. Discuss.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** Despite several negative aspects, there are some positive things in Indian economy. Various schemes of the government have boosted up Indian economy in many ways. Characterise the salient features of Indian economy and how 'Make in India' and 'Digital India' are going to reshape the future course of action?
- Q.3** What were the various forms of revenue settlement adopted by the Britishers in India? Where did they implement them and to what effect? How far do you think those settlements have a bearing on the current agricultural scenario in India?
- Q.4** Since July 1991, fundamental changes in the structure and functioning in Indian Industry have taken place. Characterise the main features and evaluate this policy in present scenario in India.
- Q.5** Some scholars refer to disinvestment as the wave of privatisation spreading all over the world to improve the performance of public sector enterprises whereas others call it as outright sale of public property to the vested interests. Discuss with relevant provisions and examples.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: BL-406P	Subject: Political Science-IV (Public Policy and Public Administration)
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B.A. LL.B. 4th Semester**14th July, 2021**

Time: 3 hours and 30 minutes (writing exam- 10:00 am -12:30 pm; scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)

Maximum Marks: 75*Instructions:*

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)**Q.1 Short Answer Type Questions:**

- (A) Distinguish between the nature of public administration in independent India from that of colonial India.
- (B) How do you relate public policy to the governance process?
- (C) Why do you think the public policies related to the primary sector reforms are crucial for development?
- (D) Mention the progressive legislations adopted in the new millennium in India that have enhanced the quality of democratic governance.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** To what extent the processes of globalisation have led to the emphasis on good governance? How do you relate the concept of good governance with that of democratic governance?
- Q.3** To what extent the concept of grassroots level democratic governance has been achieved since the adoption of panchayati raj institutions in India as a result of the 73rd constitutional amendment?

- Q.4** Explain the very concept of development administration and its relevance for developing countries like India.
- Q.5** How does the role of public administration differ in the developing societies in comparison to the developed countries? Explain while referring to the distinct socio-economic and political challenges that the developing countries face.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

*End-Term Examinations***Paper Code: BL-406S****Subject: Sociology-IV (Sociology of Religion)****B.A. LL.B. 4th Semester****14th July, 2021**

Time: 3 hours and 30 minutes (writing exam- 10:00 am -12:30 pm; scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)

Maximum Marks: 75*Instructions:*

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)**Q.1 Short Answer Type Questions:**

- (A) How accurate has been Durkheim's argument that 'the old Gods are dead', in relation to the demise of the traditional world religions? What examples can you think of which may suggest that the 'old Gods' have survived rather better than he thought they would?
- (B) As according to various studies, in India, the dimensions of religious rituals are changing. What according to you are the major factors behind these changing dimensions of religious rituals? Write about any two main factors.
- (C) How does Peter Burger distinguishes his study of religion, which is under the domain of sociological theory, from the one that theologians undertake?
- (D) Do you think, religious parties in political arena should be banned to strengthen secularism and secularization in India? Discuss your views in brief.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** What is your own assumption about the role of religious ethics in socio-economic change in society? Can religious ethics change or effect economy and society? Max Weber suggests 'yes'.

Do you agree with Weber? If yes, can you think of examples where religious ideas have had the effect of changing society? If no, justify your argument with appropriate examples.

Q.3 Address the following central questions posed by Peter Burger regarding religion in his text ‘The Social Reality of Religion’.

- 1) How and why are people convinced by religion and religious beliefs?
- 2) Why do they committed to religion and religious beliefs, even when certain individuals express serious doubts about their credibility?

How convictions and commitments shape their views of religion as social reality?

Q.4 Do you think, the British policy of divide and rule during pre-independence period was major factor for communalism in India? If yes, how ‘Hindu-Muslim antagonism’ facilitated Britishers to strengthen communalism in India? If no, justify your arguments.

Q.5 Religious fundamentalism appears to have increased during a period of rapid globalization. How might these two phenomena be related? What evidence is there that fundamentalist religion will not be temporary, but may become a permanent feature of our increasingly global human society?



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

*End-Term Examinations***Paper Code: BBL-505M****Subject: Human Resource Development****B.B.A. LL.B. 4th Semester****14th July, 2021**

Time: 3 hours and 30 minutes (writing exam- 10:00 am -12:30 pm; scanning & uploading answer-sheet- 12:30 pm – 01:30 pm)

Maximum Marks: 75*Instructions:*

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)**Q.1 Short Answer Type Questions:**

- (A) “Organizations in the same country differ on various dimensions, which should be taken into account while designing human resource system. In designing human resource system, it is necessary to take into account several factors significant to organization. There cannot be one standard design of Human resource system”. Elaborate.
- (B) “Cognitive motivation theories have direct relevance to HRD. Most of the HRD programs include attempt to change employee behavior by influencing their thoughts, beliefs, and attitudes. Learning, which lies at the heart of HRD, is often seen as cognitive process as we can do a better job of designing and implementing HRD programs if we understand how employees’ thoughts and beliefs affect their behavior”. Comment.
- (C) “Very little systematic attention has been given to the designing of a Human Resource system. In the absence of systematic attention to such aspects, HRS may not be able to serve effectively the various purposes for which it is set up. Usually the urgent, but not necessarily the most important, problems are attended in HRS, viz., statutory requirements of industrial relations, appointment, promotions and salary administration. While designing HRS for any organization certain fundamental principles must be kept in mind”. Highlight some of the important principles.
- (D) “In order for organizations to compete successfully in global economy, they must be able to attract and retain the best employees possible. For most of the organizations this means recruiting and

hiring a more diverse workforce, especially women and minorities, or “people of color”, for the roles that they have typically held-such as management positions”. Elaborate.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** “The concept of development should cover not only the individual but also other units in the organization. In addition to developing the individual, attention needs to be given to the development of stronger dyads, i.e. two-person groups of the employee and his boss”. Comment.
- Q.3** “Culture can be defined as a cumulative, crystallized and quasistable shared life style of people as reflected in the presence of some states of life over others, in response predispositions towards several significant issues and phenomenon, in the organized ways of filling time in relation to certain affairs and in the ways of promoting desired, and preventing undesirable behavior”. Elaborate in the light of Indian organizational context.
- Q.4** Aloha is a Hawaiian company that sought to flatten its organizational structure and increase the amount of employee participation in organization. The new CEO of the company was very enthusiastic about the idea, and enlisted the help of a management consultant to document the progress and changes expected to occur as a result of this major change in the organizational structure.
- Q.5** “The net result of socializing process is that someone who is considered by organization members to be an outsider is transformed into a productive and accepted insider. But before the actual socialization process, any HRD manager must consider three important concepts, organizational goals, group norms and expectations, which forms the basis of whole socializing process”. Elaborate.