



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: LB-301

Subject: Constitutional Law-I

B.A./B.B.A. LL.B. 3rd Semester12th March, 2021

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

Maximum Marks: 50

Instructions:

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

SECTION-A (Short-Answer Type)**(2x5=10 Marks)****Q.1 Short Answer Type Questions:**

- (A) Differentiate between doctrines of pith and substance and colourable legislation.
- (B) What is collegium system? Mr. 'X' is expert in law but has not practiced in any court nor he has been a judicial officer. Mr. 'X' is appointed as additional judge in a High Court. Decide the Constitutional validity of appointment of Mr. 'X' as additional judge.
- (C) Discuss the duty of the Union Government to ensure that the government of a state must be carried on in accordance with the provisions of the Constitution.

SECTION-B (Long-Answer/Descriptive/Analytical Type)**(2x20=40 Marks)**

- Q.2** "States in India have an independent Constitutional existence and they have important role to play in the political, educational and cultural life of the people the as Union. They are neither satellite nor agents of the Centre. The fact that during emergency and other eventualities their power or overridden or invaded by the Centre in not destructive of the essential federal nature of the Constitution." Critically analyze the nature of Indian Constitution in light of the above opinion of Justice P.B. Sawant in case of *S.R. Bommai v. Union of India*, (1994)3 SCC1.
- Q.3** "Trade, commerce and intercourse throughout the territory of India shall be free" Critically analyze in light of facts given below with the help of Constitutional Provisions and decided cases:

The Union territory of Jammu & Kashmir notified on January 01, 2020 that all those industrial units, which shall be established till June, 2020 in the territory shall be exempted from tax liability for five years from the time of establishment. Several industries which were established during the period have started manufacturing. Due to tax rebate the products from such exempted units are cheaper. Mr. 'X' whose industrial units are engaged in making food items, such as biscuits, namkin and other daily needs, established these units prior to the notified duration hence could not avail the said exemption. Mr. 'X' challenges the notification as violative of Article 301-304 of the Constitution.

Q.4 Article 245 (2) of the Constitution provides that *'No law made by Parliament shall be deemed to be invalid on the ground that it would have extra-territorial operation'*. The term extra territorial does not mean any territory whichever it wish or want but that must have or expected to have direct or indirect relation with territory, interest, wellbeing or welfare of inhabitants of India. Explain the above in light of judicial pronouncement and decide the issues in the below given facts:

Mauli is an unattended territory at a distance of five mile from the Indira point. No Indian citizen resides there and India is also in mutual agreement with all its neighbouring Nations that none of them will claim over it. Parliament enacts a law to the whole territory of Mauli. It is challenged on the ground of extra-territorial. Decide whether the legislation is within the ambit of Article 245?



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: LB-302

Subject: Law of Crimes-I (Indian Penal Code)

B.A./B.B.A. LL.B. 3rd Semester13th March, 2021

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

Maximum Marks: 50

Instructions:

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

SECTION-A (Short-Answer Type)**(2x5=10 Marks)****Q.1 Short Answer Type Questions:**

- (A) How participation is different under section 34 and 149.

A, who is a leader of the labour Union comprising of 50 people, invites a meeting of all members of his union and incites them to ban the reach of all officials in the premises of the factory. Even 'A' encourages further that if needed use force to confine and beat the police officers who escorts the labour commissioner and other officials. In pursuance of the incitement, B, C, D, E and F along with ten other people blocked the road and detained Mr. X, Y and Z, police personnel deployed to give security to the office of the Commissioner. A, B, C, D, E, F along with ten others are prosecuted for committing offences under section 186 and 342. A takes the defense that he was not present at time of blocking the road and even he was not informed by anyone. Decide with the help relevant provisions the Indian Penal Code and case laws.

- (B) The State of Andhra Pradesh promulgated '*The Maintenance of Peace and Security Ordinance 2018*,' to prohibit the activities of the people who disturb the public authorities and incite people.

Section 7 of the same provides that whoever poses a threat to the peace or security to the society shall be punished with externment up to six month along with fine. Section 8 of the Ordinance provides whoever violates order of externment, the period of internment shall be extended by three months.

'A', a municipal sweeper files a complaint against 'X' for distributing pamphlets and inciting people to resist the order passed by the Mayor of the city of Hyderabad. Mr. 'X' was found guilty of violating section 7 and consequently externed for six months and prohibited to enter

the State. Mr. 'X' is found in Hyderabad during the period of externment. 'X' is prosecuted again under section 8. 'X' pleads that he was not aware that he has been prohibited to enter into the city because he was not served any order or notification and he was not intended to violate the same. State of Andhra Pradesh says the liability under section 8 of the Ordinance has been fixed on the basis of 'strict liability'. Decide in light of leading court judgements.

- (C) 'A' ordered one laptop from online portal 'Style'. 'B' is assigned the carrier agent to deliver the same on the address provided by 'A'. There is one facility provided by the 'Style' platform that in case of non-availability of address at the time of expected date and time of delivery of the product, the address may fix the date and time of his choice. 'A' availed the same facility and fixed next week for delivery. 'B' who had to deliver the product was asked by the 'Style' to keep with himself and deliver on the request time and date. Meanwhile, 'B's laptop all of sudden stops working and he is even not able to respond the urgent mails of 'Style'. Finding no other option, 'B' unpacked the laptop and logged in and did all his work for next three days, till his laptop did not get repaired. Thereafter, 'B' packed the laptop and delivered the same to 'A'. What is the offence, if any, has been committed by 'A'? Decide with the help of statutory provisions and decided cases.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (2x20=40 Marks)

- Q.2** Rishi, Javed and Michael are good friends and third year law students. When classes were over and returning to their respective but neighboring hostel rooms, they surrounded Ankit and Munir, first year students, junior to them. Ridiculing them, they started playing song and asked Ankit and Munir to dance, on their refusal to dance, all the three seniors started beating them. Munir any how escaped but the three seniors kept on beating Ankit, consequently Ankit fell down and became unconscious. Presuming Ankit to be dead, all the three seniors took him to his room and threw him from his Balcony of fifth floor. Post mortem Report disclosed that the immediate cause of death was falling from the fifth floor but injuries on the body prior to fall which were sufficient to cause death. Rishi, Javed and Michael are prosecuted under section 302 of IPC, 1860. All the three conceded to have caused injuries to Ankit but just to teach him a lesson.

Discuss and highlight the difference between section 299 and 300 of Indian Penal Code and decide the liability of Rishi, Javed and Micheal.

Q.3 Discuss the scheme of right to private defence under the Indian Penal Code, 1860 and decide the liability of Ashok in the following facts:

“Ashok is an absconded offender. Despite several efforts, police have not been successful to arrest him. Deepak, an inspector, is assigned the task to arrest Ashok. Deepak found that most of the time police has failed because it have always been in uniform. Therefore, Deepak decided to do the task secretly and in plain clothes. One day when Deepak went to a groceries shop in a crowded market, he got the opportunity to nab Ashok. When Deepak put his hand on Ashok’s neck, Ashok asked who are you? But Deepak did not reply instead slapped him and put his pistol on Ashok’s temple. This enrages Ashok and in response Ashok fires at Deepak, which resulted into his death. Ashok was prosecuted for murder under section 302. Ashok pleads right to private defence.

Q.4 Vandana invited her friend Madhuri in birthday celebration of her daughter. During celebration Madhuri found a precious necklace belonging to Vandana lying on the table unattentively. Not venturing to misappropriate the ring immediately for fear of search and detection, Madhuri hides the necklace where it is highly improbable that it will ever be found by Vandana, with the intention to take that necklace from that place and selling it when the loss is forgotten. What offence, if any, has been committed by Madhuri? How it would have been different, had the necklace was found by Madhuri in the backyard and despite knowing that necklace is belonging to Vandana, she had hidden it? Discuss and decide the liability of Madhuri in the above facts.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: LB-303

Subject: Law of Contract-II (Special Contract)

B.A./B.B.A. LL.B. 3rd Semester

15th March, 2021

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

Maximum Marks: 50

Instructions:

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

SECTION-A (Short-Answer Type)

(2x5=10 Marks)

Q.1 Short Answer Type Questions:

- (A) X, an agent appoints Y to fight a case in the court of law on behalf of his Principal. Explain whether Y is a sub-agent or not.
- (B) A & B entered into a contract of sale of single door, red coloured refrigerator for ₹ 25,000 of Samsung brand. A delivered single door, red coloured refrigerator of LG brand worth ₹ 30,000 at B's house. Is B bound under the contract to accept the goods? Discuss.
- (C) There is a Hindu joint family consisting of 10 members from 3 generations which is running a confectionary business. Is it a partnership firm? Discuss the law.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (2x20=40 Marks)

- Q.2** A & B entered into a contract of pledge for ₹ 20,00,000 on 1st Jan, 2000 under which gold worth ₹ 10,00,000 was given as a collateral security by A. A failed in returning the loan taken by him on time. B gave A notice to sell his gold within a month on 1st Jan 2002. On 1st Feb 2002 when the jeweller was evaluating the value of the gold at the current price, A reached there and tried to return the loan and the interest amount to B. Can B still proceed to sell the gold of A to the jeweller? Discuss the law.
- Q.3** A made an offer to B (agent of C) to sell his land for ₹ 50,00,000 on 1st Jan, 2005. B accepted the offer "subject to the approval of C". C accepted the offer of A on 1st Feb, 2005 but A withdrew the offer on 15th Jan, 2005. Is the ratification by C of the act done by B on his behalf valid? Could the offer by A be withdrawn by him? Decide.
- Q.4** A contract of sale of 100 pieces of chair takes place between X & Y on 1st Jan, 2009 for ₹ 1000 per piece. The price is to be paid at the time of acceptance of delivery of goods. While the goods were in transit X came to know that Y has become insolvent. Is X an unpaid seller? Discuss whether any remedy is available to X.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: LB-304

Subject: Economics-III (Economics of International Trade)

B.A./B.B.A. LL.B. 3rd Semester16th March, 2021

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

Maximum Marks: 50

Instructions:

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

SECTION-A (Short-Answer Type)**(2x5=10 Marks)****Q.1 Short Answer Type Questions:**

- (A) The world of “open economies” promises higher levels of GNP and material welfare for the participating country. Discuss.
- (B) If there is a situation of inflation in Pakistan than in India and the exchange rate between the two countries is fixed, what is likely to happen to the trade balance between the two countries?
- (C) Evaluate the Uruguay Round Agreement with special reference to India?

SECTION-B (Long-Answer/Descriptive/Analytical Type) (2x20=40 Marks)

- Q.2** Distinguish between absolute and comparative advantage and show how all trading nations could gain from trade. You may use a model of two countries and two commodities to illustrate gains from trade.
- Q.3** Haberler has argued that terms of trade should be optimised rather than maximised. Do you agree with this view? Give reasons.
- Q.4** Price of \$1 was equal to ₹40 few years back and today it is trading around ₹73. Discuss how this rate is determined using balance of payment theory? What reasons would you recommend post Covid-19 situation in India to improve India's balance of payment?



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: BL-301

Subject: Political Science-III (International Relations)

B.A. LL.B. 3rd Semester17th March, 2021

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

Maximum Marks: 50

Instructions:

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

SECTION-A (Short-Answer Type) (2x5=10Marks)**Q.1 Short Answer Type Questions:**

- (A) Mention the various approaches to the study of International Politics. Which of these approaches in your view is the best suited for solving socio-political problems in the contemporary world?
- (B) Discuss the nature and role of geography and natural resources as the two tangible elements of national power in Sino-Indian relations.
- (C) What is international terrorism? How is the international community today trying to fight the menace of international terrorism? Take the case of India and the United States of America as an example for your answer.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (2x20=40Marks)

- Q.2** “The study of International Relations becomes an important academic concern in the twenty first century for fairly obvious reasons. In the light of this statement, discuss briefly the major landmarks in the development of the study of International Politics. What is your opinion as a student of law is the significance of these developments?”
- Q.3** Hans J. Morgenthau’s ‘Politics among Nations: The Struggle for Power and Peace’ is considered to be one of the finest book in the classical realist theory. He believes that the science of international relations will be made through the tradition of real-life events and by the proper application of meaningful law. According to him, the theory will be realistic, independent, insightful, and consistent with empirical reality. Examine critically the contribution of H.J. Morgenthau to the study of International Politics. What are the main points of criticism of the theory?
- Q.4** National Power is that combination of power and capability of a state which it uses for fulfilling its national interests and goals. In the light of this statement, discuss the Doklam and Galwan standoffs between India and China. Suggest possible solutions for such problems between neighbour states.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: BL-302

Subject: Sociology-III (Sociology of Law)

B.A. LL.B. 3rd Semester18th March, 2021

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

Maximum Marks: 50

Instructions:

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

SECTION-A (Short-Answer Type) (2x5=10Marks)**Q.1 Short Answer Type Questions:**

- (A) It is a common belief that laws reflect and promote a society's traditional values. Do you agree? Give examples of laws that, in your opinion, support and contradict Indian society's values.
- (B) The Bar Council of India has proposed various reforms in the legal education in India. In your opinion what are the major reforms required in legal education in India to meet the challenges of the 21st century.
- (C) Ethnography implies the study of individual cultures. Ethnographic study of law is thus, an ethnographer's endeavor to learn about what people in a given culture describe as 'law'. With this in mind, give an example of an ethnographic study of law and critically examine the idea that all such studies are highly subjective.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (2x20=40Marks)

- Q.2** Max Weber occupies a pivotal place in the development of Sociology of law. He has written about a formally rationalized legal system which is marked by an over-emphasis on formal procedures. With this in view, describe how Max Weber's Sociology of law is an interpretation of social conditions in a rational bureaucratic society.
- Q.3** Critical theory of law believes that law favors the historically privileged sections of society and disregards the underprivileged. Do you agree, and why?
- Q.4** "Laws on climate change are a prime example of the difference of approach among developing and developed countries". Expand on this statement.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: BBL-202

Subject: Audit Practices

B.B.A. LL.B. 3rd Semester17th March, 2021

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

Maximum Marks: 50

Instructions:

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

SECTION-A (Short-Answer Type)**(2x5=10Marks)****Q.1 Short Answer Type Questions:**

- (A) “The moment before an auditor enters into an engagement is a very crucial phase of the entire audit process”. Discuss this statement in light of diligence which needs to be exercised?
- (B) The internal controls in a non banking financial services company include specific procedures towards the important areas of its business. Discuss such controls.
- (C) A company wants to classify certain expenditure on market prospecting activities towards its intangible assets. What are the conditions that are required to be fulfilled?

SECTION-B (Long-Answer/Descriptive/Analytical Type)**(2x20=40Marks)**

- Q.2 (a)** Independence of an auditor must be retained in every situation for the efficient conduct of engagement. Explain. Also, discuss the limitations of internal control.
- (b) “Purchases constitute a material aspect of any trading entity.” Discuss the substantive procedures used by an auditor to obtain audit evidence in such a case? Sampling carries inherent pitfalls about which an auditor must be cautious? Discuss such pitfalls?
 - (c) In Ajanya Ltd, Board of Directors appointed its first auditor. What are the implications of this decision in case of a government company?
 - (d) CA Raman had to leave his audit engagement before completion of the term due to personal reasons without filing statement with the company and registrar indicating reasons. What will such decision entail in light of relevant legal provisions?

- Q.3 (a)** A newly appointed bank manager needs to know the key internal controls to manage risks at the workplace. As an auditor give advice.
- (b)** The securities premium account carries a specific obligation towards the objectives and goals of the company. Discuss how it can be used apart from rewarding employees with fully paid shares.
- (c)** Auditor needs to classify and verify current and noncurrent liabilities in the organization. Discuss in detail the procedures he/she can deploy?
- (d)** In a company the Managing Director managed to employ himself in a role of an auditor. Discuss the implications and the provisions applicable.
- Q.4 (a)** If during an audit the management of a company refuses to produce relevant records. What are the options before the auditor?
- (b)** A discord with the management can increase the chances of a material misstatement going undetected. Discuss such situations which may show such possibilities?
- (c)** While making an audit report, the auditor needs to analyze certain matters in detail in a separate section. Discuss those significant matters.
- (d)** An auditing firm was hired to render advice regarding some business area and the same firm is also hired as a statutory auditor by the same company. Discuss the effect of this decision with help of relevant legal provisions?

