



## HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

*Ph.D. Course Work Examinations*

<b>Subject: Legal Research and Methodology</b>
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Ph.D. Course Work

5<sup>th</sup> November, 2020

**Time: 3hrs and 30minutes (Writing Examination- 10:30 am -01:30 pm; Scanning & Uploading Answer-sheets- 01:30 pm – 02:00 pm)**

**Maximum Marks: 100***Instructions:*

*The Question Paper has two Sections. Attempt any four questions from Section-A. Each question in Section-A carries ten marks. Attempt any two questions from Section-B. Each question in Section-B carries thirty marks.*

**SECTION-A (Short-Answer Type)****(10x4=40 Marks)**

- Q. 1 A.** “When researchers take an approach, where they start with a set of observations and then they move from those particular experiences to a more general set of propositions about those experiences. In other words, they move from data to theory, or from the specific to the general.” Comment.
- B.** “*The path of a successful research moves; on the reliability of literature used for conducting any research.*” Explain the statement in the light of, use of internet, legal database and modern techniques in legal education.
- C.** “*The research report is the criteria to judge the contribution or outcome of the research conducted by applying any methodology in a research.*”

In relation to above statement explain the purpose, importance, essentials and structure of legal research report writing.

- D.** Violence against vulnerable groups in the society is not new as they have been victim of ill-treatment, harassment, humiliation, torture and exploitation since early times. The attitude of indifference to this problem was the result of lack of awareness of the seriousness of the problem, general acceptance of superiority of rich over poor and denial of violence owing to their religious and social values. Since the number of cases of violence against them have increased form the1990 onwards (showing by giving figures of different crime in different year e.g. 1995-40072, 2000-62854, 2005-90023, 2010-102300, 2015–126312, 2018-130000) and the media have been exposing the severity of the problem, both scholars and government have now taken serious note of this social problem.

On the above explanation identify the research problem and formulate it to conduct the socio-legal research and formulate three hypotheses to conduct the research.

E. Elaborate and explain the appropriate footnote citation for the following examples:

- (a) Case – Competition Commission of India versus Maruti Suzuki Limited decided by Supreme court of India, published in volume 9 of the reporter Supreme Court Cases (SCC) in the year 2010.
- (b) Edited Book – Raman and John edited a book titled Right to Information: Challenges and Possibilities in the year 2018, published by Amravati Publication House, New Delhi. Paper titled “RTI: An Analysis of Mr. Anuj, Ms. Anjum and Mr. Ravi is published at page 117, which you want to refer in your article.
- (c) Case – State versus Mohd Yasin & others decided by the High Court of Punjab and Haryana was published by Criminal Law Journal in 2018 at page 775.
- (d) Online Resource: article titled “Artificial Intelligence and the Law” authored by Rajneesh Dubey available at Manupatra available at <https://www.manupatrafast.com/articles/ArticleSearch.aspx?c=1> explored on 23.4.2020.

**SECTION-B (Long-Answer/Descriptive/Analytical Type) (30x2= 60Marks)**

**Q.2** The emerging issues with regard to providing reservation in service for the general category candidates on the ground of economic status has ignited a new debate, for which there is a need to make a specific amendment in the legislation to address such issues with appropriate mechanism. With this object the concerned ministry is willing to sponsor a research to know & understand the problems, its impact, issues etc. to frame a policy or appropriate amendments in the constitution/legislation.

On the basis of above information suggest the essentials required to conduct a research based on non-doctrinal/empirical research methodology. Also explain the characteristics of empirical research methodology, providing the examples by applying to above proposition for each step.

**Q.3** “A research proposal is a research planning of the proposed research project to conduct the empirical test of the hypotheses or to test the veracity of socio-legal research. As to which research plan or design will be suitable for the collection and analysis of data in

*an economic, efficient and selective manner depends upon the nature of the problem under the research”.*

Explain the statement with the help of essential characteristics of a scientific legal research proposal and also make a research proposal for the socio-legal problem titled “Right to Education in India: Challenges and Possibilities.”

**Q.4** *“The problem of mental illness is not new and they need a special protection under a specific legislation for promotion and protection of their human rights. With this object the ministry of social justice is willing to sponsor a research to know their problems to frame a policy or to recommend specific legislation for the same” with a research project “Problems of Mentally ill persons in India: with special reference to Delhi NCR”*

On the basis of above information explain followings:

- i. What should be the Universe of study, sufficient representative samples and method of selection of sample?
- ii. Which method of data collection should be preferred and why? Provide the example of data collection parameters relevant for the study.
- iii. Which tool of data collection would be appropriate, elaborate the content of the relevant format.
- iv. With the help of above example, explain the data processing, data analysis and data interpretation towards logical conclusion.