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RG/A/01/12/14

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
DECEMBER - 2014  
FIRST SEMESTER  
PAPER-III: GENERAL PRINCIPLES OF  
CRIMINAL LAW  
(CRIMINAL LAW GROUP)  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

1. **Compulsory**

**Write short note on:**

- a. Defence of necessity.
- b. Individualization of Sentence.

**Section - B**

2. “With minor modification the Mc Naughten Rules have continued from 1843 to this day to comprise the most significant part of the law of insanity in relation to criminal responsibility”. Elucidate and discuss the defence of insanity to criminal charge. Refer to case law to explain your answer.
3. What do you understand by the concept of joint liability? Giving justification for joint liability discuss the concept in relation to the offence of gang rape. Can a woman be prosecuted as joint liability for gang rape?

**Section - C**

4. Who is a victim of crime? Referring to statutory provisions and relevant case law discuss the scheme of compensation to the victim of crime. Can a victim be awarded compensation when accused is acquitted of offence or released on probation?
5. “There must be unquestionable preclosure of all alternative options before death sentence can be awarded”, observed Justice K.T. Thomas in Rajiv Gandhi murder case judgment. In the light of above judgment discuss the historical development and present position of death sentence in India.

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**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
DECEMBER - 2014  
FIRST SEMESTER  
PAPER-III: FUNDAMENTAL RIGHTS AND  
DIRECTIVE PRINCIPLES  
(CONSTITUTIONAL LAW GROUP)  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. Elucidate the objective behind introducing the Directive Principles of State Policy into the constitutional framework.
- b. Has the inclusion of the Fundamental Duties in the Indian Constitution played a role in the Indian democracy?

*Contd.....P.2*

**Section - B**

2. “The nature of directive principles is non-enforceable. Judiciary has enforced these principles in a very effective way”. Analyze the role of the judiciary in the implementation of these principles.
3. Article 31C has undergone many changes through amendment and judicial interpretation, since its inclusion in the Constitution. Elaborate the status of Article 31C as it stands today.

**Section - C**

4. Explain the object behind introducing the fundamental duties in the Indian Constitution. Discuss the role of the courts towards the implementation of these duties.
5. Will the introduction of a Uniform Civil Code in India do away with the existing differences and problems in the personal laws? Why has the legislature not introduced the Uniform Civil Code till date? Discuss.

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
NOVEMBER - 2014  
FIRST SEMESTER  
PAPER-III: LAW OF BANKING  
(BUSINESS LAW GROUP)  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. Payment in due course
- b. Internet Banking

**Section - B**

2. Define bill of exchange. In what respect does it differ from cheque.
3. What is meant by presentment for payment? What are the rules regarding time and place for presentment of payment of negotiable instruments? When the presentment for payment is excused?

**Section - C**

4. Discuss in detail the procedure for redressal of grievances under Banking Ombudsman.
5. What is meant by dishonor of Instrument? Is notice of dishonor compulsory? By whom and to whom such notice can be given? When notice of dishonor is excused?

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
DECEMBER - 2014  
FIRST SEMESTER  
PAPER-IV: INDUSTRIAL AND  
INTELLECTUAL PROPERTY  
RIGHTS  
(BUSINESS LAW GROUP)  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short notes on:**

- a. i) Patent
- ii) Non-Patentable inventions
- b. What is liability for infringement of law relating to plant variety?

*Contd.....P.2*

**Section - B**

2. “Enforcement of patent is not easy”. Comment. Also explain remedies for enforcement.
3. Write short notes:
  - a) Variants and controversies to Biotechnology.
  - b) Regulation of Biotechnology.

**Section - C**

4. “Farmers and plant breeders have some rights of the *Protection of Plant Varieties and Farmers’ Rights Act, 2001.*” Explain.
5. Why it is important to register plant varieties? Explain procedure for registration.

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**

**Section - B**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
DECEMBER - 2014  
FIRST SEMESTER  
PAPER-V:INTERNATIONAL CRIMINAL LAW  
(CRIMINAL LAW GROUP)  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. Composition of ICC.
- b. National Jurisdiction of International Crimes.

2. Write a detailed note on the jurisdiction of ICC.
3. Write short note on:
  - a) Genocide
  - b) Establishment of ICC.

**Section - C**

4. Explain the circumstances excluding the criminal liability under International Criminal Law.
5. What are different modes of criminal liability under International Criminal Law? Explain with suitable examples.

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
NOVEMBER - 2014  
FIRST SEMESTER  
PAPER-I: LEGAL METHODS AND  
RESEARCH METHODOLOGY  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. “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 and legal database in research.
- b. Briefly explain the contribution of funding agencies in India for development of research.

*Contd.....P.2*

**Section - B**

2. 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.
3. Write comments on:
  - a) Data processing and Data Analysis
  - b) Research Ethics

**Section - C**

4. “Since the law and society both are dynamic, the reforms must take place on regular interval”. Elaborate the statement in reference to the role of various committees and commissions worked/working for law reforms in India.
5. “The *Indian Copyright Act* provides ample scope to avoid plagiarism in research”. Explain with the help of relevant provisions and decided cases.

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
DECEMBER - 2014  
FIRST SEMESTER  
PAPER-IV: CENTRE STATE RELATIONS  
(CONSTITUTIONAL LAW GROUP)  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. What do you understand by borrowing power?
- b. Write a brief note on working of Finance Commission.

**Section - B**

2. “To achieve the immunity of the property one government from taxation by the other, which saves a good deal of fruitless labour in assessment and calculation and cross-accounting of taxes between the two governments, the courts have evolved the doctrine of “immunity of instrumentality” or “inter-governmental immunity”. Discuss.
3. “The Indian constitution incorporates a very elaborate scheme of centre-state financial relations.” Briefly discuss its chief characteristics.

**Section - C**

4. Discuss the role of planning commission in Financial relations between centre and states. Give your suggestions.
5. Briefly discuss GST and Constitution One Hundred Fifteenth Amendment Bill, 2011 and give your comments.

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
DECEMBER - 2014**

**FIRST SEMESTER**

**PAPER-V: LAW OF CORPORATE  
GOVERNANCE**

**(BUSINESS LAW GROUP)**

**TIME DURATION: ONE AND HALF HOURS**

**MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. Cadbury code of Best Practices recommendations relating to Board of directors.
- b. Difference between corporate social responsibility and corporate social audit.

**Section - B**

2. Examine the Role of SEBI in promoting Corporate Governance.
3. Discuss the important recommendations of various committees on corporate governance.

**Section - C**

4. Discuss meaning, nature and scope of Corporate social responsibility.
5. Discuss the social responsibility of corporates towards various stake holders/interest groups (i.e. consumers Environment, govt. etc).

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
NOVEMBER - 2014  
FIRST SEMESTER  
PAPER-II: COMPARATIVE PUBLIC LAW  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

1. **Compulsory**

**Write a critical short notes on:**

- a. Organisation and independence of Judiciary.
- b. Public order and Freedom Assembly and Religion.

**Section - B**

2. Define Judicial review. Discuss various implications of Judicial Review. How do you think that Judicial review is the part of the democratic set-up and it is not in derogation of democratic set-up inspite of the fact that it is exercised by Judicial branch of the government which is not elected but appointed.
3. In the exercise of the power of Judicial review the Courts are competent to declare legislative acts to be unconstitutional and void to the extent of inconsistency. Discuss the bases of Judicial review and impact of a legislative act being declared void to the extent of inconsistency.

**Section - C**

4. The economic unity of a nation is as important as the political unity. It requires free flow of trade, commerce and intercourse. Different federations have devised power to regulate such freedom. U.S. congress regulates trade and commerce between several states and Australia among the States. What improvement has been done under the Constitution of India? Is such freedom absolute or subject to certain restrictions?

Are regulatory measures and measures imposing compensatory taxes for the use of trading facilities also hit by the mandate of Article 301?

5. Libertarian view is that individual's rights cannot be put to restrictions unless they injure the rights of others. Explaining it critically examine if individual rights can be subjected to restrictions on the ground that they derogate from society's standard and public morality. What is position in India as to criminalisation of homosexual behaviour?

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**

**Section - B**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
DECEMBER - 2014  
FIRST SEMESTER  
PAPER-IV: EMERGING AREAS OF**

**CRIMINALITY  
(CRIMINAL LAW GROUP)**

**TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. What is 'honour killing'? Do you find the existing law adequate to deal with this crime?
- b. What do you mean by 'proceeds of terrorism'? Explain.

2. Analyse the law dealing with the offence of using a child for pornographic purposes. Have you any suggestion for making the law more effective in this respect?
3. What constitutes 'domestic violence' under the Protection of Women from *Domestic Violence Act*, 2005? Whether the definition of 'domestic violence' overlaps with some offences under the Indian Penal Code? Discuss.

**Section - C**

4. "The development of technology has raised vital jurisdictional issues in tackling transnational cyber crimes." Discuss.
5. Discuss the provisions of Indian law dealing with the offences relating to terrorist organisations. Evaluate the efficacy of such provisions.

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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. ONE YEAR COURSE  
END TERM EXAMINATION  
DECEMBER - 2014  
FIRST SEMESTER  
PAPER- V: FEDERALISM AND LOCAL SELF  
GOVERNMENT IN INDIA  
(CONSTITUTIONAL LAW GROUP)  
TIME DURATION: ONE AND HALF HOURS  
MAXIMUM MARKS: FORTY (40)**

**Note:** Section-A is **compulsory** and each part carries **5 marks**. Attempt **one question** each from Section B & C and each question carries **15 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. Municipal Councils.
- b. National Finance Commission.

**Section - B**

2. What are the powers of the Municipalities to impose tax and funds? Also discuss the provisions relating to the establishment of committees for metropolitan Planning.
3. Discuss the constitution and powers of District Councils and Regional Councils as provided in the 6th schedule. Also discuss the application of the Acts of Parliament to the autonomous districts in the State of Assam.

**Section - C**

4. "The passing of the Panchayati Raj Constitution Amendment is in accordance with the directives envisaged in Article 40 of the constitution". Comment.  
  
Also discuss the composition and organisational structure of the Rural Local Bodies.
5. Discuss the Role of National Finance Commission vis-a-vis Local Governments.

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