

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

**B.A.LL.B. (HONS.) FYIC
SIXTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-I: ENVIRONMENTAL LAW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is Compulsory and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 10 marks

SECTION - A

1. **Write short notes on the followings:**
 - a. The role of the United Nations as a pivotal institution in bringing consensus and cooperation amongst member states to preserve the environment.
 - b. Emission Trading as a tool to curb the menace of global climate change.
 - c. The Precautionary Principle as a future risk reduction method with decided case laws.
 - d. Critical analysis of Bhopal Gas tragedy.

SECTION - B

2. State A, a developing country currently grapples with environmental pollution and appoints you as a Legal Secretary to understand the implications of Stockholm Principles in its initiative to preserve the environment. Analyse the applicable international environmental law norms provided in the Stockholm Principles?

3. (a) Explain the history leading up to the Rio De Janeiro Conference 1992 and its achievement in seeking coordination amongst states to tackle the environmental degradation.
(b) On the basic approach, draw out the distinction between the Rio Principles and Agenda 21.

SECTION - C

4. Sustainable development has been universally presented as a philosophy as articulated in the Brundtland Commission Report 1987. Clarify the viewpoint on sustainable development using examples and examine the notions of sustainable development in India.

5. The shift from Strict Liability to Absolute Liability is now imperative. The law cannot stay static. Discuss accountability criteria applicable to a company engaged in an inherently dangerous activity with the decided case laws.

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**B.A.LL.B. (HONS.) FYIC
SIXTH SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-II: FUNDAMENTAL OF IPRs
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is Compulsory and each part carries 5 marks. Attempt One Question each from Section - B and Section - C each question carries 10 marks

SECTION - A

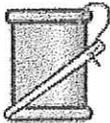
1. Write short notes on the followings:

- a. The secondary meaning and trademarks.
- b. Can a defendant challenge the validity of a trademark in infringement proceedings?
- c. World Intellectual Property Organization
- d. Whether the personal recordings of entire television programmes for time-shifting purposes is an infringement of copyright, or whether it qualifies as fair usage?

SECTION - B

2. ABC Book Company and XYZ Publishing Private Limited are into publishing legal books, including judgments since 1970. This compilation comprised non-reportable, reportable, and short judgments of the Supreme Court, enriched with user-friendly elements like formatting, numbering, cross-references, and additional contributions. It featured headnotes, footnotes, and long notes. In 2004, Spectrum Business Support Limited released 'Grand Jurix' and 'The Laws' software, respectively, allegedly copying the entire module onto CD-ROMs, leading to accusations of IP rights infringement by the appellants. Discuss and decide.
3. "*The sine qua non of copyright is originality*". Elucidate with the help of case laws.

SECTION - C



AC

4. Anita Chikankari has successfully run a hand embroidery factory in Lucknow for the last 5 years. She wants to register pink thread and needle as her trademark. Decide the maintainability of her application. (Refer image above)
5. Do you think the 'likelihood of confusion' has perplexed the judiciary over the reverse protection of trademarks? Justify your answer.

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B.A.LL.B. (HONS.) FYIC

SIXTH SEMESTER

MID TERM EXAMINATION

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PAPER-III: BHARATIYA NAGARIK

SURAKSHA SANHITA - II

TIME DURATION: ONE AND HALF HOUR

MAXIMUM MARKS: FORTY (40)

Note: Section - A is **Compulsory** and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 10 marks

SECTION - A

1. Write short notes on the followings:

- a. Under which provision of the **Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023)** is the concept of *Vakalatnama* considered for granting permission to conduct prosecution before a criminal court?
- b. What changes have been introduced in provisions regarding withdrawal from prosecution under **BNSS, 2023**?
- c. Does the **BNSS, 2023** allow for summary procedures in cases of giving false evidence during a trial? If so, explain with reference to the relevant legal provisions.
- d. Under what circumstances does the court lack the power to alter its judgment?

SECTION - B

2. 'A', 'B', and 'C' come from well-educated backgrounds and financially stable families. However, during their studies, they fell into bad company and became involved in drug consumption. One day, lacking pocket money to purchase drugs, 'A' suggested 'B' and 'C' the idea of committing a robbery against 'D'. Acting on this plan, they robbed 'D' and were subsequently charged and convicted by a Competent Jurisdictional Magistrate for robbery. Can 'A', 'B', and 'C' be later re-tried for dacoity based on the same set of facts?
3. Analyze the concept of Tender of pardon and also discuss its advantage and disadvantage within the Indian criminal justice system. At what stages can the court grant a tender of pardon? Support your explanation with relevant legal provisions and case laws.

SECTION - C

4. Discuss the statutory provisions governing the compounding of offenses and the role played by Courts in compounding.
 5. Who is a victim under the Indian criminal justice system? Is victim entitled to receive compensation? Is it mandatory for the victim to file an application to receive compensation? Explain with relevant legal provisions and case laws.
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**B.A.LL.B. (HONS.) FYIC****SIXTH SEMESTER****MID TERM EXAMINATION****MARCH - 2025****PAPER-IV: INCOME TAX ACT, 1961****TIME DURATION: ONE AND HALF HOUR****MAXIMUM MARKS: FORTY (40)**

Note: Section - A is **Compulsory** and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 10 marks.

SECTION - A

1. **Write short notes on the followings:**

- a. Discuss the difference between the terms Tax, Fee, Cess, Duty, Surcharge and Tariff.
- b. Discuss the concept of Financial Year, Previous Year and Assessment Year with examples.
- c. "The existence of an employer-employee relationship is the sine qua non for taxing income under the head 'Salaries' under the Income Tax Act, 1961." - Analyse
- d. Rajiv served as the CEO of Zenith Ltd. for ten years. Upon his resignation, he received:
 - i) Rs. 50 lakh as a one-time ex-gratia payment.
 - ii) Rs. 10 lakh from the company's employee welfare trust as a goodwill gesture, and
 - iii) Rs. 5 lakh as proceeds from a Keyman Insurance Policy taken by Zenith Ltd. during his tenure.

Determine the taxation of these payments under the Income Tax Act, 1961. Justify your answers.

SECTION - B

2. The Income Tax Act, 1961 classifies a taxpayer's income into different categories to determine tax liability. The Act specifies five heads of income, under which all sources of earnings must be reported. Explain the significance of these five heads of income with relevant provisions and examples. How does the classification of income under different heads affect tax computation and deductions?
3. Under the Income Tax Act, 1961, agricultural income is exempt from tax as per Section 10(1). However, the definition of agricultural income under Section 2(1A) is specific and includes rent or revenue from land, income from agricultural operations, and income from farm buildings under certain conditions. Explain the scope of agricultural income with relevant provisions. Discuss how hybrid activities (such as processing, sale of agricultural produce, and allied activities like dairy farming) are treated for tax purposes.

SECTION - C

4. Mr. Arjun, a disabled person, is a salaried employee residing in Jaipur in a rented house. He pays a monthly rent of Rs.20,000, while his employer provides him with a monthly HRA allowance of Rs.22,000. His salary structure is as follows:
 - i) Basic Salary: Rs 35,000
 - ii) HRA: Rs.22,000
 - iii) Transport Allowance: Rs.6,000
 - iv) Medical Allowance: Rs.3,000
 - v) Special Allowance: Rs. 4,500Compute his taxable salary under the Income Tax Act, 1961, considering that Mr. Arjun opts for taxation under Section 115BAC(1A).
5. Examine the tax treatment of gratuity and pension under the Income Tax Act. Elaborate on the factors used to determine their taxability and explain how the exemptions vary for government and non-government employees.

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**B.A.LL.B. (HONS.) FYIC
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MID TERM EXAMINATION
MARCH - 2025
PAPER-V: PROPERTY LAW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is Compulsory and each part carries 5 marks. Attempt One Question each from Section - B and Section - C each question carries 10 marks

SECTION - A

1. Write short notes on the followings:
- Whether the transfer of property through the transfer of attorney of power comes within the meaning of valid transfer of property under section 5 of Transfer of Property Act, 1882? Explain with the help of case law?
 - Differentiate contingent interest from vesting interest
 - Write a brief note on 'Onerous Gift'
 - Difference between Contract for Sale and Contract of Sale

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SECTION - B

2. 'Machinery attached to earth by nuts and bolts', 'telecommunication towers' comes within the meaning of Immovable property or not? Analyze with the help of term 'Immovable property' defined under Transfer of Property Act, 1882?
3. To what extent vesting of interest can be postponed in favour of unborn child. Discuss in the context of principle of Rule against Perpetuity?

SECTION - C

4. Explain the Doctrine of *Lis Pendence*. Is *Lis pendence* applicable in case of bona fide purchaser?
 5. Define the Doctrine of Part-Performance under Transfer of Property Act, 1882. How Section 53-A protects the possession of transferee under a contract?
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**B.A.LL.B. (HONS.) FYIC
SIXTH SEMESTER
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MARCH - 2025
PAPER-VI: COMPETITION LAW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is Compulsory and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 10 marks

SECTION - A

1. Write short notes on the followings:
 - a. Define the concept of Relevant Market and why is it necessary to be delineated for investigating cases of section 4 of the Competition Act, 2002.
 - b. Discuss in light of the *Brahm Dutt vs Union of India*, AIR 2005 case that why was there a gap of five years between the passing of the competition act in 2002 and actual functioning starting from 2007?
 - c. Discuss in brief if there was a need to create a new law to control trade when restrictive practices were already in place?
 - d. Is there a defined relationship between IPR and Competition Law? Comment.

SECTION - B

2. ZDC Limited stock exchange, in 2010 made entry into the currency derivatives (CD) segment. It announced a transaction fee waiver in respect of all Currency future trades executed on its platform. Another new player in the same market, BCS Ltd, entered into the same currency derivative segment. ZDC was its only competitor. BCS alleged that the waiver continued even after the CD Segment became mature. Further, no admission fee was being charged in the CD segment, unlike the other segments namely equity and debt segments. It was alleged that due to the transaction fee waiver by the ZDC Ltd, the BCS was forced to also waive the transaction fee for the transactions on its platform for CD segment (The only segment BCS operates), from the date of its entry into the stock exchange, which results into losses to the BCS. It was also alleged that ZDC Ltd was charging no fee for providing the data feed and this action of ZDC Ltd is aimed at blocking the residual revenue stream of the BCS. The losses, which ZDC suffered, were being cross-financed using its profits from other segments to oust competitors from the market. ZDC is not providing access to its software platforms to traders who deal in BCS as well. ZDC has 50-60% market share in overall equity and debt instruments trading in India. However, in the commodity market, it has 38% market share only. In the light of the relevant provisions of the Competition Act 2002, decide whether there is any abuse of dominance in this case with the help of case laws.
3. What would be an ideal market? Should the state created rules to regulate the market. Discuss this notion in detail.

SECTION - C

4. The Competition Act, 2002, prohibits enterprises from abusing their dominant position in the market. Section 4 of the Act defines abuse of dominance as the use of market power to impose unfair conditions, restrict competition, or eliminate rivals. Dominance itself is not illegal, but its abuse harms market efficiency and consumer welfare. In this context, analyze the concept of abuse of dominant position with reference to the factors considered by the Competition Commission of India (CCI) to determine dominance. Discuss different types of abusive practices, including exclusionary and exploitative conduct, with the help of relevant case laws.
5. Corporate x, y and zeel collaborated to create a repository through a mutual agreement of raw material that they could share and had access to. There was a licence fee that other corporates had to pay to gain access to the repository but it was free for the Government to use. Can this repository created through an agreement be challenged in terms of its existence?