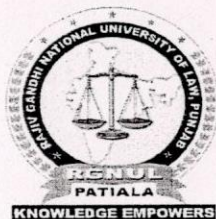


RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



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

Note: Section - A is Compulsory.

Attempt **One Question** each from **Section - B** and **Section - C**

SECTION - A

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

a. Shortly explain the characteristics of Inductive Research.

Identify the method which best suits to this example - "*Constitution guarantees right to life to all human being in India, Ramesh is a human being therefore his rights are guaranteed*".

b. The health department of Punjab has decided to reduce the problems of doctors, patients and visitors in different government hospitals and to introduce some reformative programmes they conducted a research. The sample were selected in the ratio of 1 doctor 2 patients from the department of cardiology, neurology, orthopaedic, gynaecology from the government

hospital/s of every district with the objective to provide immediate reforms. Identify the type of sample selection in the above proposition and elaborate its advantages.

5 X 2=10 Marks

SECTION - B

2. The problem of domestic violence against women is deeply rooted in the Indian society, which needs immediate attention of the government to enact a specific legislation for promotion and protection of human rights of women. With this object the ministry of social justice is willing to sponsor a research to know their problems to frame a policy or to draft a legislation to be recommended to the government.

On the basis of above information answer the following questions:

- Which research Methodology would be appropriate to conduct this research and why ?
 - Explain the essential characteristics of that methodology; which you recommend to conduct this research.
3. With the help of relevant examples; explain different kinds of research methodology, with special reference to legal research.

15 X 1=15 Marks

SECTION - C

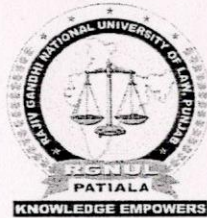
4. Sexual Harassment of women at work place is not new as women have been victim of ill-treatment, harassment, humiliation, torture and exploitation since early times. The attitude of indifference to this problem was the result of lack of awareness of the seriousness of the problem, general acceptance of man's superiority over woman and denial of violence owing to their religious values, Since the number of cases of violence against women reported have increased from the 2000 onward (showing by giving figures of different crime in different year e.g. 2000 - 10,072, 2005 - 12,854, 2008 - 18,023, 2010 - 20,300, 2014 - 22,312) and the media have exposing the severity of the problem, scholars and government both have now taken

serious note of this social problem. All the limbs of the government are also contributing in terms of providing idealistic decisions, effective legislation and enforcement mechanism, but still the problem is not only persisting but increasing.

On the above explanation formulate the research problem, Identify research Universe, Appropriate Hypothesis, Relevant Sample, tools of data Collection and suggest appropriate Research Methodology with reasons.

5. "Research design is a detailed plan of how the goals of research will be achieved", in the light of above statement; explain the essentials of research design applicable for different types of research.
Prepared the research design for the problem titled "Public Interest Litigation as a means of Environment protection in India".

15 X 1=15 Marks

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

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

Note: Section - A is Compulsory.

Attempt One Question each from Section - B and Section - C

SECTION - A

1. Write critical notes on the following:

- (a) Meaning, ambit and scope of Comparative Public Law.
- (b) A comparative study of "separation of powers."

5 X 2=10 Marks

Contd.....P.2

SECTION - B

- 2. In a country striving for a federal solution, "people should be actuated by two mutually conflicting aspirations; they should strive for union but desist unity".
Critically examine the above statement and also point out how in the actual functioning of the federal systems the traditional requirements of independence and co-ordination have given way to interdependence and co-operation.
- 3. What do you mean by double citizenship and single citizenship? What are incidents (effect) of citizenship and how are they acquired and lost?

15 X 1=15 Marks

SECTION - C

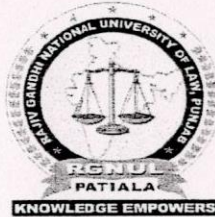
- 4. A Constitution once enacted has to endure for ages. It must be stable (permanent) but it cannot stand still. Changes have to be made with a view to face the new challenges of the time. How different Constitutions have devised procedure for amendment? Present your study specially with reference to U.S.A., Canada, Australia and our own.
- 5. Parliamentary privilege is the sum of the peculiar rights enjoyed by each House of Parliament collectively and by members of each House individually, without which they could not discharge their functions properly.
In the light of the above observation. Discuss the parliamentary privileges in different countries Constitutions and critically examine the privilege parliament to expels its members.

15 X 1=15 Marks

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



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

Note: Section - A is Compulsory.
Attempt **One Question** each from **Section - B** and **Section - C**

SECTION - A

1. Write short notes on the following:

- 1 Briefly explain the salient features of *Banking Regulation Act, 1949*.
- 2 "The purpose remains the same though the kinds are different" elaborate the observation in light of different types of Negotiable Instruments as provided under *Negotiable Instrument Act, 1981*.

5 X 2=10 Marks

Contd.....P.2

SECTION - B

- 3 The financial sector in Indian Economy is undergoing a transformations towards a vibrant , competitive and diversified system, with a multiplicity of financial institutions having different risk profiles inter mediating in various segments of the Market Spectrum. The development of financial markets is a critical element in the agenda of financial sector reform in India. Macroeconomic policy formulations has imbibed a market orientation to reap the efficiencies associated with the functioning of Markets. With the liberalization of financial markets, policy authorities in India have also had to contend with episodes of financial Volatility. Recognizing the strong complementarity between financial stability and Macroeconomic stability, the operational settings for policies are being geared to dampen excessive volatility and the possible impairment of the ability of financial institution to handle fluctuations in financial asset prices. Current Macroeconomic and financial developments in the Indian Economy highlight the evolving role of the financial sector in the functioning of the economy and the growing integration across financial Markets.
- Considering the above statement explain the importance of banking sector in India and also the procedure of setting up of a new bank.
- 4 “Reserve Bank of India being an apex court of the centre enjoys enormous powers and functions under Banking System in India.” In reference to the statement explain the powers and functions of Reserve Bank in general with special reference to The Banking Regulation Act, 1949.

15 X 1=15 Marks

SECTION - C

- 5 Write a Short Note on
- Holder in due Course
 - Capacity of parties to the instrument with special reference to Minor.

Contd.....P.3

- 6 “Endorsement is the only mode for negotiation of note, bill or cheque payable to order. The very function of endorsement is to transfer the ownership of the instrument”.
- In the light of the above statement, explain the interrelationship in between Negotiation and Endorsement with the help of relevant provisions and examples.

15 X 1=15 Marks

Roll No. _____

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SEPTEMBER - 2014
FIRST SEMESTER
MID TERM EXAMINATION
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.

Attempt **One Question** each from **Section - B** and **Section - C**

SECTION - A

1. Write short notes on the following:

- a. "Fundamental Rights will have no use for an ordinary citizen in the absence of an enforcement mechanism". Comment.
- b. Write a short note on the nature of Directive Principles of the state policy.

5 X 2=10 Marks

Contd.....P.2

-2-

SECTION - B

2. "The Rights contained under part III of the Constitution of India were not guaranteed in the absolute form but were guarantees with restriction". In the light of the above statement elucidate as to why restrictions were imposed on the rights contained in part III of the Constitution of India. Give examples in support of your answer.
3. "Doctrine of waiver cannot be imported to whittle down the plenitude of the Fundamental Rights". Comment.

15 X 1=15 Marks

SECTION - C

4. Write a note on the Judicial Interpretation of the relation between Fundamental Rights and Directive principles.
5. Critically analyse Directive Principles of the State Policy contained in the Constitution of India.

15 X 1=15 Marks

Roll No. _____

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SEPTEMBER - 2014
FIRST SEMESTER
MID TERM EXAMINATION
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.
Attempt **One Question** each from **Section - B** and **Section - C**

SECTION - A

1. Write short notes on the following:

- a. Explain concept of crime in contemporary context.
- b. Examine criminal conspiracy as inchoate offence.

5 X 2=10 Marks

Contd.....P.2

-2-

SECTION - B

2. Discuss the principle of legality embodied in the Common Law maxims, "Nulla poena sine lege and Nulla crimen sine lege". Examine relevance of this maxim in India in the context of Article 20 of the Constitution.
3. Analyse essential elements of crime with special reference to actus reus and mens rea. Is Corporation liable for committing crime requiring mens rea. In support of your answer refer to Constitution Bench decision in Standard Charter Bank (2005) on corporate criminal liability.

15 X 1=15 Marks

SECTION - C

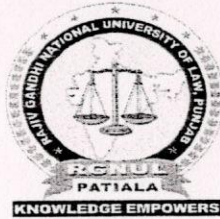
4. "Actus non facit reum nisi mens sit rea" is the cardinal principle of criminal liability. Discuss the application of this principle in India with special reference to public welfare offences.
5. Examine various stages of crime. Discuss the position of impossible attempt under the English and Indian Law.

15 X 1=15 Marks

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE

SEPTEMBER - 2014

FIRST SEMESTER

MID TERM EXAMINATION

**PAPER - IV : CENTRE STATE RELATIONS AND
THE INDIAN CONSTITUTION
(CONSTITUTIONAL LAW GROUP)**

TIME DURATION: ONE AND HALF HOURS

MAXIMUM MARKS: FORTY (40)

Note: Section - A is Compulsory.

Attempt One Question each from Section - B and Section - C

SECTION - A

1. Write short notes on the following:

a. Doctrine of Colourable Legislation.

b. All india Services and Center-State Relations.

5 X 2=10 Marks

Contd.....P.2

-2-

SECTION - B

2. In Indian federal set up it is often alleged that there is dominance of Union in legislative affairs and the Parliamentary dominance in legislative relations has been further strengthened by Constitutional amendments and judicial interpretation. Discuss.
3. Critically analyse various principles for the interpretation of subjects of legislation under the Seventh Schedule.

15 X 1=15 Marks

SECTION - C

4. Analyse the role of Governor in Union-State Relations in the present scenario
5. Critically analyse Union-State Administrative Relations in the light of the Report of M.M. Puncchi Commission.

15 X 1=15 Marks

Roll No. _____

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SEPTEMBER - 2014
FIRST SEMESTER
MID TERM EXAMINATION
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.

Attempt One Question each from Section - B and Section - C

SECTION - A

1. Write short notes on the followings:

- a. 'WIPO as a body for the protection of Intellectual Property Rights'. Explain.
- b. Doctrine of Fair use under the Copyright Act, 1957.

5 X 2=10 Marks

Contd.....P.2

-2-

SECTION - B

2. 'WTO is the youngest international organisation designed to supervise and liberalize International Trade'. Explain the importance of this organisation vis-a-vis TRIPS agreement and Intellectual property Rights.
3. Explain the meaning, scope and importance of Intellectual Property Rights and the various forms of intellectual property including new emerging areas.

15 X 1=15 Marks

SECTION - C

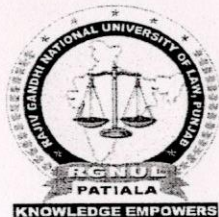
4. Plaintiff had written three stories and defendant had published three booklets in nature of notes, reproducing upto 10% of original substantial text. Can he take the defence of fair use or will he be made liable for infringement. Explain.
5. (i) A wrote a novel and gave all the rights to B to make a film on that novel. B made some major changes in the movie which were not in the novel. Whether any right of A is infringed. Also explain the concept of Author's Special Right.
(ii) Robertson and Co manufacturer of shoes using the brand 'LLOYD' sought order restraining Robert and Co from using the name 'LOINT' for the sale of footwear on the ground of similarity. Decide with relevant case laws.

15 X 1=15 Marks

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE

SEPTEMBER - 2014

FIRST SEMESTER

MID TERM EXAMINATION

**PAPER - IV: EMERGING AREAS OF
CRIMINALITY**

(CRIMINAL LAW GROUP)

TIME DURATION: ONE AND HALF HOURS

MAXIMUM MARKS: FORTY (40)

Note: Section - A is Compulsory.

Attempt One Question each from Section - B and Section - C

SECTION - A

1. Write short notes on the followings:

- a. Explain the nexus between Money Laundering and Terrorist Financing.
- b. How is "Smuggling of Persons" different from "Trafficking in Persons"?

5 X 2=10 Marks

Contd.....P.2

-2-

SECTION - B

2. Explain the term "Human Trafficking". What are the various Push and Pull factors that are responsible for such Trafficking ? Explain in detail.
3. Explain Drug Trafficking as Organised Crime. Also explain in detail the Penal Policy of India to deal with Drug Trafficking.

15 X 1=15 Marks

SECTION - C

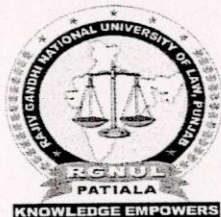
4. Explain Money Laundering as an Economic offence. What are the various measures that are required in combating Money Laundering both at National and International level ?
5. Explain the process relating to Attachment under Money Laundering as given under the prevention of Money Laundering Act, 2002. How it is different from Attachment under the Code of Civil Procedure and the Code of Criminal Procedure, 1973 ?

15 X 1=15 Marks

Roll No. _____

RG/MT/22/09/14

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SEPTEMBER - 2014
FIRST SEMESTER
MID TERM EXAMINATION
PAPER -V: LAW OF CORPORATE GOVERNANCE
(BUSINESS LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is Compulsory.

Attempt **One Question** each from **Section - B** and **Section - C**

SECTION - A

1. Write short notes on the followings:

- a. State with reasons that whether the following statements are true or false :
 - (i) The Stakeholder Theory of corporate governance is more important than Stewardship Theory.
 - (ii) The principles of Corporate Governance promote directors' interest in a company.
 - (iii) The Consumer Protection Laws are an effective tool of Corporate Governance.
 - (iv) The Board Charter is mandatory requirement of Company Law.
 - (v) The non-mandatory committees include committee on Corporate Social Responsibility.

*C~
Contd.....P.2*

-2-

- b. "The subject relating to Corporate Governance is having a weak framework. However, it gets strength from the pillars like accountability, fairness and transparency." Elucidate this statement.

5 X 2=10 Marks

SECTION - B

2. Define the term 'Corporate Governance'. Discuss the various board committees of a Company.
3. What do you understand by the term 'Stakeholder'. Discuss the various laws which uphold the interests of the various stakeholders in a company.

15 X 1=15 Marks

SECTION - C

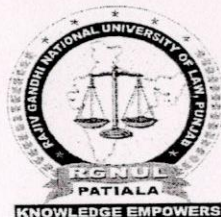
4. Enumerate the various bodies engaged in development of the subject relating to Corporate Governance. Discuss the various aspects discussed by such bodies in their various reports.
5. Discuss in detail the principles enshrined in the OECD's report on Corporate Governance.

15 X 1=15 Marks

Roll No. _____

RG/MT/22/09/14

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



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

Note: Section - A is Compulsory.

Attempt **One Question** each from **Section - B** and **Section - C**

SECTION - A

1. Write short notes on the followings:

- a. Explain the meaning of International Criminal Law.
- b. Individual Criminal Liability.

5 X 2=10 Marks

Contd.....P.2

-2-

SECTION - B

2. Explain the historical evolution of International Criminal Law.
3. Explain the sources of International Criminal Law.

15 X 1=15 Marks

SECTION - C

4. Explain why there was a need of Nuremberg International Military Tribunal. Explain the assessment of Nuremberg IMT. Why Nuremberg Tribunal was criticised?
5. 'International Criminal Tribunal for Yugoslavia and Rwanda were against the principle of Nullum Crimen Sine Lege'. Explain it in detail.

15 X 1=15 Marks
