

Roll no. _____

RG/ET/05/12/24

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER - I: LEGAL RESEARCH
METHODOLOGY
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- a Discuss various ethical standards for protecting privacy concerns of participants in research.
- b What is the importance of Review of Literature in Research Process?
- c Which Research Design would be most appropriate for a socio-legal Study on the issue of Creation of National Database for DNA Profiling?
- d Differentiate between a Research Paper and a Research Article?

Contd.....P.2

Section - B

2. "The essence of Post-positivism approach is an attempt to overcome the weaknesses and upgrade positivism, and not to reject all positivist ideas and postulates of the scientific method." How far do you agree with this statement? Explain with examples.
3. a) Discuss objectives of Legal Research and its various types. (10)
b) Which type of Research and Data would be best suited for deciding the Constitutional Validity of a statutory provision. (5)

Section - C

4. a) What is Null Hypothesis?
b) How is a workable Hypothesis formulated?
c) What is the significance of Hypothesis in Analysis of Inferential Statistics? (5 Marks each)
5. a) What factors can lead to failure of research or saturation while doing research? (7.5)
b) What are the risks of which the researcher has to remain cautious? (7.5)

Section - D

6. Explain Sample, its characteristics and sampling techniques. Which sampling technique(s) would be most appropriate for conducting a research titled "Abolition of Death Sentence: An Empirical Study"?
7. Ms. Jaya is doing LL.M Dissertation on "A Legal Study on Deaths by Road Rage and Rash Driving in India: An Empirical Survey". Guide her with respect to:
 - a. Research Methodology to be adopt (4)
 - b. Chapterisation Plan (3)
 - c. Strengths and weaknesses of various techniques of data collection. (8)

Section - E

8. What is Plagiarism? How Plagiarism can be checked while authoring a manuscript?
9. Discuss what all features a good Research Report/ ContentAnalysis/ Thesis must have?

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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. (ONE YEAR COURSE)

FIRST SEMESTER

END TERM EXAMINATION

DECEMBER - 2024

PAPER-II: COMPARATIVE PUBLIC LAW

TIME DURATION: THREE HOUR

MAXIMUM MARKS: EIGHTY (80)

Note: Section-A is **compulsory** and each part carries **5 marks**.

Attempt **one question** each from Section B,C,D & E and each question carries **15 marks**.

Section - A

1. Compulsory

Write short note on the following:

- a. What are the values underpinning public law?
- b. Can a federal court order the President of the United States to surrender materials that the President wishes to withhold as a matter of executive privilege? Explain Reasons.
- c. What are the key limitations of the constitutional review in Switzerland?
- d. What is the horizontal application of fundamental rights in India?

Section - B

2. In the context of ACL Davies' analysis, how can public law standards effectively regulate both the contracting out and outsourcing of public services to ensure compliance with public accountability and oversight requirements?
3. How do thin and thick conceptions of the rule of law differ in their approach to ensuring legal accountability and fairness, and what implications do these differences have for the application of rule of law principles in various legal systems?

Section - C

4. What role do fourth branch institutions play in guaranteeing the effectiveness and accountability of governmental and private sector activities in India, and how do they impact the overall balance of power within a democratic system?
5. How do the principles of federalism in Canada, the United States, and India address issues of regional autonomy and central authority?

Section - D

6. How do judicial activism and judicial restraint differ in the United Kingdom and the United States, and what impact do they have on the relationship between the courts and the legislature? Give examples of key cases from both countries.
7. What are the powers and duties of the French administrative judge, particularly in relation to their independence and the principles of administrative law, and how do these factors influence their role in safeguarding individual rights and ensuring accountability in public administration?

Section - E

8. Critically evaluate how Canada, the United Kingdom, and South Africa address issues of equality within their legal systems, considering constitutional guarantees, judicial enforcement, and social implications.
9. Discuss the dangers of surveillance in relation to public law and artificial intelligence, focusing on how surveillance can impact individual rights, the role of public law in regulating it, and the challenges posed by artificial intelligence in protecting privacy in India and the United States.

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER-III: LAW OF CRIMES - I
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- a. Doctrine of Contemporaneity.
- b. Explain in brief upon whom the burden of proof would lie in order to prove a case under the general exceptions.
- c. Organised Crime under Bharatiya Nyaya Sanhita, 2023.
- d. Distinguish between Stalking and Voyeurism.

Contd:....P.2

Section - B

2. "They also serve who stand and wait outside." In light of this statement made by the Privy Council in *Barendra Kumar Ghosh*, critically evaluate the relevance of constructive criminal liability under criminal law in India. Also explain as to how common intention is different from common object.
3. A, a truck driver carrying 100 bags of paddy was moving towards the Delhi border from Punjab. If he crosses the Delhi border and enters in the city of Delhi, he would be guilty of violating Punjab Paddy (Export Control) Order, 1959. He was intercepted by the Police at *Samalkha* around 15 kms ahead of the border and prosecuted. Discuss whether A's act amounts to an attempt. Also discuss the different tests laid down by the Courts on Attempt.

Section - C

4. "Self-preservation is the basic human instinct and is duly recognized by the criminal jurisprudence of all civilized countries. All free, democratic and civilized countries recognize the right of private defence within certain reasonable limits". Comment. Also mention under what circumstances one can cause death in the exercise of one's right to private defence.
5. Discuss the rules laid down by the court in *R. v. M'Naughtan*. Also explain whether there is any difference between legal insanity and medical insanity in India.

Section - D

6. "Culpable Homicide is the genus while Murder is the species." Elaborate the distinction between the two with relevant caselaw.
7. Anthony Ellis says, "If punishment is to be justified, it must be predominantly by reference to deterrence." Critically evaluate different theories of punishment in light of the statement by Ellis supporting deterrent theory of punishment. Also trace the evolution of death penalty jurisprudence in India.

Section - E

8. A, a boy aged 25 years entered into a relationship with a girl aged 21 years. After six months of their relationship A told B that he wanted to marry her. B was happy to know this and considering that they are going to get married in future, the same night she entered into a sexual relationship with A on A's proposal. A month later, A started making distance with B for one reason or the other stating that his family is not happy with their relationship. When B asked about A getting married to her, A denied citing family reasons. B then filed a case against A in the local police station accusing A of raping her. Discuss the liability of A if any under the provisions of Bharatiya Nyaya Sanhita, 2023.
9. In *Navtej Singh Johar v. Union of India* (2018) the Supreme Court of India partially decriminalised Section 377 of the Indian Penal Code, 1860 only to the extent of consensual sexual acts of adults in private. It is apparent that the new Bharatiya Nyaya Sanhita, 2023 does not contain any such provision. Discuss the law on this point and the legal lacunae for not having such a provision under the new criminal law.

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**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER-III : INTELLECTUAL PROPERTY
RIGHTS
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- Write a note on National and State Biodiversity Authority.
- Concept of 'Passing off' and how it is different from infringement.
- Meaning and nature of intellectual property rights.
- What is 'traditional knowledge' and its significance for developing countries in particular.

Section - B

2. "The primary function of intellectual property rights (IPR's) is to protect and stimulate the development and distribution of new products and the provision of new services based on the creation and exploitation of inventions, trademarks, designs, creative content or other intangible assets". In light of the above statement discuss the theories of intellectual property rights.
3. Write a note on the following:
 - a) TRIPS Agreement as the most comprehensive agreement of intellectual property.
 - b) World Intellectual Property Organization.

Section - C

4. Kanwar, an architect by profession, was also a playwright and dramatist. In 2005, he wrote a play titled 'Hum Panch', which gained popularity after being performed in 2007. In 2008, Mohan Sehgal, a film producer and director, expressed interest in adapting the play into a film and approached Kanwar for a copy of 'Hum Panch'. After receiving the play's script, Sehgal discontinued communication with Kanwar. However, in 2012, Sehgal announced and subsequently released a film titled 'New Mumbai', which Kanwar believed was an imitation of his play 'Hum Panch'. Kanwar watched the movie and observed several similarities between the plotlines, character relationships, and themes of both works. Kanwar filed for infringement of copyright. Discuss and decide with the help of relevant case laws.
5. The respondents, Karnataka Co-operative Milk Producers, had been using the mark for milk and related products registered under class 29 since 1985. Appellant Nandhini Deluxe is a restaurant chain in Karnataka that used the mark in 1989. The Appellant has applied for registration of the said mark in class 29 for meat, fish, poultry, meat extracts, preserves, dried and cooked fruits and vegetables, jellies, jams, eggs, milk and milk products, edible oils and fats, salad dressings, and so on. The Registrar approved the registration of the mark 'Nandhini' as distinct from the existing mark. With the help of relevant case laws discuss and decide whether marks 'Nandini' and 'Nandhini' are deceptively similar.

APPELLANT'S MARK

 Nandhini

RESPONDENTS MARK

 Nandini

 Nandhini

Respondents Nandini Ltd

Contd.....P.2

Section - D

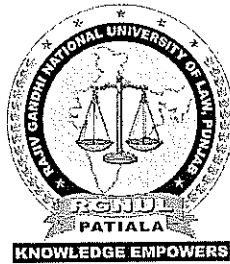
6. Raj is an Indian scientist doing research on a biological material obtained from India. The research is focusing on using a plant (traditional knowledge) to be used for treating cold allergies permanently. When the results of the research are out he transfers the information to a foreign university for commercial utilization.

In light of the above facts of the case elucidate what are the legal options available to the National Biodiversity Authority where the results are transferred to a foreign university without the permission of NBA.

7. Ramesh, a scientist, has invented and developed a complex electro-mechanical device/ chip for catching prawns in the lakes and oceans. The device uses a chip that senses the movement of prawns and then adjusts the angle of the bait not just attract the prawn but also to catch it. Ramesh applies for registration under the Patents Act, 1970. Further he realizes that the chip can be used for other applications as well. Mr. Dilip, another scientist, makes an improvement on the device and wants a patent and files an application for registration. Can a patent be granted or will Mr. Dilip be held liable for infringement?

Section - E

8. Plant patent was given to an American Company ABC Co. for Ayahuasca drink, known as the “wine of soul” among the Amazon Quichua people, produced from the bark of Kellycappi plant used for medicinal purposes. An NGO for the protection of the knowledge of indigenous people filed a case for the revocation of the patent. In light of the above facts discuss the issue of legal protection being granted to traditional knowledge.
9. Describe the significance of Traditional Knowledge Digital Library (TKDL) Unit in the protection of Traditional Knowledge and providing defensive protection to Traditional Knowledge- holders.

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER-III: INDIAN FEDERALISM AND
CENTRE STATE RELATIONS
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

Note: Section-A is **compulsory** and each part carries **5 marks**.

Attempt **one question** each from Section B,C,D &E and each question carries **15 marks**.

Section - A

1. Compulsory

Write short note on the following:

- a. Relevance of Full Faith and Credit Clause.
- b. Doctrine of Occupied Field vis-à-vis Doctrine of Repugnancy.
- c. Reciprocal exemption of Union and State Property From Taxation
- d. Role of GST Council

Contd.....P.2

Section - B

2. In Mineral Area Development Authority case (2024), nine-judges bench of the Supreme Court has overruled the decision in India Cements (1990) seven-judge bench regarding the nature of Royalty. Analyse the decision and the rationale for the decision. Also explain the impact of such decision on resource federalism.
3. Can Union enact a law on a matter which has been specifically excluded from its purview under a particular entry of list-I by resorting to entry 97 of list-I? Critically examine the judgment of the seven-judge bench in Harbhajan Singh Dhillon's case, (1971).

Section - C

4. Water federalism is very complex in India. Adjudication of water disputes among states is complex and time consuming. Write a critique of the resolution mechanism. Also explain whether the Supreme Court can interfere in water disputes despite the bar contained in Article 262 of the Constitution of India? If yes, to what extent and how?
5. Critically analyse the power of the Union to issue directions to states on various matters enunciated in the Constitution with reference to US and Australian constitutions. Whether such power of the Union can be termed as unfederal in nature?

Section - D

6. The theory of compensatory taxes and regulatory taxes has come a full circle from Atiabari Tea Co 1961; Automobile Transport v. State of Rajasthan 1962 to Jindal Stainless Ltd. v. State of Haryana, 2016. Explain the statement and analyse the judgment in Jindal Stainless Ltd. v. State of Haryana, 2016.
7. Indian fiscal federalism is marred by vertical and horizontal imbalances and Constitution founding fathers were aware of this asymmetry and therefore, they included provisions in Part XII of the Constitution for resolving vertical and horizontal imbalances. Critically analyse constitutional provisions for dealing with vertical imbalance and horizontal imbalance.

Contd.....P.2

Section - E

8. Integrated GST has been levied not only as a tax collection measure but also to facilitate free flow of goods and services and input tax credit throughout the territory of India. In this backdrop explain the working of the provisions of Article 269A.
 9. Constitution of India, taking a lead from Australian Constitution, prescribed the mechanism of Finance Commission for dealing with the devolution of financial resources from the Union to the States. Critically analyse the working of the Finance Commission and the formula used by the Finance Commission for resource sharing and resource transfer.
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER- IV: INTERNATIONAL CRIMINAL
LAW
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- a. In State A, the crime of Genocide was committed by the individual of State B, in 2016. State A, signed the Rome Statute Treaty in December 2022. Since the International Criminal Court has come into existence in 2002, Can the Crime of Genocide that had happened in 2016 be taken under the jurisdiction of the International Criminal Court?
- b. Explain the Crime of Aggression. Can Individual Criminal Liability be fixed in the case of Crime of Aggression?
- c. Iraqi Tribunal was not a fair trial. Critically analyze the Iraqi Tribunal.
- d. A colonel gave an order to its troop that war must be fought ethically. Still one of the troop members committed the war crime. Can colonel be held liable under the individual criminal responsibility?

Contd.....P.2

Section - B

2. What do you mean by International Criminal Law. What was the need to establish the International Criminal Court, when each country has its Domestic Criminal Laws to deal with the crime related matters?
3. Explain the Concept of "*Nullum Crimen Sine Lege*" and "*Ne Bis In idem*" in detail. Explain the Sources of International Criminal Law in detail.

Section - C

4. In Bangladesh, Sheikh Hasina had resigned from the post of Prime Minister in 2024 and after that many followers of Sheikh Hasina's party were killed. Does this incident constitute "Genocide" under the International Criminal Law? Explain in detail the Genocide with relevant examples.
5. Can 'War Crimes' happen during the Internal Armed Conflict? Explain the difference between Internal Armed Conflict and International Armed Conflict in detail.

Section - D

6. Whether Nuremberg Tribunal and Tokyo Tribunal be considered as a predecessor of the International Criminal Court. Explain the detail the unique features of International Criminal Court that makes it different from the International Criminal Tribunals.
7. Write the similarities and differences between the International Criminal Tribunal for Yugoslavia and International Criminal Tribunal for Rwanda.

Section - E

8. Explain the triggering mechanism for the Jurisdiction of the International Criminal Court? Explain in detail the referral by the State party, Referral Power of the Security Council and Proprio Motu Power of the Prosecutor in detail.
 9. Explain the Principle of the complementary Jurisdiction under the International Criminal Court. Explain the Issue of non Admissibility in detail under the ICC statute.
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER IV: BANKING AND INSURANCE
LAW
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- a. Adani Enterprises Limited, an Indian multinational publicly listed holding company engaged in mining and trading of coal and iron ore is successfully carrying out its operations. Now, Mr. Dhiren Duggal, a promoter of Adani Enterprises Ltd. has approached you for applying to the Reserve Bank of India to obtain license of a Banking Company. Suggest him the conditions to be complied with for obtaining such a licence.
- b. Insurance regulatory authority receives a complaint from a life insurance policy holder against a Life Insurance Company that they have been indulging in trading of life insurance policies. Discuss the role played by the Insurance Regulatory Authority when such complaints are received from the policy holders against the insurance companies.

Contd.....P.2

- c. Explain the concept of Bancassurance in the Indian context. Discuss the regulatory and supervisory issues in the implementation of Bancassurance.
- d. Meethu while driving his car at high speed hits another car belonging to Yash, which was parked outside his house. The car belonging to Yash suffered major damages, he files for compensation from Yash. In the light of the provisions of third party insurance under the Motor Vehicles Act, what are the remedies available to Yash from Meet in case of Third Party Insurance ?

Section - B

- 2 a) Can a banker exercise the right of General Lien in the following cases. Justify your answer with relevant provisions and case laws.
 - i) A cheque deposited for collection
 - ii) Fixed deposit receipt jointly held by A and B for the amount due from A to the bank
 - iii) A bar of Gold deposited for safe custody
 - iv) Documents deposited for special purpose
 - v) Title deeds deposited as collateral security (2x5=10)
- b) *"The money placed in the custody of the banker is the money of the bank and he is no way answerable for the amount because he was contracted having received that money to repay to the principal when demanded a sum equivalent to that into his hands"*. Discuss the statement by identifying the nature of the banker-customer relationship. Support your answer with relevant case laws (5)
- 3 a) SAY Bank Ltd is a banking company carrying on its operations in India. After obtaining the licence for starting a banking company in 2020, the directors of the SAY Bank Ltd have not been following the mandatory guidelines of the Reserve Bank of India on a routine basis and various complaints have been made in this regard. Explain the legal action which RBI can take against the directors of SAY Bank Ltd. under the provisions of the Banking Regulation Act, 1949. (10)
- b) Rishabh and Vinod are the Directors in MCB Bank Ltd. The Bank disburses a loan of Rs. 70,00,000/- and Rs. 90,00,000/- in the name of both the Directors. Analyze the validity of the said loan in view of the provisions of Banking Regulation Act, 1949. (5)

Section - C

4. Ajay had a motor vehicle insurance policy which has lapsed due to nonpayment of premium. He applied for renewal and there was a question in the renewal policy whether his car has met with any accident or any repairs have been done to the car. He answered 'No' to these questions and thus renewal was granted. After two months the insurance company comes to know that there was a minor accident of Ajay and he had got his vehicle repaired from a local repair mechanic. The insurance company repudiated the claim. Discuss in the light of non-disclosure of material facts in an insurance contract.
5. a) Explain the procedure for the assignment of the policy. (5)
- b) Gagan insured his car with Moon Insurance Company, later on with another Insurance company called APJ Insurance Company. Gagan's car meets with an accident and now he wants to file the insurance claim. Guide him from which insurance company he can file for claim, identify the applicable principle and discuss its features. (10)

Section - D

6. Discuss the working model and benefits of Buy Now Pay Later services. Identify the issues faced by the consumers in the digital lending process.
7. *"The Central Bank Digital Currency is intended to offer users an extra payment option, not to replace the present payment systems. It has been developed with a focus on creating a system that is inclusive, competitive and responsive to innovation and technological changes"*. In view of the statement discuss the legal and policy implications of Central Bank Digital Currency. Highlight the challenges in implementation of digital currency in India.

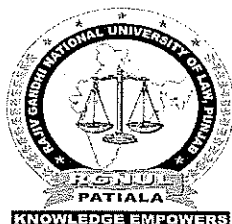
Section - E

8. Discuss the validity of claim in the following cases with reasons:
- a) Dr. Aman has a fire insurance policy for his hospital. One patient had an altercation with Aman and in the heat of the moment he puts the Hospital on fire and committed theft in the hospital. Due to fire two patients suffered burn injuries and one nurse died while trying to put out the fire. Dr. Aman files for claim from the Insurance Company for all the losses. (7.5)
 - b) There is a fire due to leakage of gas from a faulty cylinder in a Hotel. The owner of the Hotel to save his valuables started removing them to the open area. When the fire brigade came, it broke the outer wall of the hotel while putting out the fire, in the process the valuables kept outside were also damaged by water. The hotel owner files for the Insurance Claim. (7.5)
- 9
- a) Ajay is 78 years old person, he is suffering from life threatening disease. He has a whole life insurance policy, but he does not have the money to pay for the premium of his policy as his lot of money is spent on treatment. He decides to transfer the policy to his friend so that he can pay the premium on his behalf. Discuss the concept of trading of policy in the light of transfer of policy under the Insurance Act. (7.5)
 - b) Your friend is in the business of growing exotic vegetables and exports them to other countries. During export of the vegetables he takes out Marine Insurance Policy for the goods for any loss due during transit. During voyage, the ship had to deviate its path to carry out the repairs necessary to save the ship from getting stranded. Due to deviation, vegetables get damaged, your friend wants to claim Insurance amount. Advise your friend about filing of the claim in the present scenario. (7.5)

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**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER IV : ADMINISTRATIVE LAW
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- a. Discuss in brief the relationship between Constitutional Law and Administrative law.
- b. What are the legal consequences of non-compliance with the laying provisions?
- c. Do you think it would be legal for power distribution company officials to order immediate disconnection of supply without complying with principles of natural justice in case power theft has been detected?
- d. Discuss in brief how *Lokpal* and *Lokayuktas* contribute to achieving good governance in India.

Section - B

2. Critically evaluate Dicey's theory of Rule of Law in light of contemporary developments in jurisprudence. Also write a detailed note on Supreme Court's role in establishing rule of law in today's India.
3. Discuss in detail how separation of powers is essentially a separation of functions and the classical theory of separation of powers is nothing more than a 'doctrine of functional specialization'.

Section - C

4. What is delegated legislation? Discuss in detail the constitutionality of delegated legislation in light of decided cases.
5. Discuss in detail how procedural control of delegated legislation operates to provide for specific audit of rules by those for whose consumption they are made.

Section - D

6. Explain how Indian courts have invoked the rule of fair hearing in administrative decision making with the help of decided cases.
7. Write a detailed note on the development of jurisprudence of post-decisional hearing as applicable in India with the help of decided cases.

Section - E

8. Discuss the remedies available in law against abuse of administrative discretion. How far do you think such remedies have been effective in controlling misuse of administrative discretion?
 9. What are the grounds for judicial review of administrative action in the interest of efficiency, fairness and accountability?
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER-IV: CYBER AND ARTIFICIAL
INTELLIGENCE
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- a. How has the UNCITRAL Model influenced the development and formation of Information Technology Law in India, and what are the key legal provisions that have emerged as a result of its adoption?
- b. How do the principles of privacy in cyberspace intersect with constitutional rights in India, and what are the legal challenges in balancing individual privacy with state security in the digital age?
- c. How can digital forensics be effectively integrated into the legal framework to enhance the investigation and prosecution of cybercrimes, and what are the challenges in ensuring the admissibility of digital evidence in court?
- d. How does the integration of Artificial Intelligence, challenge existing legal frameworks, and what new legal principles are needed to regulate AI technologies in terms of transparency, accountability, and racism?

Contd.....P.2

Section - B

2. How does the Safe Harbour principle protect intermediaries from liability for user-generated content, and what are the limitations and challenges in its application under current legal frameworks, particularly in the context of evolving digital platforms?
3. How does the Digital Personal Data Protection Act, 2023 in India address the issues of consent and data subject rights, and what mechanisms does it put in place to ensure compliance by organizations processing personal data?

Section - C

4. How do copyright and trademark laws apply to content created and distributed in cyberspace, and what are the key challenges in enforcing these intellectual property rights in the digital environment?
5. What are the key jurisdictional challenges in regulating online activities, particularly in relation to the dark web, and can international legal frameworks address these issues effectively?

Section - D

6. How does the rise of deepfake technology pose legal challenges in cyberspace, particularly in relation to traditional laws on defamation, privacy, and intellectual property, and what legal frameworks can be developed to address these emerging issues?
7. Explain how legal frameworks need to evolve to address privacy concerns in precision health, particularly with the use of genetic data and personalized health information, and what safeguards are necessary to protect individuals' privacy while enabling advancements in this field?

Section - E

8. How effective is predictive policing in reducing crime rates, and what are the ethical concerns that arise from its reliance on historical crime data to forecast future criminal activity?
 9. How should liability be assigned when AI systems make decisions that lead to harm, and what ethical principles should guide the development of accountability standards for autonomous technologies?
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER- V: CONSUMER PROTECTION
ACT AND COMPETITION LAW
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- a. The transition from MRTP to Competition Act was due to the fact that MRTP act became obsolete after the introduction of the Liberalisation Privatisation Globalisation reforms and India required a new act to tackle the changing dynamics of the market. Discuss the salient features of Competition Act 2002.
- b. An e-commerce platform is being accused of misleading advertising by promoting a product with exaggerated claims about its benefits. The product does not deliver on these promises, leading to consumer dissatisfaction. What role does the Central Consumer Protection Authority (CCPA) play in addressing such issues?

Contd.....P.2

- c. Define the concept of Relevant Market and why is it necessary to be delineated for investigating cases of section 4 of Competition Act, 2002.
- d. Explain the concept of 'Networks Effect' with a relevant example.

Section - B

- 2. Discuss the historical development of Consumer Protection Laws in India.
- 3. Product liability is a crucial aspect of the Consumer Protection Act, 2019, aimed at protecting consumers from harm caused by defective or unsafe products. The Act introduces the concept of product liability to hold manufacturers, sellers, and service providers accountable for harm caused by defective products. Discuss in detail the concept of product liability as introduced under the Consumer Protection Act, 2019. Critically examine the role of product liability in promoting consumer welfare.

Section - C

- 4. Critically analyse the powers and functions of the Central Consumer Protection Authority (CCPA) as outlined in the Consumer Protection Act, 2019.
- 5. Neha, an avid online shopper, recently encountered several issues while using an e-commerce platform in India. She ordered a set of kitchen appliances that were advertised with certain features and warranties. However, upon delivery, she discovered that the products did not match the descriptions provided, and the warranties were not honoured. Additionally, her attempts to resolve the issue through the platform's grievance redressal mechanism were met with delays and unsatisfactory responses. In light of the E-Commerce Rules 2020, analyse how these rules address Neha's situation. Discuss the effectiveness of these regulations in protecting consumer interest.

Section - D

6. ABC Ltd. is a manufacturer of a popular product in India. The company has entered into an agreement with a retailer, XYZ Ltd., that requires XYZ Ltd. to purchase all of its requirements of the product from ABC Ltd. and prohibits XYZ Ltd. from selling any other competing products. This has resulted in other manufacturers being excluded from the market, and consumers have limited options and are forced to pay higher prices. The Competition Commission of India (CCI) has initiated an investigation for the alleged agreement between ABC Ltd. and XYZ Ltd., and has found evidence that the agreement is anti-competitive. However, ABC Ltd. argues that the agreement is pro-competitive and promotes efficiency in the supply chain. What factors does the CCI consider in determining whether a vertical agreement is anti-competitive or pro-competitive? What penalties can ABC Ltd. face if found guilty of engaging in anti-competitive practices? Discuss the impact of vertical agreements on consumers and the economy, and explain why they are subject to scrutiny under competition law. Additionally, explain how companies can ensure that their vertical agreements comply with competition law in India.
7. In the context of the Competition Act, what are combinations and how are they regulated? Explain the key factors that determine whether a combination triggers the mandatory notification requirement to the competition authority. Furthermore, discuss the practical implications for businesses involved in combinations, including the potential benefits and challenges they may encounter during the notification process and subsequent compliance with the Competition Act.

Section - E

8. Discuss the concept of Dark Patterns. Also explain the different types of Dark Patterns.
 9. Discuss how the Digital markets have impacted the competition in the market with relevant cases.
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. (ONE YEAR COURSE)
FIRST SEMESTER
END TERM EXAMINATION
DECEMBER - 2024
PAPER V: EMERGING AREAS OF
CRIMINALITY
TIME DURATION: THREE HOUR
MAXIMUM MARKS: EIGHTY (80)**

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

Section - A

1. Compulsory

Write short note on the following:

- a. Differentiate between trafficking of persons and smuggling of persons. Also briefly discuss the Indian geo-political context *vis a vis* the smuggling of persons.
- b. Briefly discuss the initiatives taken up by the government of India to combat money laundering.
- c. A foreign married couple is residing in India for the last 20 years in New Delhi. The woman wants to make a complaint of domestic violence against her husband and his girlfriend (who is an Indian). Can she make the same under the Protection of Women from the Domestic Violence Act, 2005?
- d. Urban terrorism. Briefly discuss

Contd.....P.2

Section - B

2. Samira was a 14-year-old poor girl living with her parents in a village. She moves to Mumbai to live with her married sister's family and asked her brother-in-law to find a suitable job for her. He sold her to traffickers for commercial sexual exploitation for a sum of Rs. 2 lakhs. She was rescued from a hotel with a customer. Discuss the laws and procedure that shall be applicable in the present circumstances.
3. Discuss in detail the legislative and judicial perspectives with regards to drug trafficking in India. Also throw light on the licit cultivation of plant-based drugs in India.

Section - C

4. Unveiling the hidden risks in financial transactions is imperative in contemporary times. Explain in detail the various issues associated with the financial transactions and what initiatives are taken on the national and international level deal with the risks posed by money laundering.
5. The 26/11 terror attacks exposed the nexus between money laundering and terror financing, discuss the nexus between money laundering, organized crimes and terrorist financing in India. Also explain the legal and judicial perspectives of this problem.

Section - D

6. A transgender person joins a company as a corporate lawyer and suffers verbal sexual harassment by a fellow male colleague. Discuss in detail the transgender person's legal rights and remedies.
7. Arambh was studying in 4th standard and went missing. Later on, he was traced at a railway station by a child helpline. During the course of investigation, it was found that Arambh was administered with some drug, taken to Mumbai and then forced into begging. Discuss the relevant legal framework that shall be applicable in this matter.

Section - E

8. How has the legislative framework dealing with terrorism evolved in India, in the last four decades and what necessitated these changes. What major challenges are faced in India in the implementation of the special security legislations.
 9. The internet and cyber world has given numerous opportunities for committing crime to criminals and law violators across the globe. Discuss the Indian legal framework and how it is evolving with this form of tech-based criminality.
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