

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024**

**PAPER I: LAW AND JUSTICE IN
GLOBALIZED WORLD**

**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 and C each question carries 15 marks.

Section - A

1. Write short note on:

- a. Spatial Justice and the Right to City
- b. Social, Economic and Political Realities of the concept of Migration

Section -B

- 2.a) Currently, the problems of global poverty, hunger, illiteracy, and persistent medical neglect are on the rise. Epidemics rage over helpless people in different parts of the globe. Even in rich countries, the unemployed and the medically insecure can lead very deprived lives. There are also challenges of subduing terrorist violence, and of coping with global warming by looking for more efficient energy use as well as cheaper and more useable production of sustainable energy. There is also the growing danger of nuclear accidents and nuclear terrorism as the world gets more and more crowded with nuclear power plants. In the presence of such global problems, what is Amartya Sen suggesting to bring about global justice? **(7.5 Marks)**
- b) How can it be said that the practice of “exhibiting” Indigenous peoples at world fairs, colonial exhibitions, zoos, freak shows, circuses, and reconstructed ethnic villages in North America, Europe, and Japan was a crime against humanity and undermined the idea of human dignity? **(7.5 Marks)**
- 3.a) Swedish teen campaigner Greta Thunberg turned the School Strike for the Climate into a global youth movement demanding change. Greta Thunberg started striking for climate action, telling leaders that children could not afford more empty promises at the UN climate change summit (COP 26). Her comments come as a UN Children’s Agency (UNICEF) report found that almost all of the world’s 2.2 billion children are exposed to at least one climate or environmental risk, from catastrophic floods to toxic air. Can it be said that she is a global citizen? What are the three general categories of individual “global citizen” duties, according to Luis Cabrera? **(7.5 Marks)**
- b) Yuval Noah Harari said, “What is happening now is that surveillance is beginning to go under the skin—revealing not just what we do but how we feel. Of course, it is, at the moment, focused on the disease itself. In order to know whether we are sick, the surveillance systems need data about what is happening inside our bodies—our body temperature, maybe our blood pressure, perhaps our heart rate. All of these things can be used to establish our medical condition.”

Critically examine this statement in light of Michel Foucault's ideas of biopolitics and biopower. (7.5 Marks)

Section - C

4. Answer the following:

- a) What are the five types of global administration?
- b) How are individuals the subjects of global administration?
- c) How are procedural participation and transparency part of global administrative law? (5 Marks each)

5. The artificial intelligence revolution is just getting started. But it is already transforming the conflict. Militaries all the way from the superpowers to tiny states are seizing on autonomous weapons as essential to surviving the wars of the future. How could this mounting arms race dynamic lead the world to dangerous places, with algorithms interacting so fast that they are beyond human control? How is the requirement of "meaningful human control" over the targeting and engagement of all weapons possible?

Roll no. _____

RG/MT/14/03/24

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE

SECOND SEMESTER

MID TERM EXAMINATION

MARCH- 2024

PAPER - II: SCIENTIFIC AND FORENSIC

TECHNIQUES IN

INVESTIGATION OF CRIME

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 C each question carries **15 marks**.

Section - A

1. **Write short note on:**

- a. Define Forensic Science. Discuss its basic laws and Functions.
- b. Write an essay on the importance of collection and preservation of crime scene evidence.

Contd.....P.2

Section - B

2. Explain the following with examples.
 - a) There is no hold over the identity of the exhibit submitted for examination.
 - b) There is no hold over the purity of the exhibit submitted for examination.
 - c) There is no hold over the quantity of the exhibit submitted for examination.
3. Explain in detail the critical elements of forensic expert opinion and its admissibility in the court of law.

Section - C

4. Write an essay on the importance of Trace evidence in the Scientific Investigation of Crime.
 5. Explain the following statements with suitable examples.
 - a) Physical evidence can prove a crime has been committed or establish key elements of a crime.
 - b) Physical evidence can link the suspect with the victim or with the crime scene.
 - c) It is mandatory to preserve the exhibit even after the analysis is over.
-

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024****PAPER - II: CORPORATE FINANCE AND
TAXATION 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 C each question carries **15 marks**.

Section - A**1. Write short note on:**

- a. The Corporation Dyna T is a Indian Firm which deals with medicines production and packaging. They went ahead in 2012 to start the sale of exclusive skin care products which did not do well. The Board of the company analysed the risk for finances which were running at loss and decided to reconsider the cash inflow. Is the firm eligible for financial capital to be raised for 2024?
- b. Globex Dynamics Pvt. Ltd., a company incorporated in India, is assessing its status as an Indian company under the Income Tax Act. The company is engaged in both domestic and international transactions. Decide whether ABC Ltd. qualifies as an Indian company for the purposes of the Income Tax and analyze how Globex Dynamics Pvt. Ltd's domestic and international transactions impact its tax liability under the Income Tax Act.

Contd.....P.2

Section - B

2. Magnum Corp is a Corporate Giant in the field of Ship Building. They decide to approve the buyout plan for the young startup Ximi Pvt. for a very heavy amount to be paid in the next ten years. The Board objected to the buy out as a mechanism for investment. How far the Board's decision for the buy out for the young promising form is justified? Discuss.
3. Wincom National, the largest commercial firm of India dealing with IT Services went ahead and created a subsidiary in UAE. They started sending out funds for setting up of the subsidiary in 2021. The venture did well and in 2024, they started sharing the profits with the Indian Headquarters. The Bank of UAE objected to these transactions. What legal framework, if applicable would come to the rescue of Wincom?

Section - C

4. Determine the residential status of the companies under the following situations using the Place of Effective Management Guidelines and relevant case laws
 - a) LMN Ltd., an Indian company involved in software solutions manufacturing and exports, is under scrutiny by tax authorities for its residential status for the assessment year 2023-24. Despite the majority of board meetings being conducted in India, the investigation reveals that crucial strategic decisions concerning business expansion, investments, and mergers were often made during meetings held in Mauritius, where two directors of the company reside. Discuss the implications of the location of key strategic decisions on the determination of LMN Ltd.'s residential status under the POEM guidelines,
 - b) Green Tech Co., a subsidiary of an Indian multinational group, is incorporated in Malaysia. The company's sole assets consist of manufacturing facilities and inventory located in Malaysia. Out of its 100 employees, 90 are based in Malaysia, while the Chief Financial Officer (CFO), Head of Operations, and Head of Marketing reside in India. Green Tech Co. incurs an annual payroll expenditure of Rs. 8 crore for all its employees, with Rs. 5 crore attributed to the compensation of the CFO, Head of Operations, and Head of Marketing. Analyze the factors influencing Green Tech Co's residential status determination under the Place of Effective Management (POEM) guidelines.

5. The taxable income of Raj Corporation Pvt. Ltd., computed as per the provisions of the Income-tax Act, is Rs. 12,50,000. However, the book profit of the company, computed as per the provisions of section 115JB, is Rs. 22,50,000. The company had also distributed dividends to shareholders amounting to Rs. 1,50,000 which was debited in their profit and loss account. Determine the tax liability of ABC Corporation Pvt. Ltd. considering the differences in taxable income and book profit.
-

Roll no. _____

RG/MT/14/03/24

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024**

**PAPER - II: AFFIRMATIVE ACTION &
DISCRIMINATIVE JUSTICE
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 C each question carries **15 marks**.

Section - A

1. Write short note on:

- a. A, a prostitute, alleges rape by an individual B. B is convicted of the same on the basis of A's testimony. The conviction of B by the court is a reflection of which principle of justice. Critically analyse and discuss the same.
- b. Elucidate the genesis of the concept of affirmative action in USA.

Contd.....P.2

Section - B

2. Rawls remarked that his principles of justice can be said to capture the classic liberal ideals of liberty, equality, and fraternity, with the Difference principle specifically connecting to the ideal of fraternity. How do the principles capture these ideals. Also critically analyse *justice does not mean justice in perpetuity* in the light of recent observations by Justice BR Gavai.
3. Critically analyse the Convention on Elimination of All form of Racial Discrimination, elucidating the provisions that reflect formal and substantive equality with the help of decided cases.

Section - C

4. In light of recent debates surrounding the fairness of admission practices at Harvard University, particularly regarding allegations of discrimination against certain demographic groups, what strategies could be implemented to balance the pursuit of academic excellence with the imperative of ensuring equal access and opportunities for students from diverse backgrounds. Critically elucidate the same in the light of Students for Fair Admissions v. Harvard.
 4. The United States has a sex equality that disproportionately impacts women of color. Despite the passage of sweeping federal, state, and local laws that prohibit discrimination on the basis of sex in employment, education, public benefits, housing, healthcare, voting, and in significant aspects of the U.S. economy and society, women—and particularly women of color—continue to experience persistent sex discrimination. Critically analyse the same in the light of Equal Rights Amendment that is in the final stages of ratification in USA.
-

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB

**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024
PAPER - V: ADVANCED CRIMINAL
PROCEDURE
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 C each question carries **15 marks**.

Section - A

1. Write short note on:

- a. As the criminal justice systems strive for efficiency and fairness, there has been an increasing emphasis on introducing specific timelines within the criminal procedure to streamline legal processes. Can you provide an in-depth analysis of the timelines incorporated in the Bharatiya Nagrik Suraksha Sanhita, 2023, highlighting the key objectives behind their implementation and the anticipated impact on the overall administration of justice?
- b. There is a growing recognition of the crucial role that victims play in the criminal justice process, particularly in the investigation phase. Can you provide an overview of the evolving landscape regarding victims' participation in investigations? How has the criminal justice system adapted to ensure that victims have a more active and meaningful role in the investigative process?

Contd.....P.2

Section - B

2. As the foundations of criminal justice systems continue to evolve, there remains a persistent and dynamic debate surrounding the merits and drawbacks of adversarial and inquisitorial models. Can you provide an extensive examination of the key principles, procedural dynamics, and philosophical underpinnings that distinguish the adversarial and inquisitorial forms of criminal justice?

Firstly, how do these two models fundamentally differ in their approach to fact-finding, the role of legal professionals, and the overall conduct of criminal proceedings? How do these models impact the balance between protecting the rights of the accused and the pursuit of truth and justice? Are there concerns about potential biases, delays, or inefficiencies associated with one model over the other? How has the Indian judiciary addressed these challenges?

3. Herbert Packer in his article Two Models of the Criminal Process states that “the kind of criminal process we have depends importantly on certain value choices that are reflected, explicitly or implicitly, in its habitual functioning. The kind of model we need is one that permits us to recognize explicitly the value choices that underlie the details of the criminal process. In a word, what we need is a normative model, or rather two models, to let us perceive the normative antinomy that runs deep in the life of the criminal law.”

- i) What are the two models Packer is talking about in this article?
- ii) Elaborate the major differences between the two models proposed by Packer.
- iii) Also, critically evaluate the models with special reference to procedural laws in India.

Section - C

4. In recent years, there has been a growing recognition of the need for substantial reforms in investigative processes to enhance efficiency, transparency, and accountability of the investigating agencies. The Government of India has been actively engaging in a dialogue with policymakers, legal experts, and law enforcement agencies to address the evolving challenges faced by investigative procedures.

Against this backdrop, could you elaborate on the key reforms that have been implemented in investigation methodologies by the Bharatiya Nagarik Suraksha Sanhita, 2023?

5. The discussions surrounding arrest procedures have intensified, with a particular focus on balancing law enforcement needs with the protection of individual rights. However, some critics argue that recent changes in arrest protocols may be inadvertently eroding fundamental rights and potentially compromising the presumption of innocence.

Against this backdrop, can you shed light on the changes introduced in arrest procedures and how they may be perceived as problematic by some segments of society? Are there concerns about an overreach of police powers or issues related to the erosion of due process during arrest?

Roll no. _____

RG/ET/15/03/24

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024
PAPER - V: INSOLVENCY AND
BANKRUPTCY
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 C each question carries **15 marks**.

Section - A

1. Write short note on:

- a. What is financial debt? Whether an application for corporate insolvency resolution can be filed by financial creditors jointly?
- b. Mention the modalities for conducting meeting of Committee of Creditors under the Insolvency and Bankruptcy Code, 2016.

Section - B

2. Define the terms 'Insolvency', 'Bankruptcy' and 'liquidation'. Discuss in detail the evolution of Insolvency and Bankruptcy Code in India. Discuss the major pillars of the IBC 2016?
3. Discuss the following with the help of relevant case laws:
 - a) Whether a trade union and sole proprietor is covered under the definition of a 'Person'?
 - b) Operational Creditor and Financial Creditor
 - c) The provisions of the IBC override anything contained in any other law in force or any instrument having effect by virtue of such law. Comment.
 - d) The primary focus of the IBC is to ensure the revival and continuation of the corporate debtor. Comment.
 - e) The foremost and primary objective of the IBC is the reorganization and insolvency resolution of the Corporate Debtor (CD) in a time bound manner. Comment

Section - C

4. Discuss the process of initiation of CIRP by Financial and Operational Creditors. Why was there a suspension of CIRP in the year 2020? Also discuss that who are the persons not entitled to make an application?
 5. Discuss the following with the help of relevant case laws:
 - a) Whether a Lawyer can issue demand notice on behalf of Operational creditor?
 - b) Whether Flat buyers can initiate insolvency proceedings against builders under the code?
 - c) Whether the Time-limit for accepting or rejecting a petition under the code is directory or mandatory?
-

Roll no. _____

RG/ET/15/03/24

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024**

**PAPER - V JUDICIAL PROCESS AND
JUDICIAL REVIEW**

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 C each question carries **15 marks**.

Section - A

1. Write short note on:

- a. Discuss how and why Indian courts evolved the writ of 'continuing mandamus'.
- b. How far do you agree that the classical theory of separation of powers is nothing more than a 'doctrine of functional specialization'?

Contd.....P.2

Section - B

2. Write a detailed note on how popular media has covered the question of human cost of litigation and delay in decision-making with reference to any documentary or literature published in recent times. Do you think critical public scrutiny of judicial delays is likely to speed up the judicial processes?
3. The judge of a trial court, in adversarial system, is not a mere recording machine or a mute spectator. He must become an active participant in the trial by asking intelligent questions to the witnesses in order to ascertain the truth. Discuss.

Section - C

4. How do you evaluate Dicey's theory of rule of law in light of contemporary developments in our jurisprudence? Also write a detailed note on Supreme Court's role in establishing rule of law in today's India.
 5. Critically examine the applicability of doctrine of precedent in Indian law. Do you think a subsequent five-judge bench can overrule a previous five-judge bench judgment of Supreme Court of India? Give reasons in support of your answer.
-

Roll no. _____

RG/MT/16/03/24

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024
PAPER - VI VICTIMOLOGY AND VICTIM
JUSTICE
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 C each question carries **15 marks**.

Section - A

1. Write short note on:

- a. "As people spent more time interacting with others, they were more likely to come into contact with offenders." Explain this statement in the light of theories of Victimology.
- b. Is there any co-relationship between Restorative Justice and Victim Impact Statement?

Section - B

2. "Ahmed Hasan, a 24 year old man who was shot and killed in a Toronto, Canada's, shopping mall on 02 June 2023. Christopher, aged 23, shot him and injured six others. Christopher and Ahmed Hasan were members of a gang and Christopher was once attacked by Hasan and other members of the gang."

According to the typologies of victimization, which one is applicable in the above case?

3. How has the concept of Victimology evolved with the passage of time? Discuss this in the light of the global development of Victimology.

Section - C

4. In the Indian context, it was felt that "Victim of Crime is a forgotten Person in the criminal justice system." Discuss this statement in the light of the legal framework and judicial responses in India.
5. "The potential consequences and costs to crime victims are plenty and occur over the short and long term. Discuss the consequences of Victimization'. In the Indian context, victims of sexual violence often do not report about the incident to police. Why?
-

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024
PAPER - VI: CONSTITUTIONAL
AMENDMENTS IN INDIA
(OPTIONAL)
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 C each question carries **15 marks**.

Section - A

1. **Write short note on:**
 - a. How do Judicial interpretations and Constitutional Conventions serve as informal means of amending the Constitution and what implications do these processes have for the balance of powers and the evolving nature of Constitutional Governance?
 - b. What has been the impact of the 73rd Constitutional Amendment in India particularly in terms of decentralization of power, strengthening local self-governance and providing grassroots democracy?

Section - B

2. How does the concept of Constitutional Amendment contribute to the adaptability and relevance of a legal framework and why is it crucial for a dynamic and evolving society. Also highlight some common criticisms of the Indian Constitutional Amendment Process.

3. How does the amendability of Fundamental Rights in a Constitution strike a balance between safeguarding individual liberties and accommodating the evolving needs of society? What Considerations and debates surround the process of amending the Fundamental Rights within a Constitutional Framework?

Section - C

4. What were the key factors that led to the First Constitutional Amendment in India in 1951, and how did specific case laws contribute to the need for these Amendments?

5. How did a series of Case Laws and Constitutional Amendments lead to the Culmination of the Right to Property being abolished as a Fundamental right through the Forty Fourth Constitutional Amendment in 1978 in India? Explore the legal evolution and significant Judicial decisions that paved the way for this Constitutional change.

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**LL.M. ONE YEAR COURSE****SECOND SEMESTER****MID TERM EXAMINATION****MARCH - 2024****PAPER - VI INSURANCE AND
ARBITRATION****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 C each question carries **15 marks**.

SECTION-A**1. Write short note on:**

- a. A person was standing on the rooftop on a windy day. When lightning struck he fell down from the roof and broke one leg and one arm. He was taken to the hospital 4 hours after the incident in the meanwhile he developed some infection due to which his leg and arm had to be amputated. Two days later he developed lung infection in the hospital and died. Identify the proximate cause of loss in personal accident insurance policy and give reasons for your answer.
- b. Naman recently acquired a 'Grand i-10' car for use as a cab. Unfortunately, while in enroute to drop his customer to Gurugram, he was involved in an accident resulting in the death of a pedestrian. Naman holds a motor vehicle insurance policy purchased at the time of acquiring the car. In light of the case filed against him in the Motor Vehicle Claim Tribunal claiming compensation, please provide guidance to Naman on the pertinent facet of Motor Vehicle Insurance applicable in this scenario including its key features in terms of nature and scope along with relevant judicial precedents.

Contd.....P.2

Section - B

- 2 Raman, the insured party, procured a life insurance policy on March 2, 2020. The policy, subject to the standard terms and conditions, was offered to ABC Insurance Co. Ltd., the insurer. The insurer, acting through its agent, issued a cover note, specifying a 10-working-day duration for conveying acceptance of the offer. Such acceptance would be communicated by dispatching the policy documents to the policyholder. This timeframe is typically allocated for scrutinizing the accuracy and legitimacy of the insured's records, along with completing other administrative tasks. Tragically, on that very day, Raman suffered a cardiac incident and passed away suddenly. Notably, Raman was in good health, as evidenced by a recent body checkup, the reports of which he had attached to his policy documents.

Given this situation, you are required to shed light on the stage of the insurance contract at the time of Raman's demise. Additionally, an exploration of the various essential elements in the formation of insurance contracts is warranted. Any relevant judicial precedents should be cited to provide a comprehensive understanding of the legal framework in this context.

3. Discuss whether following insurance policies are permissible applying the principle of insurance-
- a) A gives loan to B for 10 lakhs for three years. B is about 65-years of age suffering from health issues, A is apprehensive whether his money would be returned in due course of time accordingly A decides to take a life insurance policy for B.
 - b) Amit and Pooja are college friends. They want to get married and decide to take a life insurance policy on each other's life before marriage.

Section - C

4. Mr. Dev Dutt, a businessman with a manufacturing facility in Baddi, Himachal Pradesh, produces various electronic goods composed of highly combustible materials. Recognizing the potential risks, particularly due to the combustible nature of the goods and being prone to seismic activity in Seismic Zone IV, Mr. Dev Dutt wisely decided to insure his factory premises under a Fire Insurance Policy (policy) provided by M-Cap Insurance Co. Ltd. The scope of insurance under this policy was the protection of the property from fire. A year after obtaining the policy, an earthquake of magnitude 6 on the Richter scale struck Baddi and its vicinity, leading to chaos. Exploiting the situation, disgruntled factory workers in the surrounding area attacked Mr. Dev Dutt's factory. The ensuing unrest resulted in a fire, followed by an explosion, causing significant loss and damage to the property. In seeking advice, Mr. Dev Dutt is interested in understanding the concept of proximate cause, identifying expected perils, and recognizing excluded perils under this insurance policy. It is crucial to supplement the explanation with relevant judicial precedents to provide a comprehensive understanding of the legal aspects in this scenario.
 5. Raja textile mills enter into a contract With Zia textiles Dhaka. Raja textile takes the services of Fleet shipping company to send the shipment to Dhaka. The shipping company gives an undertaking that the ship will reach Dhaka in 4 days. But on the high seas ship had to take a halt at Colombo as one of the crew members was seriously ill. Due to this ship reached Dhaka in 7 days. Zia textiles contended they suffered a loss due to shortage of raw material and claimed the Insurance amount from the Marine Insurance Company. Discuss whether the Insurance company is liable to pay the claim in light of deviation of the ship from its route in the light of marine insurance policy.
-

Roll no. _____

RG/MT/16/03/24

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2024
PAPER - VI MEDIA 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 C each question carries **15 marks**.

Section - A

1. Write short note on:

- a. The right to freedom of speech and expression and the right to privacy are two sides of the same coin. Elucidate.
- b. Freedom of the press constitutes several rights; one is freedom of publication. Comment in the light of decided cases.

Contd.....P.2

Section - B

2. Secrecy in public affairs is anathema to the very notion of democracy. Considering this, examine the Right to information as a fundamental right within the purview of freedom of speech and expression. Also, evaluate critically with the help of relevant judgments whether the voter has any right to information about the antecedents of electoral candidates.
3. The First Amendment to the Constitution of the United States of America in its Article 1 mentions that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances". Considering this make a comparative analysis of the freedom of the Press in the United States and India.

Section - C

4. Advertisements constitute the cornerstone of our economic system. Critically evaluate how the law on the right to commercial advertising as a part of freedom of speech and expression has evolved from the judgment of the Supreme Court of India in *Hamdard Dawakhana* (1960) to *Tata Press* (1995).
5. The right to freedom of circulation is not limited to the extent of content for circulation but also to the extent of the volume of such circulation. Critically analyse the right to circulation under Freedom of the Press, as interpreted by the Supreme Court of India.