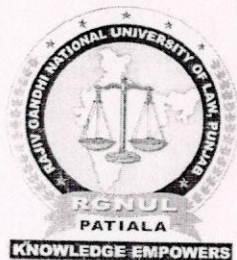


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RG/ET/06/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-I: LEGAL METHODS AND
RESEARCH METHODOLOGY
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. Research Ethics.
- b. Importance of reflective thinking and value Neutrality in research.

Section - B

2. What are the different stages in the processing of Date. Explain with an illustration.
3. Write an essay on 'Report Writing'. How is it different from writing an Article.

Section - C

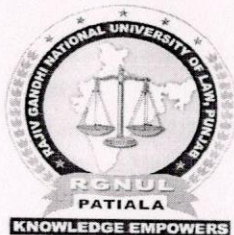
4. Discuss in detail the Recommendations made by the Law Commission of India with respect to Law Reforms and Legal Research.(184th Report).
5. What are the major copyright issues in Legal Research and what factors should be kept in mind in case of publication in Journals.

Roll no. _____

RG/ET/08/12/16

-2-

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-II: COMPARATIVE PUBLIC LAW
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. "A court's authority to examine an executive or legislative act and to invalidate that act if it is contrary to constitutional principles is the notion of judicial review which is an American invention". In the context of this statement, discuss the origin and implications of Judicial Review in India.
- b. "The right of free speech is absolutely indispensable for the preservation of a free society in which Government is based upon the consent of an informed citizenry and is dedicated to the protection of the rights of all, even the most despised minorities". Enunciate the law of expression under the Indian Constitution.

Contd.....P.2

Section - B

2. "Are the matters of impartiality, integrity, propriety, equality, competence, etc. on which personal independence is dependent better assessed in a transparent, participatory commission system with pre-defined norms and procedures than in an opaque system managed by judges alone? The judiciary should be an independent one and that is the basic need of every civilized and democratic society". In the light of this statement discuss the concept of independence of judiciary in present scenario.
3. Explicate the power of Judiciary against the Legislative Acts with the help of landmark judgments as pronounced by the Supreme Court in this regard.

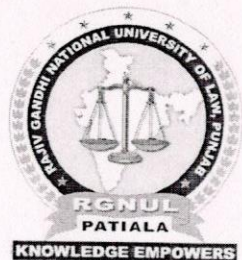
Section - C

4. No freedom can be absolute as absolute freedom of trade, commerce and intercourse may lead to economic confusion and may degenerate into a self defeating licentiousness in trade and commerce. Therefore the wide amplitude of the freedom under Article 301 is expressly by the provisions therein after mentioned. Discuss those provisions along with the landmark case laws associated with them.
5. "Theorists of public morality have noticed apparently that private acts can imperil important public interests. This fact embarrasses philosophical efforts to draw a sharp line that distinguishes a realm of "private rights" that is not subject to law from a domain of public actions that may rightly be subjected to legal regulation. Individual rights are in a way going against public morality". Comment.

Roll no. _____

RG/ET/12/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-III: FUNDAMENTAL RIGHTS AND
DIRECTIVE PRINCIPLES
(CONSTITUTIONAL LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. Is there any conflict between individual fundamental rights and larger social interest?
- b. Explain the scope of fundamental duties.

Contd.....P.2

Section - B

2. Discuss the role of judiciary in applying the 'doctrine of harmonious construction' to interpret justiciable rights in the light of Directive Principles of State Policy as an aid to make socio-economic democracy a truism.
- 3.i) "The doctrine of equal pay for equal work is not an abstract doctrine and is capable of being enforced in the court of law." Elucidate the statement by establishing the relationship between Article 39 (d) and Article 14 & 16 of the Constitution of India. 10 Mar
- ii) X was appointed as a Junior Technician in the Chandigarh Administration and the Technicians in Punjab Government are also doing the similar jobs with same nature of work/duties/responsibilities as done by the junior Technicians in Chandigarh Administration and the Punjab Government Rules are adopted by the Chandigarh Administration. The employees in the Punjab Government are getting the higher pay scale than the Chandigarh Administration employees. The higher pay scale was denied by the Chandigarh Administration due to the nomenclature of designations. Can X claim the same pay scale as granted to the Punjab Government employees? Discuss with the help of case law? 05 Mar

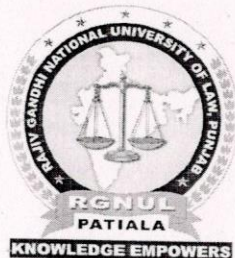
Section - C

4. Uniform Civil Code embodies a fundamental principle of equality under the Constitution. Illustrate with the help of decided cases.
- 5.i) A large number of Directive principles of State Policy have been made enforceable by Courts through wide and liberal interpretation of Article 21, as an outcome of "judicial engineering". What effect does this synthesis of FRs and DPSPs have on their relationship? 10 Mar
- ii) In a demonstration against the Government, as part of an assembly, an agitated person pulls the national flag and spreads it on the road, claiming it to be his right of expression under Article 19 of the Constitution of India. Should his conduct be protected under Article 19 in view of Article 51 A? Discuss. 05 Ma

Roll no. _____

RG/ET/12/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-III: LAW OF BANKING
(BUSINESS LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. Crossing of cheques.
- b. E-banking and the risks it has generated.

Section - B

2. Explain the various kinds of presentment of Negotiable Instruments. What is meant by presentment of negotiable instrument for payment? What are the rules regarding time and place for presentment for payment of negotiable instruments?
3. 'A banker is bound to honour his customer's cheques'. Comment. What do you mean by dishonor of cheques? When is the bank justified in dishonoring the cheques of a customer? Discuss the liability for wrongful dishonor of cheques.

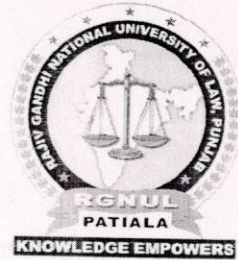
Section - C

4. Varun availed 3 different loans from his bank amounting to Rs. 4 lakh, Rs. 5 lakh and Rs. 9 lakh carrying interest of 10%, 12% and 18% respectively. The loan of Rs. 4 Lakh became time-barred. Varun pays Rs. 9 lakh to his bank without indicating the loan for which he made payment. The bank appropriates the amount towards the first two loans. Varun disputes this and contends that the amount was meant to pay-off the third loan where interest rate was highest. In light of the said problem, discuss the banker's right of appropriation.
5. 'Banking Ombudsman was constituted for a quick and honest grievance redressal.' Comment. While discussing the procedure of redressal of grievance before the Banking Ombudsman, discuss whether establishment of Banking Ombudsman in reality, is actually advantageous to the society and does it act as a fool to create a healthier and an ethical banker customer relationship?

Roll no. _____

RG/ET/12/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-III: GENERAL PRINCIPLES OF
CRIMINAL LAW
(CRIMINAL LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)

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

Section - A

1. Compulsory

Write short note on:

- Gang Rape. Can a woman be prosecuted for gang rape?
- Punishment should be as per criminal and not as per crime.

Section - B

- Under what circumstances a person can take the life of aggressor in the exercise of right of private defence of body? 10 Mar
- A and B both are enemies of each other since long and many criminal litigations are going on between the two. One day when both were to go for court hearing, both collected their supporters and came to bus stand where fight started between the two groups as they were prepared for that. As a result a person from A's party was killed by B's party. B pleaded that A's party first attacked. So he(A) was exercising his right of private defence. Decide the case with reasons. 05 Mar
- What do you understand by sudden and grave provocation? Why it is taken as a mitigating Factor in awarding punishment? 10 Mar
- A who was acting under sudden and grave provocation fired with gun towards the aggressor but accidentally the gunshot hit some other person. Can A plead sudden and grave provocation in his defence? 05 Mar

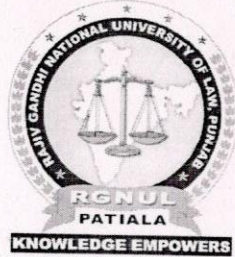
Section - C

- Who is a victim of crime? Explain the concept of victim compensation under criminal justice system in India. Refer to relevant case law and statutory provision in support of your answer. Can compensation be awarded where accused is acquitted of the offence?
 - What is the rationale behind death sentence? Discuss the constitutional validity of death sentence. Refer to case law to explain your answer.
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Roll no. _____

RG/ET/14/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-IV: EMERGING AREAS OF
CRIMINALITY
(CRIMINAL LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. Honour killing
- b. Aviation Terrorism

Section - B

2. What do you understand by the term “sexual abuse of children”? What is the punishment prescribed under the Protection of Children from Sexual Offences Act, 2012 to the offenders?
3. What do you mean by right of residence under the Protection of Women from Domestic Violence Act 2005? Discuss the same with the help of decided cases.

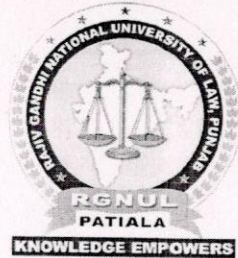
Section - C

4. Whether the Information Technology Act, 2000 has been successful to tackle the jurisdictional issues relating to cybercrimes?
5. Elaborate the terrorist organisation operative at global level and whether the law relating to curb the terrorist fund is sufficient?

Roll no. _____

RG/ET/16/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-V: FEDERALISM AND LOCAL SELF
GOVERNMENT IN INDIA
(CONSTITUTIONAL LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. Briefly discuss the functions of Municipal Corporation.
- b. What is the organisational structure of rural local bodies? Briefly mention.

Section - B

2. "A decision of constituting a Municipal Corporation so as to replace a Municipal Council is dependent on the figure of population of the Urban area. The only requirement is of the population crossing the bench mark." In the light of the statement discuss constitution of Municipal Corporation and it's power to impose Taxes.
3. Discuss the composition and functions of Municipal Council. Refer to important cases.

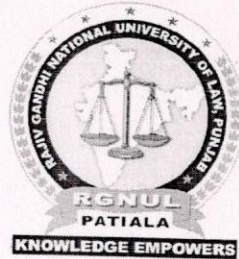
Section - C

4. Discuss the composition and functions of Panchayati Raj Institutions. Whether right to contest an election for any office in Panchayat is fundamental and a common law right? Discuss.
5. Briefly discuss the role of National Finance Commission Vis-A-Vis Local Governments.

Roll no. _____

RG/ET/16/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-V: LAW OF CORPORATE
GOVERNANCE
(BUSINESS LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)

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

Section - A

1. Compulsory

Write short note on:

- a. What do you understand by the concept of corporate Governance Forums.
- b. Significance of Business ethics.

Section - B

2. Critically analyse the Corporate Governance in Banks.
3. Explain the international perspective of corporate governance in U.S.A. and U.K.

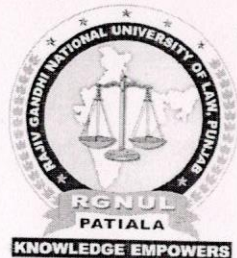
Section - C

4. Write detailed note on risk management and internal control.
 5. How corporate sustainability is possible with the environmental protection?
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Roll no. _____

RG/ET/16/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-V: INTERNATIONAL CRIMINAL
LAW
(CRIMINAL LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. Write a note on complementarity of the International Criminal Court (ICC).
- b. Discuss the grounds of excluding criminal liability under the International Criminal Law.

Section - B

2. Critically analyse the establishment of International Criminal Court and its position vis-a-vis the United Nations.
3. Discuss the procedure of trial before the International Criminal Court and how are its sentences enforced?

Section - C

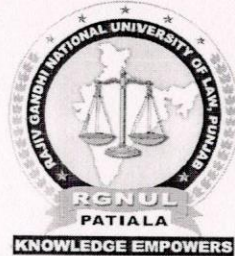
4. Discuss the rules of criminal liability under the International Criminal Law.
 5. Critically analyse the future of International Criminal Law.
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RG/ET/14/12/16

-2-

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-IV: CENTRE STATE RELATIONS
(CONSTITUTIONAL LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. Borrowing powers.
- b. Frictions in Financial Relations.

Section - B

2. Discuss the distribution of financial powers under the Constitution of India.
3. Explain the Constitutional provisions relating to Inter State Trade and Commerce.

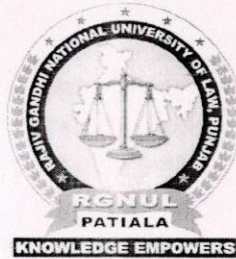
Section - C

4. Discuss the role and working of Finance Commission.
 5. What changes have been brought by the Constitution (One Hundred and First Amendment) Act, 2016 relating to GST?
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Roll no. _____

RG/ET/14/12/16

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
DECEMBER - 2016
FIRST SEMESTER
PAPER-IV: INDUSTRIAL AND
INTELLECTUAL PROPERTY RIGHTS
(BUSINESS LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

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

Section - A

1. Compulsory

Write short note on:

- a. Highlight the procedure for obtaining a patent in India.
- b. Discuss the law relating to patenting of life forms.

Section - B

2. Layer corporation has filed an application to have a compulsory license of the famous drug vexavar for the cure of Skin cancer. Vexavar has been patented by lotartis D. G in India for last three years and is sold @ Rs. 5,00000 for the course of 4 months per patient. Contest from both the sides.
3. Highlight the provisions relating to regulations of biotechnology patents with specific reference to Sec 3(d) of the Indian Patents Act, 1970.

Section - C

4. Discuss the importance and need for the registration of plant Varieties in India.
5. Emancipate the rights of farmers and plant breeders under the Protection of Plant Varieties and Farmers Rights Act, 2001.