

Roll no. \_\_\_\_\_

RG/A/10/0513

# RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. TWO YEAR COURSE**

**END TERM EXAMINATION**

**MAY - 2013**

**SECOND SEMESTER**

**PAPER - I: INDIAN CONSTITUTIONAL LAW:**

**THE NEW CHALLENGES**

**TIME DURATION: THREE HOURS**

**MAXIMUM MARKS: SIXTY (60)**

**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 **10 marks**.

## **Section - A**

### **1. Compulsory**

**Write short note on:**

- a. Executive power under the Constitution of India to implement treaties and conventions.
- b. Inter-State Disputes on the Resource of Water.
- c. Special Status of certain States under the Constitution of India.
- d. Cooperative federalism

## **Section - B**

2. The power of doing complete justice under Article 142 of the Constitution of India is not a power by which the Supreme Court can grant relief in violation of any statutory provision. Comment with relevant Supreme Court Judgments?

3. The legal concept of the creamy layer punishes those socially and educationally backward classes who have succeeded in overcoming their social and educational backwardness. Comment in the context of Article 16 (4-A) and (4-B) of the Constitution?

### Section - C

4. How does the Constitution of India preserve and protect secularism while ensuring religious freedom?
5. The Executive has turned the Right to Education declared as a Fundamental right by the Supreme Court for 0-14 children into a meaningless right under Articles 21 A and 45, introduced into the Constitution of India by the *Eighty Sixth Amendment Act, 2002*. Comment in the context of the Supreme Court Judgment in Unni Krishnan J.P. vs. State of A.P. (A'93SC2178).

### Section - D

6. Critically evaluate the “basic structure” doctrine of the Supreme Court in Keshvananda Bharati vs. State of Kerala (A'73SC1461) from the point of view of separation of powers.
7. Explain whether passive euthanasia permitted by the Supreme Court negates the fundamental right to a life of dignity spelt out also by the Supreme Court.

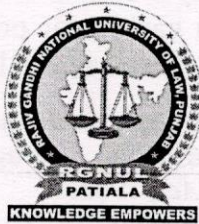
### Section - E

8. Is judicial activism judicial oratory based on picking up Directive Principles and declaring these to be fundamental rights under Article 21 of the Constitution of India, as shown by the judgments in Francis Coralie Mullin vs. U.T. Delhi (1981) 1SCC 608 and then in Bandhua Mukti Morcha vs. Union of India (1984) 3SCC 161)?
  9. Are the judgments of the Supreme Court in S.P. Gupta vs Union of India (A'82SC 149), SC Advocates-on-Record Association vs. UOI ((1993) 4SCC441) and In Re Presidential Reference 1998 concerning the constitutional process of judicial appointments, a case of legislation under the guise of interpretation?
-

Roll no. \_\_\_\_\_

RG/A/17/0513

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. TWO YEAR COURSE  
END TERM EXAMINATION  
MAY - 2013  
SECOND SEMESTER  
PAPER - III: EMERGING AREAS OF  
CRIMINALITY  
(CRIMINAL LAW GROUP)  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**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 **10 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. Trafficking in Persons and Smuggling of Persons.
- b. Processes in the offence of Money Laundering.
- c. Honour Killings
- d. The profiles of Cyber Criminals.

**Section - B**

2. What do you understand by Human Trafficking as an organized crime? Discuss various causes for prevalence of Human Trafficking at National and International levels.
3. Discuss the provisions relating to forfeiture of property derived from or used in illicit trafficking of drugs under the *Narcotic Drugs and Psychotropic Act*, 1985.

**Section - C**

4. Define the offence of money laundering. Explain the Anti-Money Laundering mechanism provided under the *Prevention of Money Laundering Act*, 2002.
5. What is Terrorist Financing? Distinguish between money laundering and terrorist financing.

**Section - D**

6. Describe the offences provided under the *Protection of Children from Sexual Offences Act*, 2012.
7. Who is aggrieved woman under the *Sexual Harassment at Work Place (Prevention Prohibition and Redressal) Act*, 2012? Discuss the procedure for making complaint and inquiry of the complaint made by aggrieved person under this Act.

**Section - E**

8. Define *Terrorist Act*. Explain the procedure for forfeiture of proceeds of Terrorism.
  9. Explain various kinds of cyber crimes with reference to requirement of *actus reas* and *mens rea* involved in the crimes.
-

Roll no. \_\_\_\_\_

RG/A/17/0513

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. TWO YEAR COURSE  
END TERM EXAMINATION  
MAY - 2013  
SECOND SEMESTER  
PAPER - III: CORPORATE FINANCE  
(BUSINESS LAW GROUP)  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**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 **10 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. Explain procedural requirements of allotment of shares as per *Companies Act, 1956*.
- b. Write a short note on Hire Purchase.
- c. Enlist important functions of Public Financial Institutions.
- d. Explain the significance of Accounting standards.

**Section - B**

2. a) "Prospectus is the window through which company is displayed without distortions." Comment.  
b) Distinguish a prospectus from Statement in lieu of prospectus.
3. "Corporate Finance is an area of financial decision making, harmonising individual motives and enterprise goals." Explain.

**Section - C**

4. What do you mean by venture capital? Enlist the various methods of venture capital finance.
5. Examine the various methods of debt capital finance by a Corporate House.

**Section - D**

6. What do you mean by Credit Rating? Discuss the necessity and significance of Credit Rating.
7. Write a short note on:-
  - a) Depository Receipts
  - b) IDBI

**Section - E**

8. Enlist the factors that influence the dividend policy of a firm. How far do you agree that dividends are irrelevant?
  9. Write notes on:
    - a) Books of Accounts
    - b) Importance of Balance Sheet
-

Roll no. \_\_\_\_\_

RG/A/10/0513

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**



**LL.M. TWO YEAR COURSE  
END TERM EXAMINATION  
MAY - 2013  
SECOND SEMESTER  
PAPER - II: JUDICIAL PROCESS  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**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 **10 marks**.

**Section - A**

**1. Compulsory**

**Write short note on:**

- a. Bail
- b. Doctrine of Stare Decisis
- c. Principle laid down in Maneka Gandhi vs. Union of India (1978 SC587)
- d. Meaning of Writ

*Contd.....P.2*

**Section - B**

2. Explain the concept of Administration of Justice both civil and criminal jurisdiction.
3. Briefly describe various jurisdiction of Supreme Court of India.

**Section - C**

4. Describe various sources of law particularly legislation in relation to Delegated Legislation.
5. Explain the meaning of 'PRECEDENT IN JUDICIAL PROCESS'

**Section - D**

6. Explain the jurisdiction of Supreme Court of India will granting special leave to appeal under Article 136 of the Constitution of India.
7. Describe the scope and ambit of Supreme Court of India under Article 142 for purposes of doing complete Justice?

**Section - E**

8. Discuss the recent trends regarding Capital Punishment (Death Sentence) in Indian Judicial views and Executive decisions and Public Opinion to deal with such cases, particularly "Rape" and "Terrorism"?
  9. Explain, various writs which can be issued by Supreme court of India under Article 32 of the Constitution of India.
-