

Roll no. _____

RG/MT/05/05/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE

MAY -2017

SECOND SEMESTER

END TERM EXAMINATION

**PAPER - I: LAW AND JUSTICE IN
GLOBALISED WORLD**

TIME DURATION: ONE AND HALF HOURS

MAXIMUM MARKS: FORTY (40)

Note: Section - A is Compulsory.

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

SECTION - A

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

- a. "Politics have no place in an area where the welfare of thousands of people is at stake, therefore the Security Council needs to focus on the safety and security of the world". Comment.
- b. Examine the Preamble of WTO in reference to, trade as an effective means of happiness for individuals in global scenario?

2 X 5=10 Marks
Contd.....P.2

SECTION - B

2. "Social Justice requires that the global institutional system must enable every individual to secure a basic minimum autonomy and security to make them able to secure some minimal amount of food, water, shelter, education, health care, social and emotional goods".
How far this objective is justiciable in the present era of globalization?
Critically examine.
3. Discuss the impact of globalization on judicial process in the light of select decisions of the Supreme Court of India.

15 X 1=15 Marks

SECTION - C

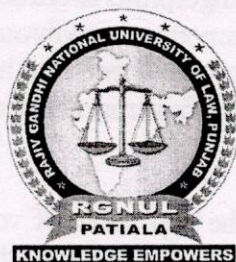
4. The "social responsibility of corporations" is predominantly governed by global and domestic instruments (binding and non-binding). In this regard, what initiatives have been taken in the Indian corporate sector for instilling values of "ethical business" or "corporate social responsibility"?
5. "Globalization is a term, which has been used to describe and explain many worldwide phenomena. It has been given positive connotations by those who advocate greater economic integration across national borders, while it has been fiercely criticized by those who perceive it as a threat to social cohesion and as the advancement of unfettered capitalism, which undermines the Welfare State."
In the light of above statement explain the perspective of challenges to the state in globalized world.

15 X 1=15 Marks

Roll no. _____

RG/ET/08/05/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE

MAY -2017

SECOND SEMESTER

END TERM EXAMINATION

**PAPER - II: SCIENTIFIC AND FORENSIC
TECHNIQUES IN INVESTIGATION OF CRIMES
(CRIMINAL LAW GROUP)**

TIME DURATION: ONE AND HALF HOURS

MAXIMUM MARKS: FORTY (40)

Note: Section - A is Compulsory.

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

SECTION - A

1. Write short notes on the following:

- a. What is polygraph? Explain the guidelines issued by National Human Rights Commission regarding the administration of Polygraph Test.
- b. Write a detailed note on Cyber Forensics.

2 X 5=10 Marks

Contd.....P.2

SECTION - B

2. Collection and use of fingerprints in crime detection and identification of criminals was the first important breakthrough in the scientific investigation of crimes. Comment. How are fingerprints helpful in detecting the offender? Discuss the legal status of fingerprinting technique in India.
3. Explain and illustrate the importance of voice analysis technique in crime investigation. Describe briefly various methods of voice identification used in forensic investigation.

15 X 1=15 Marks

SECTION - C

4. What is Narco-analysis test? Can such test be conducted without the consent of the accused/suspect? Critically evaluate the admissibility of the information collected through this test. Refer to decided cases.
5. Explain and illustrate the role of DNA technology in the scientific investigation of crime. Also discuss its constitutional validity with the help of decided cases.

15 X 1=15 Marks

Roll no. _____

RG/ET/08/05/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
MAY - 2017
SECOND SEMESTER
PAPER - II: CONSTITUTIONAL AMENDMENTS
IN INDIA (CONSTITUTIONAL LAW GROUP)
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

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

SECTION - A

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

- a. "The Constitution (44th Amendment) Act, 1978 strive to minimise inequalities".
Explain.
- b. Ninety First Amendment Act, 2003 vis-a-vis total number of ministers.

5 X 2=10 Marks

Contd.....P.2

SECTION - B

2. "In Jilubhai Nanbhai Khachar Vs. State of Gujrat it has been held that the right to property guaranteed by Art.300-A is not a basic feature of Constitution". Explain.
3. Discuss the various changes brought in by the 44th Amendment Act, 1978 in the Article 352 i.e; National Emergency. Also discuss the position prior to the 44th Amendment Act, 1978.

15 X 1=15 Marks

SECTION - C

4. "The Fifty-Second Amendment Act, 1985 has been enacted to curb the evil of defection from the body politic of our Constitution". Explain.
5. "The Seventy-Third Amendment Act, 1992 provides for the Constitution, composition and election by the Panchayati Raj Institution in the rural area". Discuss.

15 X 1=15 Marks

Roll no. _____

RG/ET/08/05/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
MAY - 2017
SECOND SEMESTER
PAPER - II: LAW OF CORPORATE FINANCE
AND TAXATION
(BUSINESS LAW GROUP)
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

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

SECTION - A

1. Write short notes on the following:

- a. A company named MS Corp. (USA company) filed an application before Authority for Advance Ruling in India. Pursuant to a plan of merger, another company named Gracemac (Indian company) was merged into MS Corp. Gracemac had a similar question pending before Income Tax Appellate Tribunal which was raised by MS Corp. before Authority for Advance Ruling. Whether Authority for

Contd.....P.2

Advance Ruling can proceed with the application of MS Corp. or not?

- b. Distinguish between Equity Shares and Preference shares. When do preference shares holders are entitled to vote?

5 X 2=10 Marks

SECTION - B

2. Discuss the appellate hierarchy under Income Tax Act, 1961. Whether Commissioner of Income Tax (Appeals) can admit additional evidence at appellate stage?
3. Distinguish between General Anti Avoidance Rule (GAAR) and Specific Anti Avoidance Rule (SAAR). Why do we need GAAR when we have SAAR under Income Tax Act, 1961?

15 X 1=15 Marks

SECTION - C

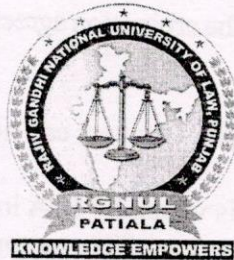
4. Distinguish between short term and long term finance. Discuss the different kinds of short term finance.
5. What do you understand by angel investment and private equity? Discuss the basic features of SEBI regulation on alternative investment funds.

15 X 1=15 Marks

Roll no. _____

RG/MT/10/05/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE

MAY -2017

SECOND SEMESTER

END TERM EXAMINATION

**PAPER - III: LAW OF INSURANCE AND
ARBITRATION (BUSINESS LAW GROUP)**

TIME DURATION: ONE AND HALF HOURS

MAXIMUM MARKS: FORTY (40)

Note: Section - A is Compulsory.

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

SECTION - A

1. Write short notes on the following:

- a. What do you mean by 'Foreign arbitration' and 'Arbitration conducted in India'?
- b. What do you mean by an 'Arbitral award'?

2 X 5=10 Marks

Contd.....P.2

SECTION - B

2. Discuss the essential elements of an Arbitration agreement. Is it necessary to name an arbitrator in the arbitration agreement?
3. What matters can and what matters can not be referred to Arbitration? Discuss.

A was robbed of his watch by B. A instituted a suit against B for robbery. Later, on persuasion of a common friend both A and B agree to refer the matter to arbitration and A promises to drop the prosecution. Is the arbitration agreement valid?

15 X 1=15 Marks

SECTION - C

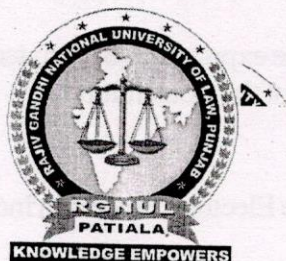
4. Discuss the grounds on which an award may be set-aside by the court. Is an arbitral award enforceable without the sanction of the court?
5. When Foreign Award is binding? What are the conditions for refusal to enforce Foreign Awards?

15 X 1=15 Marks

Roll no. _____

RG/ET/10/05/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
MAY - 2017**

SECOND SEMESTER

**PAPER - III: SERVICE AND ELECTION LAW
(CONSTITUTIONAL LAW GROUP)
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

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

SECTION - A

1. Write short notes on the following:

- a. What is an Election Petition? Discuss its contents by laying emphasis on the statutory provisions enshrined under the Representation of People Act, 1951.
- b. Composition of Election Commission. Discuss the Process of appointment of Chief Election Commissioner and other Election Commissioners.

5 X 2=10 Marks

Contd.....P.2

SECTION - B

2. Critically analyse the expression (Superintendence, Direction and Control) used in Article 324 of the Constitution.
3. Explain in detail the Electoral Process in India.

15 X 1=15 Marks

SECTION - C

4. What Constitutes Electoral Corrupt practices. Explain with the help of decided case laws.
5. Lok Insaf Party, a political Party in the state of Punjab contested the Vidhan Sabha Elections, in state of Punjab in 2017, when the result was declared, they won 21 seats in elections. After the elections, 17 members, who were elected on the ticket of Lok Insaf Party joined the Congress Party and merged with the Congress Party. The President of the Lok Insaf Party planned to challenge the action of these 17 members and decided to seek their disqualification. Please advise the President of Lok Insaf Party. Give detailed reasons along with relevant provisions of Constitution and decided case laws.

15 X 1=15 Marks

Roll no. _____

RG/MT/10/05/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



LL.M. ONE YEAR COURSE

MAY -2017

SECOND SEMESTER

END TERM EXAMINATION

**PAPER - III: ADMINISTRATION OF CRIMINAL
JUSTICE-CUSTODIAL AND NON-CUSTODIAL
(CRIMINAL LAW GROUP)**

TIME DURATION: ONE AND HALF HOURS

MAXIMUM MARKS: FORTY (40)

Note: Section - A is Compulsory.

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

SECTION - A

1. Write short notes on the following:

- a. "Imprisonment is a punishment and not for punishment". In the light of this statement discuss the rights of prisoners. Refer to case law to explain your answer.
- b. What do you understand by parole system? How for it is successful in the rehabilitation of prisoners.

2 X 5=10 Marks

Contd.....P.2

SECTION - B

2. What do you understand by reformatory theory of punishment? How far this theory is successful in the rehabilitation and re-integration of prisoners, specially relating to "terrorism" and "organised crimes" offenders.
3. What is the objectives of "Open Prisons"? To what extent these open prisons are more successful in rehabilitation of prisoners in comparison to traditional prisons.

15 X 1=15 Marks

SECTION - C

4. "In spite of all the good intentions on the part of Legislature in introducing probation system as a prominent measure to treat persons found guilty of offences, it has failed to take off in the desired manner". In the light of this statement discuss the reasons for its failure and suggest measures to improve the working of system.
5. What prompted the international community to formulate minimum standard rules for non-custodial measures in relation to punishment? In this context discuss the Tokyo Rules relating to non-custodial measures.

15 X 1=15 Marks

Roll no. _____

RG/MT/12/05/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
MAY-2017
SECOND SEMESTER
END TERM EXAMINATION
PAPER - IV: CORPORATE REGULATIONS
(BUSINESS LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is Compulsory.

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

SECTION - A

1. **Write short notes on the following:**
 - a. Mr. Amrut Ali was a non-executive independent director of Firoda Ltd. (Firoda) for the period from 1st January, 2007 to 31st December, 2008. Firoda was the parent company of Solrex Ltd. (Solrex) and directly controlling it. Certain alerts were generated at the National Stock Exchange Ltd. and the Bombay Stock Exchange Ltd. during the period from 17th March, 2008 to 9th April, 2008 in the dealings of the shares of Orchid Chemicals Ltd (Orchid). It was noted that Mrs. Bala Ali, wife of Mr. Amrut Ali, had traded in the scrip of the Orchid ahead of large investments made

Contd.....P.2

by Solrex in the shares of Orchid. The funds for the said trading were provided by Mr. Amrut Ali. Mrs. Bala bought a total of 35,000 shares at an average price of Rs. 131.71 on 27th and 28th March, 2008 and sold them on 10th April, 2008 at an average price of Rs. 219.94. This trading was allegedly done on the basis of unpublished price sensitive information ('UPSI') available with Mr. Amrut Ali to the effect that Solrex is going to invest large amounts in the shares of the Orchid. The decision to this effect was available on 20th March, 2008 when the Board of directors met. No other trading was done in Mrs. Bala's demat account. Solrex actually made large investments in the shares of Orchid from 31st March, 2008 onward. Discuss the liability of Mr. Amrut Ali and Mrs. Bala Ali under insider trading regulations.

- b. Discuss the process adopted by Venture Capital Funds for making investment in an undertaking.

2 X 5=10 Marks

SECTION - B

2. Critically evaluate the following statement: "The role of regulators is dismal in investor protection".
3. Define Credit Rating Agencies and Merchant Bankers. Discuss the regulations which regulate the conduct of these intermediaries.

15 X 1=15 Marks

SECTION - C

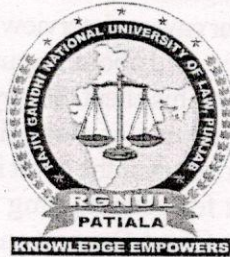
4. Differentiate between collective investment scheme, mutual funds and venture capital funds. Discuss the role of SEBI in regulating mutual funds.
5. What are the changes which have taken place under Foreign Exchange Management Act in comparison to its former counterpart? Discuss the scope and objectives of this Act.

15 X 1=15 Marks

Roll no. _____

RG/ET/12/5/17

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. ONE YEAR COURSE
END TERM EXAMINATION
MAY - 2017
SECOND SEMESTER
PAPER -IV: MEDIA LAW
(CONSTITUTIONAL LAW GROUP)
TIME DURATION: ONE AND HALF HOURS
MAXIMUM MARKS: FORTY (40)**

Note: Section-A is **compulsory** .

Attempt **one question** each from Section B and C

Section - A

1. Compulsory

Write short note on:

- a. Briefly explain the scope of Public order as restriction on freedom of press in India.
- b. Write a note on laws related to Broadcasting and Telecasting in India.

2x5=10 Marks

Contd.....P.2

Section - B

2. Unable to secure a judgment in favour of his client, a practicing Advocate Sanjay Kumar gave an interview to local news paper Dainik khabar, Patna where he said about imputing motives to the Judge decided the matter against his client. Sanjay Kumar said the judgment is biased of political nexus it is also affected by corrupt judicial practice. The Bar association of the court is now willing to file a case of contempt of court for scandalizing the Court and impairing confidence of public in Court. Suggest on the basis of decided cases.
3. ""Obscenity" is used to describe expressions (words, images and action) that offend the prevalent sexual morality. In order to ascertain whether the work in question falls foul of obscenity, the work must be seen as a whole, it must be seen whether it is literary merit or a preponderating social purpose, and among other things, whether the work meets contemporary standards."

In the light of above statement, elaborate the judicial interpretation of censorship on the ground of morality and decency.

15x1=15 Marks

Section - C

4. "The law in India regarding publications on social media is very clear and effective." The Information Technology Act, 2000 categorically makes liable if anyone post any incriminating or illegal content or material on social media". Critically examine the statement.
5. Write a short note on;
 - a) "The ethics for media is nothing but self-imposed obligations" critically analyse the statement in the light of functions of Press Council of India.
 - b) Broadcasting issues and challenges in India.

15x1=15 Marks
