

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB  
MOHINDRA KOTHI, THE MALL, PATIALA - 147 001**



**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: INDIAN CONSTITUTIONAL LAW  
-NEW CHALLENGES  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Constitutionalism'
  - (ii) Define 'Euthanasia'
  - (iii) 'Right to Die is not a fundamental right'. This was held by the Hon'ble Apex Court in which landmark case.
  - (iv) Explain the 'Creamy Layer' criteria laid down by the Supreme Court in Ashok Thakur vs Union of India.

- (v) Define 'Judicial Restraint'
- (vi) Define 'Office of Profit'
- (vii) What is the importance of Article 31-c of the Constitution.
- (viii) Mr. 'X' who was the owner of a residential house at Chandigarh was aggrieved as his house was acquired by the Government. Mr. 'X' files a Public Interest Litigation in the High Court challenging acquisition of his house. Will he succeed? Give very brief reasons to support your answer.
- (ix) Define 'Federalism'
- (x) What is the relevance of Article 37 of the Constitution.

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### Unit (I)

- (i) 'Can India be regarded as a truly federal state'? Explain.
- (ii) Write a short note on Article 370 of the Constitution.

#### Unit (II)

- (i) Write a short note on freedom of press viz-a-viz right to Privacy.
- (ii) Dual Citizenship is a misnomer in India. Explain.

#### Unit (III)

- (i) Write a short note on 'Right to Property' enshrined in the Constitution.
- (ii) Write a short note on the relevance of Schedule IX to the Constitution.

### Unit (IV)

- (i) Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation.
- (ii) 'Our constitution ensures Judicial Independence'. Explain.

### Unit (V)

- (i) Discuss the relation between Article 174 and Article 324 of the Constitution.
- (ii) Discuss the role of Election Commission in ensuring Free and Fair elections.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Discuss the role of Regional Parties and its effect on centre state relations.
- (ii) Discuss Elaborately the rights test laid down by the Hon'ble Supreme Court.
- (iii) Criminalisation of Politics has adversely affected the Democratic Process. Explain.
- (iv) Write a note on the following :
  - (a) Executive Accountability
  - (b) Judicial Accountability

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SUBJECT: JUDICIAL PROCESS  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Res-Judicate'
  - (ii) Define Doctrine of Prospective Overruling.
  - (iii) Define 'Obiter Dicta'
  - (iv) Explain 'Publicity' as a safeguard against delegated legislation.
  - (v) Define 'Summons'
  - (vi) Define 'Declaratory Precedents'

- (vii) Define 'Natural Justice'
- (viii) Explain 'Theory of Justice' propounded by John Rawls.
- (ix) Explain in brief as to how legislation can be regarded as an instrument of Social Ordering.
- (x) Explain 'Judges as Law makers'.

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### **Unit (I)**

- (i) What are the demerits attached to effective administration of Justice.
- (ii) Explain the following :
  - (a) Question of Law
  - (b) Question of Fact

#### **Unit (II)**

- (i) How does ignorance of Statute effect the force of Precedents.
- (ii) What are the Advantages of Legislation over Precedent.

#### **Unit (III)**

- (i) Explain as to how 'Dharma' can be regarded as the foundation of Legal Ordering in Indian Thought.
- (ii) Explain the various theoretical bases of Justice.

#### **Unit (IV)**

- (i) "Rule of Law is a dynamic concept". Explain.
- (ii) Explain the nature of Judicial Process.

#### **Unit (V)**

- (i) Explain the effect and impact of Maneka Gandhi vs Union of India.
- (ii) Explain the contribution of Ihering in Social Utilitarianism.

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Write Explanatory notes on the following :
  1. Origin & Development of the concept of Administration of Justice.
  2. Advantages and Kinds of Administration of Justice.
- (ii) Write Explanatory notes on the following :
  1. Kinds of Precedents.
  2. Original Law making theory.
  3. Dangers of Delegated Legislation.
- (iii) With the help of selected case laws explain the contribution of M.C Mehta in the development of effectiveness of Public Interest Litigations in India.
- (iv) Explain the 'Theory of Justice' given by John Rawls.

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**LL.M. SECOND SEMESTER  
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END TERM EXAMINATION  
SUBJECT: PRINCIPLES OF INTERNATIONAL  
CRIMINAL LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Concepts of International Criminal Law.
  - (ii) Sources of International Criminal Law.
  - (iii) General Theory of International Criminal Law.
  - (iv) Liability for Omission under International Criminal Law.
  - (v) When there is incitement to commit Genocide ?

- (vi) What are Crimes against humanity ?
- (vii) What are War Crimes ?
- (viii) What are protections for humanitarian operations during war ?
- (ix) What is Criminal Responsibility under customary International Law for Aggression ?
- (x) What are Penal Sanction for Crime of Aggression under International Criminal Law ?

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### **Unit (I)**

- (i) Write a note on Historical developments of International Criminal Law.
- (ii) Explain rules of interpretation of International Criminal Law .

#### **Unit (II)**

- (i) Explain the grounds of exclusion of liability under International Criminal Law.
- (ii) Discuss the Superior Responsibility under International Criminal Law.

#### **Unit (III)**

- (i) Explain the material elements of the Genocide.
- (ii) Discuss the liability for attack on civilian population.

#### **Unit (IV)**

- (i) Discuss War Crime against person.
- (ii) Explain overall requirements for liability for War Crimes.

#### **Unit (V)**

- (i) Discuss prohibition on aggression under International Law.
- (ii) What are Penal Sanctions for Crime of aggression under International Criminal Law.?

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) What do you understand by Universal Jurisdiction with reference to International Criminal Law ? Also explain duty to prosecute for International Crime.
- (ii) Discuss the prohibitions on Warfare against humanitarian operations.
- (iii) What is Genocide.? How this Crime is dealt under International Criminal Law.?
- (iv) What is Crime of Aggression ? How Crime of Aggression is dealt under Statute of International Criminal Court Statute.

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**LL.M. SECOND SEMESTER  
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END TERM EXAMINATION  
SUBJECT: STUDY OF EMERGING AREAS OF  
CRIMINALITY  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**.

Write a brief note on the following :

- (i) Pornography
- (ii) Infanticide
- (iii) White Collar Crimes
- (iv) Money Laundering

- (v) Drug Abuse
- (vi) Trafficking in drugs
- (vii) Terrorist Act
- (viii) Transnational Terrorism
- (ix) Cyber Crimes
- (x) Cyber Criminals

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### Unit (I)

- (i) Discuss custodial rape.
- (ii) Discuss Criminal liability for Domestic violence.

#### Unit (II)

- (i) What are different Kinds of organized Crimes presently prevalent in the Society ?
- (ii) Discuss Nature and Scope of White Collar Crimes.

#### Unit (III)

- (i) Discuss the penal provisions under the Narcotic Drugs and Psychotomimetic Substances Act, regarding possession of small quantity of prohibited drugs.
- (ii) Discuss the National and International dimensions of Trafficking in drugs.

#### Unit (IV)

- (i) What are different means to effectively handle terrorism ?
- (ii) Discuss various manifestations of terrorism with reference to activities of Terrorist groups and organizations.

### Unit (V)

- (i) Discuss the Jurisdictional issues in handling the Cyber Crimes.
- (ii) Explain difficulties in detection and investigation of Cyber Crimes.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) Discuss Criminal Liability for Custodial Rape. Do you agree that Custodial Rape needs to be dealt differently under Law ?
- (ii) Explain the Legal mechanism to deal with drug trafficking under NDPS Act.
- (iii) Discuss the liability of a Public Servant accepting illegal gratification.
- (iv) Explain briefly the offences under the IT Act, 2000. What are the other Cyber Crimes which are not covered under this Act ?



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-NEW CHALLENGES  
TIME DURATION: THREE HOURS  
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**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Constitutionalism'
  - (ii) Define 'Euthanasia'
  - (iii) 'Right to Die is not a fundamental right'. This was held by the Hon'ble Apex Court in which landmark case.
  - (iv) Explain the 'Creamy Layer' criteria laid down by the Supreme Court in Ashok Thakur vs Union of India.

- (v) Define 'Judicial Restraint'
- (vi) Define 'Office of Profit'
- (vii) What is the importance of Article 31-c of the Constitution.
- (viii) Mr. 'X' who was the owner of a residential house at Chandigarh was aggrieved as his house was acquired by the Government. Mr. 'X' files a Public Interest Litigation in the High Court challenging acquisition of his house. Will he succeed? Give very brief reasons to support your answer.
- (ix) Define 'Federalism'
- (x) What is the relevance of Article 37 of the Constitution.

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### Unit (I)

- (i) 'Can India be regarded as a truly federal state'? Explain.
- (ii) Write a short note on Article 370 of the Constitution.

#### Unit (II)

- (i) Write a short note on freedom of press viz-a-viz right to Privacy.
- (ii) Dual Citizenship is a misnomer in India. Explain.

#### Unit (III)

- (i) Write a short note on 'Right to Property' enshrined in the Constitution.
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### Unit (IV)

- (i) Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation.
- (ii) 'Our constitution ensures Judicial Independence'. Explain.

### Unit (V)

- (i) Discuss the relation between Article 174 and Article 324 of the Constitution.
- (ii) Discuss the role of Election Commission in ensuring Free and Fair elections.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Discuss the role of Regional Parties and its effect on centre state relations.
- (ii) Discuss Elaborately the rights test laid down by the Hon'ble Supreme Court.
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**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Res-Judicate'
  - (ii) Define Doctrine of Prospective Overruling.
  - (iii) Define 'Obiter Dicta'
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  - (v) Define 'Summons'
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- (vii) Define 'Natural Justice'
- (viii) Explain 'Theory of Justice' propounded by John Rawls.
- (ix) Explain in brief as to how legislation can be regarded as an instrument of Social Ordering.
- (x) Explain 'Judges as Law makers'.

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### **Unit (I)**

- (i) What are the demerits attached to effective administration of Justice.
- (ii) Explain the following :
  - (a) Question of Law
  - (b) Question of Fact

#### **Unit (II)**

- (i) How does ignorance of Statute effect the force of Precedents.
- (ii) What are the Advantages of Legislation over Precedent.

#### **Unit (III)**

- (i) Explain as to how 'Dharma' can be regarded as the foundation of Legal Ordering in Indian Thought.
- (ii) Explain the various theoretical bases of Justice.

#### **Unit (IV)**

- (i) "Rule of Law is a dynamic concept". Explain.
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#### **Unit (V)**

- (i) Explain the effect and impact of Maneka Gandhi vs Union of India.
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- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Write Explanatory notes on the following :
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- (x) What are Penal Sanction for Crime of Aggression under International Criminal Law ?

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### **Unit (I)**

- (i) Write a note on Historical developments of International Criminal Law.
- (ii) Explain rules of interpretation of International Criminal Law .

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- (i) Explain the grounds of exclusion of liability under International Criminal Law.
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- (v) Drug Abuse
- (vi) Trafficking in drugs
- (vii) Terrorist Act
- (viii) Transnational Terrorism
- (ix) Cyber Crimes
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### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### Unit (I)

- (i) Discuss custodial rape.
- (ii) Discuss Criminal liability for Domestic violence.

#### Unit (II)

- (i) What are different Kinds of organized Crimes presently prevalent in the Society ?
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- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
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### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section.  
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#### Unit (I)

- (i) 'Can India be regarded as a truly federal state'? Explain.
- (ii) Write a short note on Article 370 of the Constitution.

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- (i) Write a short note on freedom of press viz-a-viz right to Privacy.
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- (ii) Discuss Elaborately the rights test laid down by the Hon'ble Supreme Court.
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**Section (A)**

- (1) Attempt **All Questions** from this **Section**. Each question carries **2 marks**
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### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### **Unit (I)**

- (i) What are the demerits attached to effective administration of Justice.
- (ii) Explain the following :
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#### **Unit (II)**

- (i) How does ignorance of Statute effect the force of Precedents.
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- (i) Explain as to how 'Dharma' can be regarded as the foundation of Legal Ordering in Indian Thought.
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- (i) "Rule of Law is a dynamic concept". Explain.
- (ii) Explain the nature of Judicial Process.

#### **Unit (V)**

- (i) Explain the effect and impact of Maneka Gandhi vs Union of India.
- (ii) Explain the contribution of Ihering in Social Utilitarianism.

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Write Explanatory notes on the following :
  1. Origin & Development of the concept of Administration of Justice.
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**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
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#### **Unit (I)**

- (i) Write a note on Historical developments of International Criminal Law.
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- (i) Explain the material elements of the Genocide.
- (ii) Discuss the liability for attack on civilian population.

#### **Unit (IV)**

- (i) Discuss War Crime against person.
- (ii) Explain overall requirements for liability for War Crimes.

#### **Unit (V)**

- (i) Discuss prohibition on aggression under International Law.
- (ii) What are Penal Sanctions for Crime of aggression under International Criminal Law.?

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) What do you understand by Universal Jurisdiction with reference to International Criminal Law ? Also explain duty to prosecute for International Crime.
- (ii) Discuss the prohibitions on War fare against humanitarian operations.
- (iii) What is Genocide.? How this Crime is dealt under International Criminal Law.?
- (iv) What is Crime of Aggression ? How Crime of Aggression is dealt under Statute of International Criminal Court Statute.

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB  
MOHINDRA KOTHI, THE MALL, PATIALA - 147 001**



**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: STUDY OF EMERGING AREAS OF  
CRIMINALITY  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**.

Write a brief note on the following :

- (i) Pornography
- (ii) Infanticide
- (iii) White Collar Crimes
- (iv) Money Laundering

- (v) Drug Abuse
- (vi) Trafficking in drugs
- (vii) Terrorist Act
- (viii) Transnational Terrorism
- (ix) Cyber Crimes
- (x) Cyber Criminals

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### Unit (I)

- (i) Discuss custodial rape.
- (ii) Discuss Criminal liability for Domestic violence.

#### Unit (II)

- (i) What are different Kinds of organized Crimes presently prevalent in the Society ?
- (ii) Discuss Nature and Scope of White Collar Crimes.

#### Unit (III)

- (i) Discuss the penal provisions under the Narcotic Drugs and Psychotomimetic Substances Act, regarding possession of small quantity of prohibited drugs.
- (ii) Discuss the National and International dimensions of Trafficking in drugs.

#### Unit (IV)

- (i) What are different means to effectively handle terrorism ?
- (ii) Discuss various manifestations of terrorism with reference to activities of Terrorist groups and organizations.

### Unit (V)

- (i) Discuss the Jurisdictional issues in handling the Cyber Crimes.
- (ii) Explain difficulties in detection and investigation of Cyber Crimes.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) Discuss Criminal Liability for Custodial Rape. Do you agree that Custodial Rape needs to be dealt differently under Law ?
- (ii) Explain the Legal mechanism to deal with drug trafficking under NDPS Act.
- (iii) Discuss the liability of a Public Servant accepting illegal gratification.
- (iv) Explain briefly the offences under the IT Act, 2000. What are the other Cyber Crimes which are not covered under this Act ?



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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: INDIAN CONSTITUTIONAL LAW  
-NEW CHALLENGES  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Constitutionalism'
  - (ii) Define 'Euthanasia'
  - (iii) 'Right to Die is not a fundamental right'. This was held by the Hon'ble Apex Court in which landmark case.
  - (iv) Explain the 'Creamy Layer' criteria laid down by the Supreme Court in Ashok Thakur vs Union of India.

- (v) Define 'Judicial Restraint'
- (vi) Define 'Office of Profit'
- (vii) What is the importance of Article 31-c of the Constitution.
- (viii) Mr. 'X' who was the owner of a residential house at Chandigarh was aggrieved as his house was acquired by the Government. Mr. 'X' files a Public Interest Litigation in the High Court challenging acquisition of his house. Will he succeed? Give very brief reasons to support your answer.
- (ix) Define 'Federalism'
- (x) What is the relevance of Article 37 of the Constitution.

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### Unit (I)

- (i) 'Can India be regarded as a truly federal state'? Explain.
- (ii) Write a short note on Article 370 of the Constitution.

#### Unit (II)

- (i) Write a short note on freedom of press viz-a-viz right to Privacy.
- (ii) Dual Citizenship is a misnomer in India. Explain.

#### Unit (III)

- (i) Write a short note on 'Right to Property' enshrined in the Constitution.
- (ii) Write a short note on the relevance of Schedule IX to the Constitution.

### Unit (IV)

- (i) Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation.
- (ii) 'Our constitution ensures Judicial Independence'. Explain.

### Unit (V)

- (i) Discuss the relation between Article 174 and Article 324 of the Constitution.
- (ii) Discuss the role of Election Commission in ensuring Free and Fair elections.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Discuss the role of Regional Parties and its effect on centre state relations.
- (ii) Discuss Elaborately the rights test laid down by the Hon'ble Supreme Court.
- (iii) Criminalisation of Politics has adversely affected the Democratic Process. Explain.
- (iv) Write a note on the following :
  - (a) Executive Accountability
  - (b) Judicial Accountability

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: JUDICIAL PROCESS  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Res-Judicate'
  - (ii) Define Doctrine of Prospective Overruling.
  - (iii) Define 'Obiter Dicta'
  - (iv) Explain 'Publicity' as a safeguard against delegated legislation.
  - (v) Define 'Summons'
  - (vi) Define 'Declaratory Precedents'

- (vii) Define 'Natural Justice'
- (viii) Explain 'Theory of Justice' propounded by John Rawls.
- (ix) Explain in brief as to how legislation can be regarded as an instrument of Social Ordering.
- (x) Explain 'Judges as Law makers'.

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### **Unit (I)**

- (i) What are the demerits attached to effective administration of Justice.
- (ii) Explain the following :
  - (a) Question of Law
  - (b) Question of Fact

#### **Unit (II)**

- (i) How does ignorance of Statute effect the force of Precedents.
- (ii) What are the Advantages of Legislation over Precedent.

#### **Unit (III)**

- (i) Explain as to how 'Dharma' can be regarded as the foundation of Legal Ordering in Indian Thought.
- (ii) Explain the various theoretical bases of Justice.

#### **Unit (IV)**

- (i) "Rule of Law is a dynamic concept". Explain.
- (ii) Explain the nature of Judicial Process.

#### **Unit (V)**

- (i) Explain the effect and impact of Maneka Gandhi vs Union of India.
- (ii) Explain the contribution of Ihering in Social Utilitarianism.

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Write Explanatory notes on the following :
  1. Origin & Development of the concept of Administration of Justice.
  2. Advantages and Kinds of Administration of Justice.
- (ii) Write Explanatory notes on the following :
  1. Kinds of Precedents.
  2. Original Law making theory.
  3. Dangers of Delegated Legislation.
- (iii) With the help of selected case laws explain the contribution of M.C Mehta in the development of effectiveness of Public Interest Litigations in India.
- (iv) Explain the 'Theory of Justice' given by John Rawls.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: PRINCIPLES OF INTERNATIONAL  
CRIMINAL LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Concepts of International Criminal Law.
  - (ii) Sources of International Criminal Law.
  - (iii) General Theory of International Criminal Law.
  - (iv) Liability for Omission under International Criminal Law.
  - (v) When there is incitement to commit Genocide ?

- (vi) What are Crimes against humanity ?
- (vii) What are War Crimes ?
- (viii) What are protections for humanitarian operations during war ?
- (ix) What is Criminal Responsibility under customary International Law for Aggression ?
- (x) What are Penal Sanction for Crime of Aggression under International Criminal Law ?

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### **Unit (I)**

- (i) Write a note on Historical developments of International Criminal Law.
- (ii) Explain rules of interpretation of International Criminal Law .

#### **Unit (II)**

- (i) Explain the grounds of exclusion of liability under International Criminal Law.
- (ii) Discuss the Superior Responsibility under International Criminal Law.

#### **Unit (III)**

- (i) Explain the material elements of the Genocide.
- (ii) Discuss the liability for attack on civilian population.

#### **Unit (IV)**

- (i) Discuss War Crime against person.
- (ii) Explain overall requirements for liability for War Crimes.

#### **Unit (V)**

- (i) Discuss prohibition on aggression under International Law.
- (ii) What are Penal Sanctions for Crime of aggression under International Criminal Law.?

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) What do you understand by Universal Jurisdiction with reference to International Criminal Law ? Also explain duty to prosecute for International Crime.
- (ii) Discuss the prohibitions on Warfare against humanitarian operations.
- (iii) What is Genocide.? How this Crime is dealt under International Criminal Law.?
- (iv) What is Crime of Aggression ? How Crime of Aggression is dealt under Statute of International Criminal Court Statute.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: STUDY OF EMERGING AREAS OF  
CRIMINALITY  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**.

Write a brief note on the following :

- (i) Pornography
- (ii) Infanticide
- (iii) White Collar Crimes
- (iv) Money Laundering

- (v) Drug Abuse
- (vi) Trafficking in drugs
- (vii) Terrorist Act
- (viii) Transnational Terrorism
- (ix) Cyber Crimes
- (x) Cyber Criminals

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### Unit (I)

- (i) Discuss custodial rape.
- (ii) Discuss Criminal liability for Domestic violence.

#### Unit (II)

- (i) What are different Kinds of organized Crimes presently prevalent in the Society ?
- (ii) Discuss Nature and Scope of White Collar Crimes.

#### Unit (III)

- (i) Discuss the penal provisions under the Narcotic Drugs and Psychotomimetic Substances Act, regarding possession of small quantity of prohibited drugs.
- (ii) Discuss the National and International dimensions of Trafficking in drugs.

#### Unit (IV)

- (i) What are different means to effectively handle terrorism ?
- (ii) Discuss various manifestations of terrorism with reference to activities of Terrorist groups and organizations.

### Unit (V)

- (i) Discuss the Jurisdictional issues in handling the Cyber Crimes.
- (ii) Explain difficulties in detection and investigation of Cyber Crimes.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) Discuss Criminal Liability for Custodial Rape. Do you agree that Custodial Rape needs to be dealt differently under Law ?
- (ii) Explain the Legal mechanism to deal with drug trafficking under NDPS Act.
- (iii) Discuss the liability of a Public Servant accepting illegal gratification.
- (iv) Explain briefly the offences under the IT Act, 2000. What are the other Cyber Crimes which are not covered under this Act ?



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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: INDIAN CONSTITUTIONAL LAW  
-NEW CHALLENGES  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Constitutionalism'
  - (ii) Define 'Euthanasia'
  - (iii) 'Right to Die is not a fundamental right'. This was held by the Hon'ble Apex Court in which landmark case.
  - (iv) Explain the 'Creamy Layer' criteria laid down by the Supreme Court in Ashok Thakur vs Union of India.

- (v) Define 'Judicial Restraint'
- (vi) Define 'Office of Profit'
- (vii) What is the importance of Article 31-c of the Constitution.
- (viii) Mr. 'X' who was the owner of a residential house at Chandigarh was aggrieved as his house was acquired by the Government. Mr. 'X' files a Public Interest Litigation in the High Court challenging acquisition of his house. Will he succeed? Give very brief reasons to support your answer.
- (ix) Define 'Federalism'
- (x) What is the relevance of Article 37 of the Constitution.

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### Unit (I)

- (i) 'Can India be regarded as a truly federal state'? Explain.
- (ii) Write a short note on Article 370 of the Constitution.

#### Unit (II)

- (i) Write a short note on freedom of press viz-a-viz right to Privacy.
- (ii) Dual Citizenship is a misnomer in India. Explain.

#### Unit (III)

- (i) Write a short note on 'Right to Property' enshrined in the Constitution.
- (ii) Write a short note on the relevance of Schedule IX to the Constitution.

### Unit (IV)

- (i) Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation.
- (ii) 'Our constitution ensures Judicial Independence'. Explain.

### Unit (V)

- (i) Discuss the relation between Article 174 and Article 324 of the Constitution.
- (ii) Discuss the role of Election Commission in ensuring Free and Fair elections.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Discuss the role of Regional Parties and its effect on centre state relations.
- (ii) Discuss Elaborately the rights test laid down by the Hon'ble Supreme Court.
- (iii) Criminalisation of Politics has adversely affected the Democratic Process. Explain.
- (iv) Write a note on the following :
  - (a) Executive Accountability
  - (b) Judicial Accountability

**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB  
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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: JUDICIAL PROCESS  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Res-Judicate'
  - (ii) Define Doctrine of Prospective Overruling.
  - (iii) Define 'Obiter Dicta'
  - (iv) Explain 'Publicity' as a safeguard against delegated legislation.
  - (v) Define 'Summons'
  - (vi) Define 'Declaratory Precedents'

- (vii) Define 'Natural Justice'
- (viii) Explain 'Theory of Justice' propounded by John Rawls.
- (ix) Explain in brief as to how legislation can be regarded as an instrument of Social Ordering.
- (x) Explain 'Judges as Law makers'.

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### **Unit (I)**

- (i) What are the demerits attached to effective administration of Justice.
- (ii) Explain the following :
  - (a) Question of Law
  - (b) Question of Fact

#### **Unit (II)**

- (i) How does ignorance of Statute effect the force of Precedents.
- (ii) What are the Advantages of Legislation over Precedent.

#### **Unit (III)**

- (i) Explain as to how 'Dharma' can be regarded as the foundation of Legal Ordering in Indian Thought.
- (ii) Explain the various theoretical bases of Justice.

#### **Unit (IV)**

- (i) "Rule of Law is a dynamic concept". Explain.
- (ii) Explain the nature of Judicial Process.

#### **Unit (V)**

- (i) Explain the effect and impact of Maneka Gandhi vs Union of India.
- (ii) Explain the contribution of Ihering in Social Utilitarianism.

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Write Explanatory notes on the following :
  1. Origin & Development of the concept of Administration of Justice.
  2. Advantages and Kinds of Administration of Justice.
- (ii) Write Explanatory notes on the following :
  1. Kinds of Precedents.
  2. Original Law making theory.
  3. Dangers of Delegated Legislation.
- (iii) With the help of selected case laws explain the contribution of M.C Mehta in the development of effectiveness of Public Interest Litigations in India.
- (iv) Explain the 'Theory of Justice' given by John Rawls.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: PRINCIPLES OF INTERNATIONAL  
CRIMINAL LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Concepts of International Criminal Law.
  - (ii) Sources of International Criminal Law.
  - (iii) General Theory of International Criminal Law.
  - (iv) Liability for Omission under International Criminal Law.
  - (v) When there is incitement to commit Genocide ?

- (vi) What are Crimes against humanity ?
- (vii) What are War Crimes ?
- (viii) What are protections for humanitarian operations during war ?
- (ix) What is Criminal Responsibility under customary International Law for Aggression ?
- (x) What are Penal Sanction for Crime of Aggression under International Criminal Law ?

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### **Unit (I)**

- (i) Write a note on Historical developments of International Criminal Law.
- (ii) Explain rules of interpretation of International Criminal Law .

#### **Unit (II)**

- (i) Explain the grounds of exclusion of liability under International Criminal Law.
- (ii) Discuss the Superior Responsibility under International Criminal Law.

#### **Unit (III)**

- (i) Explain the material elements of the Genocide.
- (ii) Discuss the liability for attack on civilian population.

#### **Unit (IV)**

- (i) Discuss War Crime against person.
- (ii) Explain overall requirements for liability for War Crimes.

#### **Unit (V)**

- (i) Discuss prohibition on aggression under International Law.
- (ii) What are Penal Sanctions for Crime of aggression under International Criminal Law.?

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) What do you understand by Universal Jurisdiction with reference to International Criminal Law ? Also explain duty to prosecute for International Crime.
- (ii) Discuss the prohibitions on Warfare against humanitarian operations.
- (iii) What is Genocide.? How this Crime is dealt under International Criminal Law.?
- (iv) What is Crime of Aggression ? How Crime of Aggression is dealt under Statute of International Criminal Court Statute.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: STUDY OF EMERGING AREAS OF  
CRIMINALITY  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**.

Write a brief note on the following :

- (i) Pornography
- (ii) Infanticide
- (iii) White Collar Crimes
- (iv) Money Laundering

- (v) Drug Abuse
- (vi) Trafficking in drugs
- (vii) Terrorist Act
- (viii) Transnational Terrorism
- (ix) Cyber Crimes
- (x) Cyber Criminals

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### Unit (I)

- (i) Discuss custodial rape.
- (ii) Discuss Criminal liability for Domestic violence.

#### Unit (II)

- (i) What are different Kinds of organized Crimes presently prevalent in the Society ?
- (ii) Discuss Nature and Scope of White Collar Crimes.

#### Unit (III)

- (i) Discuss the penal provisions under the Narcotic Drugs and Psychotomimetic Substances Act, regarding possession of small quantity of prohibited drugs.
- (ii) Discuss the National and International dimensions of Trafficking in drugs.

#### Unit (IV)

- (i) What are different means to effectively handle terrorism ?
- (ii) Discuss various manifestations of terrorism with reference to activities of Terrorist groups and organizations.

### Unit (V)

- (i) Discuss the Jurisdictional issues in handling the Cyber Crimes.
- (ii) Explain difficulties in detection and investigation of Cyber Crimes.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) Discuss Criminal Liability for Custodial Rape. Do you agree that Custodial Rape needs to be dealt differently under Law ?
- (ii) Explain the Legal mechanism to deal with drug trafficking under NDPS Act.
- (iii) Discuss the liability of a Public Servant accepting illegal gratification.
- (iv) Explain briefly the offences under the IT Act, 2000. What are the other Cyber Crimes which are not covered under this Act ?



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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: INDIAN CONSTITUTIONAL LAW  
-NEW CHALLENGES  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Constitutionalism'
  - (ii) Define 'Euthanasia'
  - (iii) 'Right to Die is not a fundamental right'. This was held by the Hon'ble Apex Court in which landmark case.
  - (iv) Explain the 'Creamy Layer' criteria laid down by the Supreme Court in Ashok Thakur vs Union of India.

- (v) Define 'Judicial Restraint'
- (vi) Define 'Office of Profit'
- (vii) What is the importance of Article 31-c of the Constitution.
- (viii) Mr. 'X' who was the owner of a residential house at Chandigarh was aggrieved as his house was acquired by the Government. Mr. 'X' files a Public Interest Litigation in the High Court challenging acquisition of his house. Will he succeed? Give very brief reasons to support your answer.
- (ix) Define 'Federalism'
- (x) What is the relevance of Article 37 of the Constitution.

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### Unit (I)

- (i) 'Can India be regarded as a truly federal state'? Explain.
- (ii) Write a short note on Article 370 of the Constitution.

#### Unit (II)

- (i) Write a short note on freedom of press viz-a-viz right to Privacy.
- (ii) Dual Citizenship is a misnomer in India. Explain.

#### Unit (III)

- (i) Write a short note on 'Right to Property' enshrined in the Constitution.
- (ii) Write a short note on the relevance of Schedule IX to the Constitution.

### Unit (IV)

- (i) Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation.
- (ii) 'Our constitution ensures Judicial Independence'. Explain.

### Unit (V)

- (i) Discuss the relation between Article 174 and Article 324 of the Constitution.
- (ii) Discuss the role of Election Commission in ensuring Free and Fair elections.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Discuss the role of Regional Parties and its effect on centre state relations.
- (ii) Discuss Elaborately the rights test laid down by the Hon'ble Supreme Court.
- (iii) Criminalisation of Politics has adversely affected the Democratic Process. Explain.
- (iv) Write a note on the following :
  - (a) Executive Accountability
  - (b) Judicial Accountability

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: JUDICIAL PROCESS  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Res-Judicate'
  - (ii) Define Doctrine of Prospective Overruling.
  - (iii) Define 'Obiter Dicta'
  - (iv) Explain 'Publicity' as a safeguard against delegated legislation.
  - (v) Define 'Summons'
  - (vi) Define 'Declaratory Precedents'

- (vii) Define 'Natural Justice'
- (viii) Explain 'Theory of Justice' propounded by John Rawls.
- (ix) Explain in brief as to how legislation can be regarded as an instrument of Social Ordering.
- (x) Explain 'Judges as Law makers'.

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### **Unit (I)**

- (i) What are the demerits attached to effective administration of Justice.
- (ii) Explain the following :
  - (a) Question of Law
  - (b) Question of Fact

#### **Unit (II)**

- (i) How does ignorance of Statute effect the force of Precedents.
- (ii) What are the Advantages of Legislation over Precedent.

#### **Unit (III)**

- (i) Explain as to how 'Dharma' can be regarded as the foundation of Legal Ordering in Indian Thought.
- (ii) Explain the various theoretical bases of Justice.

#### **Unit (IV)**

- (i) "Rule of Law is a dynamic concept". Explain.
- (ii) Explain the nature of Judicial Process.

#### **Unit (V)**

- (i) Explain the effect and impact of Maneka Gandhi vs Union of India.
- (ii) Explain the contribution of Ihering in Social Utilitarianism.

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Write Explanatory notes on the following :
  1. Origin & Development of the concept of Administration of Justice.
  2. Advantages and Kinds of Administration of Justice.
- (ii) Write Explanatory notes on the following :
  1. Kinds of Precedents.
  2. Original Law making theory.
  3. Dangers of Delegated Legislation.
- (iii) With the help of selected case laws explain the contribution of M.C Mehta in the development of effectiveness of Public Interest Litigations in India.
- (iv) Explain the 'Theory of Justice' given by John Rawls.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: PRINCIPLES OF INTERNATIONAL  
CRIMINAL LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Concepts of International Criminal Law.
  - (ii) Sources of International Criminal Law.
  - (iii) General Theory of International Criminal Law.
  - (iv) Liability for Omission under International Criminal Law.
  - (v) When there is incitement to commit Genocide ?

- (vi) What are Crimes against humanity ?
- (vii) What are War Crimes ?
- (viii) What are protections for humanitarian operations during war ?
- (ix) What is Criminal Responsibility under customary International Law for Aggression ?
- (x) What are Penal Sanction for Crime of Aggression under International Criminal Law ?

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### **Unit (I)**

- (i) Write a note on Historical developments of International Criminal Law.
- (ii) Explain rules of interpretation of International Criminal Law .

#### **Unit (II)**

- (i) Explain the grounds of exclusion of liability under International Criminal Law.
- (ii) Discuss the Superior Responsibility under International Criminal Law.

#### **Unit (III)**

- (i) Explain the material elements of the Genocide.
- (ii) Discuss the liability for attack on civilian population.

#### **Unit (IV)**

- (i) Discuss War Crime against person.
- (ii) Explain overall requirements for liability for War Crimes.

#### **Unit (V)**

- (i) Discuss prohibition on aggression under International Law.
- (ii) What are Penal Sanctions for Crime of aggression under International Criminal Law.?

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) What do you understand by Universal Jurisdiction with reference to International Criminal Law ? Also explain duty to prosecute for International Crime.
- (ii) Discuss the prohibitions on War fare against humanitarian operations.
- (iii) What is Genocide.? How this Crime is dealt under International Criminal Law.?
- (iv) What is Crime of Aggression ? How Crime of Aggression is dealt under Statute of International Criminal Court Statute.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: STUDY OF EMERGING AREAS OF  
CRIMINALITY  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**.

Write a brief note on the following :

- (i) Pornography
- (ii) Infanticide
- (iii) White Collar Crimes
- (iv) Money Laundering

- (v) Drug Abuse
- (vi) Trafficking in drugs
- (vii) Terrorist Act
- (viii) Transnational Terrorism
- (ix) Cyber Crimes
- (x) Cyber Criminals

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### Unit (I)

- (i) Discuss custodial rape.
- (ii) Discuss Criminal liability for Domestic violence.

#### Unit (II)

- (i) What are different Kinds of organized Crimes presently prevalent in the Society ?
- (ii) Discuss Nature and Scope of White Collar Crimes.

#### Unit (III)

- (i) Discuss the penal provisions under the Narcotic Drugs and Psychotomimetic Substances Act, regarding possession of small quantity of prohibited drugs.
- (ii) Discuss the National and International dimensions of Trafficking in drugs.

#### Unit (IV)

- (i) What are different means to effectively handle terrorism ?
- (ii) Discuss various manifestations of terrorism with reference to activities of Terrorist groups and organizations.

### Unit (V)

- (i) Discuss the Jurisdictional issues in handling the Cyber Crimes.
- (ii) Explain difficulties in detection and investigation of Cyber Crimes.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) Discuss Criminal Liability for Custodial Rape. Do you agree that Custodial Rape needs to be dealt differently under Law ?
- (ii) Explain the Legal mechanism to deal with drug trafficking under NDPS Act.
- (iii) Discuss the liability of a Public Servant accepting illegal gratification.
- (iv) Explain briefly the offences under the IT Act, 2000. What are the other Cyber Crimes which are not covered under this Act ?



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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: INDIAN CONSTITUTIONAL LAW  
-NEW CHALLENGES  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Constitutionalism'
  - (ii) Define 'Euthanasia'
  - (iii) 'Right to Die is not a fundamental right'. This was held by the Hon'ble Apex Court in which landmark case.
  - (iv) Explain the 'Creamy Layer' criteria laid down by the Supreme Court in Ashok Thakur vs Union of India.

- (v) Define 'Judicial Restraint'
- (vi) Define 'Office of Profit'
- (vii) What is the importance of Article 31-c of the Constitution.
- (viii) Mr. 'X' who was the owner of a residential house at Chandigarh was aggrieved as his house was acquired by the Government. Mr. 'X' files a Public Interest Litigation in the High Court challenging acquisition of his house. Will he succeed? Give very brief reasons to support your answer.
- (ix) Define 'Federalism'
- (x) What is the relevance of Article 37 of the Constitution.

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### Unit (I)

- (i) 'Can India be regarded as a truly federal state'? Explain.
- (ii) Write a short note on Article 370 of the Constitution.

#### Unit (II)

- (i) Write a short note on freedom of press viz-a-viz right to Privacy.
- (ii) Dual Citizenship is a misnomer in India. Explain.

#### Unit (III)

- (i) Write a short note on 'Right to Property' enshrined in the Constitution.
- (ii) Write a short note on the relevance of Schedule IX to the Constitution.

### Unit (IV)

- (i) Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation.
- (ii) 'Our constitution ensures Judicial Independence'. Explain.

### Unit (V)

- (i) Discuss the relation between Article 174 and Article 324 of the Constitution.
- (ii) Discuss the role of Election Commission in ensuring Free and Fair elections.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Discuss the role of Regional Parties and its effect on centre state relations.
- (ii) Discuss Elaborately the rights test laid down by the Hon'ble Supreme Court.
- (iii) Criminalisation of Politics has adversely affected the Democratic Process. Explain.
- (iv) Write a note on the following :
  - (a) Executive Accountability
  - (b) Judicial Accountability

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: JUDICIAL PROCESS  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Res-Judicate'
  - (ii) Define Doctrine of Prospective Overruling.
  - (iii) Define 'Obiter Dicta'
  - (iv) Explain 'Publicity' as a safeguard against delegated legislation.
  - (v) Define 'Summons'
  - (vi) Define 'Declaratory Precedents'

- (vii) Define 'Natural Justice'
- (viii) Explain 'Theory of Justice' propounded by John Rawls.
- (ix) Explain in brief as to how legislation can be regarded as an instrument of Social Ordering.
- (x) Explain 'Judges as Law makers'.

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### **Unit (I)**

- (i) What are the demerits attached to effective administration of Justice.
- (ii) Explain the following :
  - (a) Question of Law
  - (b) Question of Fact

#### **Unit (II)**

- (i) How does ignorance of Statute effect the force of Precedents.
- (ii) What are the Advantages of Legislation over Precedent.

#### **Unit (III)**

- (i) Explain as to how 'Dharma' can be regarded as the foundation of Legal Ordering in Indian Thought.
- (ii) Explain the various theoretical bases of Justice.

#### **Unit (IV)**

- (i) "Rule of Law is a dynamic concept". Explain.
- (ii) Explain the nature of Judicial Process.

#### **Unit (V)**

- (i) Explain the effect and impact of Maneka Gandhi vs Union of India.
- (ii) Explain the contribution of Ihering in Social Utilitarianism.

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Write Explanatory notes on the following :
  1. Origin & Development of the concept of Administration of Justice.
  2. Advantages and Kinds of Administration of Justice.
- (ii) Write Explanatory notes on the following :
  1. Kinds of Precedents.
  2. Original Law making theory.
  3. Dangers of Delegated Legislation.
- (iii) With the help of selected case laws explain the contribution of M.C Mehta in the development of effectiveness of Public Interest Litigations in India.
- (iv) Explain the 'Theory of Justice' given by John Rawls.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: PRINCIPLES OF INTERNATIONAL  
CRIMINAL LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Concepts of International Criminal Law.
  - (ii) Sources of International Criminal Law.
  - (iii) General Theory of International Criminal Law.
  - (iv) Liability for Omission under International Criminal Law.
  - (v) When there is incitement to commit Genocide ?

- (vi) What are Crimes against humanity ?
- (vii) What are War Crimes ?
- (viii) What are protections for humanitarian operations during war ?
- (ix) What is Criminal Responsibility under customary International Law for Aggression ?
- (x) What are Penal Sanction for Crime of Aggression under International Criminal Law ?

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### **Unit (I)**

- (i) Write a note on Historical developments of International Criminal Law.
- (ii) Explain rules of interpretation of International Criminal Law .

#### **Unit (II)**

- (i) Explain the grounds of exclusion of liability under International Criminal Law.
- (ii) Discuss the Superior Responsibility under International Criminal Law.

#### **Unit (III)**

- (i) Explain the material elements of the Genocide.
- (ii) Discuss the liability for attack on civilian population.

#### **Unit (IV)**

- (i) Discuss War Crime against person.
- (ii) Explain overall requirements for liability for War Crimes.

#### **Unit (V)**

- (i) Discuss prohibition on aggression under International Law.
- (ii) What are Penal Sanctions for Crime of aggression under International Criminal Law.?

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) What do you understand by Universal Jurisdiction with reference to International Criminal Law ? Also explain duty to prosecute for International Crime.
- (ii) Discuss the prohibitions on War fare against humanitarian operations.
- (iii) What is Genocide.? How this Crime is dealt under International Criminal Law.?
- (iv) What is Crime of Aggression ? How Crime of Aggression is dealt under Statute of International Criminal Court Statute.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: STUDY OF EMERGING AREAS OF  
CRIMINALITY  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**.

Write a brief note on the following :

- (i) Pornography
- (ii) Infanticide
- (iii) White Collar Crimes
- (iv) Money Laundering

- (v) Drug Abuse
- (vi) Trafficking in drugs
- (vii) Terrorist Act
- (viii) Transnational Terrorism
- (ix) Cyber Crimes
- (x) Cyber Criminals

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### Unit (I)

- (i) Discuss custodial rape.
- (ii) Discuss Criminal liability for Domestic violence.

#### Unit (II)

- (i) What are different Kinds of organized Crimes presently prevalent in the Society ?
- (ii) Discuss Nature and Scope of White Collar Crimes.

#### Unit (III)

- (i) Discuss the penal provisions under the Narcotic Drugs and Psychotomimetic Substances Act, regarding possession of small quantity of prohibited drugs.
- (ii) Discuss the National and International dimensions of Trafficking in drugs.

#### Unit (IV)

- (i) What are different means to effectively handle terrorism ?
- (ii) Discuss various manifestations of terrorism with reference to activities of Terrorist groups and organizations.

### Unit (V)

- (i) Discuss the Jurisdictional issues in handling the Cyber Crimes.
- (ii) Explain difficulties in detection and investigation of Cyber Crimes.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) Discuss Criminal Liability for Custodial Rape. Do you agree that Custodial Rape needs to be dealt differently under Law ?
- (ii) Explain the Legal mechanism to deal with drug trafficking under NDPS Act.
- (iii) Discuss the liability of a Public Servant accepting illegal gratification.
- (iv) Explain briefly the offences under the IT Act, 2000. What are the other Cyber Crimes which are not covered under this Act ?



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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: INDIAN CONSTITUTIONAL LAW  
-NEW CHALLENGES  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Constitutionalism'
  - (ii) Define 'Euthanasia'
  - (iii) 'Right to Die is not a fundamental right'. This was held by the Hon'ble Apex Court in which landmark case.
  - (iv) Explain the 'Creamy Layer' criteria laid down by the Supreme Court in Ashok Thakur vs Union of India.

- (v) Define 'Judicial Restraint'
- (vi) Define 'Office of Profit'
- (vii) What is the importance of Article 31-c of the Constitution.
- (viii) Mr. 'X' who was the owner of a residential house at Chandigarh was aggrieved as his house was acquired by the Government. Mr. 'X' files a Public Interest Litigation in the High Court challenging acquisition of his house. Will he succeed? Give very brief reasons to support your answer.
- (ix) Define 'Federalism'
- (x) What is the relevance of Article 37 of the Constitution.

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### Unit (I)

- (i) 'Can India be regarded as a truly federal state'? Explain.
- (ii) Write a short note on Article 370 of the Constitution.

#### Unit (II)

- (i) Write a short note on freedom of press viz-a-viz right to Privacy.
- (ii) Dual Citizenship is a misnomer in India. Explain.

#### Unit (III)

- (i) Write a short note on 'Right to Property' enshrined in the Constitution.
- (ii) Write a short note on the relevance of Schedule IX to the Constitution.

### Unit (IV)

- (i) Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation.
- (ii) 'Our constitution ensures Judicial Independence'. Explain.

### Unit (V)

- (i) Discuss the relation between Article 174 and Article 324 of the Constitution.
- (ii) Discuss the role of Election Commission in ensuring Free and Fair elections.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Discuss the role of Regional Parties and its effect on centre state relations.
- (ii) Discuss Elaborately the rights test laid down by the Hon'ble Supreme Court.
- (iii) Criminalisation of Politics has adversely affected the Democratic Process. Explain.
- (iv) Write a note on the following :
  - (a) Executive Accountability
  - (b) Judicial Accountability

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: JUDICIAL PROCESS  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Define 'Res-Judicate'
  - (ii) Define Doctrine of Prospective Overruling.
  - (iii) Define 'Obiter Dicta'
  - (iv) Explain 'Publicity' as a safeguard against delegated legislation.
  - (v) Define 'Summons'
  - (vi) Define 'Declaratory Precedents'

- (vii) Define 'Natural Justice'
- (viii) Explain 'Theory of Justice' propounded by John Rawls.
- (ix) Explain in brief as to how legislation can be regarded as an instrument of Social Ordering.
- (x) Explain 'Judges as Law makers'.

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section.  
Each Question carries **4 marks**

#### **Unit (I)**

- (i) What are the demerits attached to effective administration of Justice.
- (ii) Explain the following :
  - (a) Question of Law
  - (b) Question of Fact

#### **Unit (II)**

- (i) How does ignorance of Statute effect the force of Precedents.
- (ii) What are the Advantages of Legislation over Precedent.

#### **Unit (III)**

- (i) Explain as to how 'Dharma' can be regarded as the foundation of Legal Ordering in Indian Thought.
- (ii) Explain the various theoretical bases of Justice.

#### **Unit (IV)**

- (i) "Rule of Law is a dynamic concept". Explain.
- (ii) Explain the nature of Judicial Process.

#### **Unit (V)**

- (i) Explain the effect and impact of Maneka Gandhi vs Union of India.
- (ii) Explain the contribution of Ihering in Social Utilitarianism.

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**

- (i) Write Explanatory notes on the following :
  1. Origin & Development of the concept of Administration of Justice.
  2. Advantages and Kinds of Administration of Justice.
- (ii) Write Explanatory notes on the following :
  1. Kinds of Precedents.
  2. Original Law making theory.
  3. Dangers of Delegated Legislation.
- (iii) With the help of selected case laws explain the contribution of M.C Mehta in the development of effectiveness of Public Interest Litigations in India.
- (iv) Explain the 'Theory of Justice' given by John Rawls.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: PRINCIPLES OF INTERNATIONAL  
CRIMINAL LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**
- (i) Concepts of International Criminal Law.
  - (ii) Sources of International Criminal Law.
  - (iii) General Theory of International Criminal Law.
  - (iv) Liability for Omission under International Criminal Law.
  - (v) When there is incitement to commit Genocide ?

- (vi) What are Crimes against humanity ?
- (vii) What are War Crimes ?
- (viii) What are protections for humanitarian operations during war ?
- (ix) What is Criminal Responsibility under customary International Law for Aggression ?
- (x) What are Penal Sanction for Crime of Aggression under International Criminal Law ?

### **Section (B)**

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### **Unit (I)**

- (i) Write a note on Historical developments of International Criminal Law.
- (ii) Explain rules of interpretation of International Criminal Law .

#### **Unit (II)**

- (i) Explain the grounds of exclusion of liability under International Criminal Law.
- (ii) Discuss the Superior Responsibility under International Criminal Law.

#### **Unit (III)**

- (i) Explain the material elements of the Genocide.
- (ii) Discuss the liability for attack on civilian population.

#### **Unit (IV)**

- (i) Discuss War Crime against person.
- (ii) Explain overall requirements for liability for War Crimes.

#### **Unit (V)**

- (i) Discuss prohibition on aggression under International Law.
- (ii) What are Penal Sanctions for Crime of aggression under International Criminal Law.?

### **Section (C)**

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) What do you understand by Universal Jurisdiction with reference to International Criminal Law ? Also explain duty to prosecute for International Crime.
- (ii) Discuss the prohibitions on War fare against humanitarian operations.
- (iii) What is Genocide.? How this Crime is dealt under International Criminal Law.?
- (iv) What is Crime of Aggression ? How Crime of Aggression is dealt under Statute of International Criminal Court Statute.

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**LL.M. SECOND SEMESTER  
JULY - 2008  
END TERM EXAMINATION  
SUBJECT: STUDY OF EMERGING AREAS OF  
CRIMINALITY  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: SIXTY (60)**

**Note:** The **Question Paper** consists of **Three Sections - A, B and C.**

**Section (A)**

- (1) Attempt **All Questions** from this **Section** . Each question carries **2 marks**.

Write a brief note on the following :

- (i) Pornography
- (ii) Infanticide
- (iii) White Collar Crimes
- (iv) Money Laundering

- (v) Drug Abuse
- (vi) Trafficking in drugs
- (vii) Terrorist Act
- (viii) Transnational Terrorism
- (ix) Cyber Crimes
- (x) Cyber Criminals

### Section (B)

- (2) Attempt any **One Question** from **each Unit** of this Section. Each Question carries **4 marks**

#### Unit (I)

- (i) Discuss custodial rape.
- (ii) Discuss Criminal liability for Domestic violence.

#### Unit (II)

- (i) What are different Kinds of organized Crimes presently prevalent in the Society ?
- (ii) Discuss Nature and Scope of White Collar Crimes.

#### Unit (III)

- (i) Discuss the penal provisions under the Narcotic Drugs and Psychotomimetic Substances Act, regarding possession of small quantity of prohibited drugs.
- (ii) Discuss the National and International dimensions of Trafficking in drugs.

#### Unit (IV)

- (i) What are different means to effectively handle terrorism ?
- (ii) Discuss various manifestations of terrorism with reference to activities of Terrorist groups and organizations.

### Unit (V)

- (i) Discuss the Jurisdictional issues in handling the Cyber Crimes.
- (ii) Explain difficulties in detection and investigation of Cyber Crimes.

### Section (C)

- (3) Attempt any **Two Questions** from this **Section**. Each question carries **10 marks**.

- (i) Discuss Criminal Liability for Custodial Rape. Do you agree that Custodial Rape needs to be dealt differently under Law ?
- (ii) Explain the Legal mechanism to deal with drug trafficking under NDPS Act.
- (iii) Discuss the liability of a Public Servant accepting illegal gratification.
- (iv) Explain briefly the offences under the IT Act, 2000. What are the other Cyber Crimes which are not covered under this Act ?