

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

RG/ET/20/12/23

# RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**B.A.LL.B. (HONS.) FYIC  
FIFTH SEMESTER  
END TERM EXAMINATION  
DECEMBER -2023  
PAPER - VI: CORPORATE LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: EIGHTY (80)**

**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 **15 marks**.

## **Section - A**

1. **Write short note on:**
  - a. Punjab State Road Transport Corporation (PSRTC) was a company incorporated under the Companies Act, 1956 and sought exemption from taxation under Article 289 of the Constitution of India, which states that property and income of the State are exempted from taxation. As per this PSRTC claimed exemption, as it was owned by the State. Discuss and decide with the help of case laws whether a Government company is a department of Government and therefore exempted.
  - b. A company named Life Corporation of India Ltd. was incorporated under the Companies Act, 2013 in the year 2015. You are the lawyer for the company. Another company was incorporated by the name of New Life Insurance Corporation of India Ltd. Advise Life Corporation of India Ltd. whether it can seek injunction against New Life Corporation of India Ltd. for using the similar words on the grounds of causing confusion.

Contd.....P.2-

- c. XYZ Ltd. is a publicly listed company, and the Board of Directors is considering appointing an independent director. The company has recently faced some financial challenges, and there are concerns about corporate governance. As a legal advisor to XYZ Ltd., outline the key criteria and obligations outlined in the Companies Act 2013 for the appointment and functioning of independent directors.
- d. Discuss the different modes of winding up available under the Act and the circumstances under which each mode is applicable.

### **Section - B**

2. Mr. A is the promoter of XYZ Ltd., a company recently incorporated. The company has encountered financial irregularities, and there are allegations of fraudulent activities involving Mr. A. As a legal expert, you are consulted to advise on the liabilities of Mr. A under the Companies Act 2013. Examine the provisions of the Companies Act 2013 concerning the liabilities of promoters in situations involving financial irregularities and fraud. Discuss the legal recourse available to the company and its shareholders against Mr. A. Highlight any potential civil or criminal liabilities that Mr. A may face, and explain the process through which such liabilities are determined and enforced. Provide recommendations on how XYZ Ltd. can proceed legally to address the alleged fraudulent activities involving Mr. A, safeguard the interests of the company, and protect the rights of shareholders.
3. 'ABC Corporation Ltd., a prominent manufacturing company, has recently undergone significant expansion, leading to plans for an initial public offering (IPO). The board of the company is seeking legal advice on the requirements and obligations specific to being a public company under the Companies Act 2013. Analyze the distinctive provisions and obligations mandated for a public company under the Companies Act 2013. Outline the compliance requirements, governance structures, and disclosure norms that distinguish a public company from other types. Highlight the key steps and prerequisites ABC Corporation Ltd. needs to undertake in transitioning from a private to a public company. Address any regulatory challenges or complexities the company might encounter in this transformation and provide recommendations for ensuring a smooth transition while upholding legal and regulatory standards.

### **Section - C**

4. Explain the various types of prospectus under the Companies Act 2013. Differentiate between a red herring prospectus, a shelf prospectus, and a deemed prospectus. Provide examples of scenarios where each type of prospectus is commonly used and highlight the key features and regulatory considerations associated with each. Discuss the legal obligations and liabilities of the company and its directors in the context of these different types of prospectuses.
5. Write Short Notes on:
  - a. Steps for Incorporation of a Company
  - b. Doctrine of ultra-vires
  - c. Rights Issue and Bonus Issue
  - d. Transfer and Transmission of Securities
  - e. Lifting up of Corporate Veil

### **Section - D**

6. A company named Cousins and International Ltd. was incorporated under the Companies Act, 2013. The Annual General Meeting was to be held on 16 October 2022 at 0900 hours. The notice for the same was sent to all the members on 7 September 2022. Some of the members of the company raised the objection regarding the time period for the issue of the notice and challenged the validity of the meeting. Discuss and decide the following points:
  - a. Provisions and law regarding the convening of the Annual general Meeting of the Company?
  - b. Whether the meeting that was convened was valid or not?
  - c. Is there any shortfall regarding the number of days by which the notice falls short of?
  - e. Shortfall, if any, can be condoned?
7. ABC Ltd., a company incorporated under the Companies Act, 1956 proposed to distribute the dividends to its members without providing for depreciation on company's property. Under the Articles of Association of the company it was mentioned, "directors of the company are not bound to reserve money for renewal or replacement of assets". Discuss the following:

- a. With the help of case laws explain the concept of paying dividend to the members?
- b. Whether the act of ABC Ltd. i.e. payment out of deprecation is ultra vires to the provisions of the Act?
- c. Explain the concept of depreciation?

### **Section - E**

8. Kalinga Pvt. Ltd Co. was a private company and consisted of three group of shareholders i.e. the petitioner and two respondents holding the shares of the company in equal proportion and having equal representation on the Board. This balance between all three of them was agreed in writing but this was not incorporated in the AOA of the company. Later as some loan was required to be taken, the company was converted into public limited company. Further the company proposed to issue 40,000 more shares to raise the capital of the company. The two respondents decided to offer these shares to the outsiders rather than to the existing shareholders. The petitioner contended that they had offered these shares to their family and friends and the allotment was done malafide with the intention to increase their voting strength.

- a. Define oppression?
  - b. Discuss with the help of relevant case laws whether the petitioner in the present case would succeed in the proceedings?
9. "The Government in the backdrop of major failure of non-banking financial institutions, phenomenon of vanishing companies, plantation companies and the recent stock market scam has set up Serious Fraud Investigation Office (SFIO), a multi-disciplinary organization to investigate corporate frauds". Elucidate

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**B.A.LL.B. (HONS.) FYIC  
FIFTH SEMESTER  
END TERM EXAMINATION  
DECEMBER - 2023  
PAPER - I: INDIA'S FOREIGN POLICY  
(MAJOR- V)  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: EIGHTY (80)**

**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 15 marks.

**Section - A**

**1. Write short note on:**

- a. Do you think the Indo-China war of 1962 negated the Panchsheel principles?
- b. Discuss the impact of addition of six new members to BRICS.
- c. Discuss the interplay between National Interest and National Power.
- d. Discuss the impact of Russia-Ukraine War on India-Russia relations.

### **Section - B**

2. India's foreign policy choices have been shaped by various factors since independence. How have these factors evolved over time? What have been the defining moments in this evolution?
3. Cultural diplomacy has become India's go-to instrument of Foreign Policy at bilateral and multilateral levels in recent times. Give examples to substantiate this statement. How do you think cultural diplomacy can help India reform the current world order?

### **Section - C**

4. India-Pakistan relations have been marred by bitterness ever since the formation of the two states. While the two fought four major wars from 1947 to 1999, the conflicts between them have remained short of hot war ever since. In light of this, analyse the role of nuclear deterrence in shaping India-Pakistan relations since 1999. Discuss the potential for nuclear escalation in times of crisis and the determining factors for the same.
5. Considering its multidimensional nature, how do India's diplomatic engagements with Nepal and Myanmar shape regional dynamics, address common challenges, and contribute to the pursuit of shared interests? How do these relationships influence India's strategic positioning in the South Asian and Southeast Asian geopolitical landscape?

### **Section - D**

6. How have shifts in geopolitical, economic, and strategic considerations shaped the trajectory of India-U.S. relations? Furthermore, in the context of changing global power dynamics how do India-U.S. relations contribute to or hinder efforts towards fostering collaborative solutions to shared security concerns in the Indo-Pacific region?

7. In light of emerging global challenges, how do the evolving trends in India's foreign policy, including its engagements with major powers, regional partnerships, and emphasis on multilateralism, reflect the country's efforts to secure its national interests? How do these trends re-position India in the global arena?

**Section - E**

8. Discuss India as a champion of South-South Cooperation in view of its stance at the following multilateral platforms:
- a) United Nations
  - b) World Trade Organisation
9. To what extent has India's nuclear policy, characterised by its commitment to a "No First Use" doctrine, influenced regional security dynamics and the broader global non-proliferation regime? Do you think India will face a serious backlash if it changes its "No First Use" stance?
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**B.A.L.L.B. (HONS.) FYIC  
FIFTH SEMESTER  
END TERM EXAMINATION  
DECEMBER - 2023  
PAPER - I INDIAN ECONOMY  
(MAJOR-V)  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: EIGHTY (80)**

**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 15 marks.

**Section - A**

**1. Write short note on:**

- a. What factors, internal and external to the industrial enterprises have been responsible for rendering them sick units?
- b. How has the Indian economy been able to compromise between pure capitalistic and socialist economic principles?
- c. Explain the distinct nature of MGNREGA as an employment program that has helped the government to use it as a macroeconomic weapon against slump?
- d. For what specific purposes is Deficit Financing effectuated in developing countries like India?



### Section - B

2. Few years of lean agricultural production accompanied by growing farmers' suicides in a country creates a situation of panic in the country. At the same time, cereals and pulses are being hoarded in an unprecedented manner by traders leading to huge rise in prices of articles of daily consumption. At such a time, the government is compelled to import a significant amount of foodgrains for the country. How will this affect the food security of the country? What government has to do to ensure that the basic food requirements of the people of the country are met? Suggest what kind of improvement strategies will further better the situation?
3. A large portion of the agricultural development in developing countries like India is dependent upon non-institutional sources of credit but their contribution has been on a decline in the recent years. Discuss which sources of rural credit have substituted for the same in the recent years? What implications does an adequacy of rural credit structure have on the development of agriculture in countries like India?

### Section - C

4. Trace the journey transcended by the small-scale industries in terms of their classification, from the time of the Industries (Development and Regulation) Act 1951 to the MSMED Act 2006. How have these changes implicated upon their performance in the economy? What policy measures taken by the government have helped improve the extent to which these small industries contribute to employment and growth in the country?
5. Assuming an economy dominated by government control in the first few decades after its independence, discuss how will a dilution and transfer of power after some time, help in promoting economic development of the country? If the economic structure changes significantly because of the policy changes, explain what factors other than the government's support would have driven such a change?

### **Section - D**

6. It has been almost two years since Russia and Ukraine have been in a war. How has the conflict between India's two largest trading partners affected the supply chain and consequently the extent of inflation in India? Discuss how is the disequilibrating phenomenon affecting the economy. Also elaborate on the fiscal measures that have been adopted by the government to tackle the problem?
7. The ILO Declaration in 1944 said "Poverty anywhere is a threat to prosperity everywhere." However, Prime Minister Narendra Modi, in his independence speech this year, mentioned that the poor in India are moving to the "middle-class" category and "have broken free from the chains of poverty and entered the new middle class". Discuss the validity of the Prime Minister's statement, taking reference from the national and international estimates of Poverty in India, over various time periods. Also discuss the notable efforts that can be credited to have brought about this development.

### **Section - E**

8. In the developing countries, the policy of public expenditure can be used for changing the structure of the economy and reducing inequalities of income. Has this been true for India? Justify. Does this criterion alone help to rationalize the desirability of increase in Public Expenditure in the country? Give arguments in support of your answer.
9. Using the theory of Impact and Incidence of taxation, differentiate between the Direct and Indirect Tax structure of a country. Under what conditions can the tax burden be shifted from one person to the other? Discuss the possibility of shifting or incidence of Direct Taxes and Custom Duties.
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RG/ET/11/12/23

# RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**B.A.LL.B. (HONS.) FYIC  
FIFTH SEMESTER  
END TERM EXAMINATION  
DECEMBER -2023  
PAPER - II: CIVIL PROCEDURE AND  
LIMITATION  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: EIGHTY (80)**

**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 **15 marks**.

## **Section - A**

**1. Write short note on:**

Which of the following are suits of a civil nature-----

- a i. A declaratory suit seeking the declaration to allow entry to the Badrinath Temple by Pandas accompanying their Yajmans and taking gifts.
- ii. A suit for mandatory injunction against expulsion from caste
- b. The plaintiff filed suit and the court ordered to pay court fee and postal charges for service of summons to the defendant within 7 days of the order. But the plaintiff failed to do so and hence the court dismissed the suit. Now the plaintiff wanted to file a fresh suit on the same cause of action but it had become time barred. Is there any other remedy available to the plaintiff, if so explain?
- c. X had filed a suit for recovery of Rs 10 lakhs against the State of Punjab which was decreed on 30<sup>th</sup> November 2023. X now wanted to file the execution proceedings the very next day. As an advocate of X what would you advise X, explain.

*Contd.....P.2*

- d. The cause of action accrued to the plaintiff on 1-1-15. The period of limitation is 1 year. Explain what is the prescribed period?

### **Section - B**

2. Nine Akali Sikhs sued for removal of Mahant of a religious institution. The suit is dismissed on the ground that the institution is Hindu Dera and not a Sikh Gurudwara. Subsequently and after the passing of Sikh Gurudwara Act 1925, sixty four Sikhs filed a representative suit for declaration that institution is Sikh Gurudwara. Is the suit barred by Res Judicata ?
3. Mohindra Holidays issued time shares to various customers. According to the terms the customers were to get one week free stay in some five star hotels in India but they were required to pay annual maintenance charges @ Rs 5000 per year. But after two years they increased the annual charges to Rs 10000 per year and issued notices to all the customers for paying the charges. A suit in representative capacity was filed challenging the increase in annual charges. It was contended that such a suit was not maintainable as separate demand notices were sent to the customers giving rise to separate cause of action. Decide .

### **Section - C**

4. Mohan filed a suit for recovery against Sohan. Summons in the said case were served on Sohan on 6-4-2004 for appearance in court on 8-7-2004. Sohan appeared but did not file Written statement within 30 days that is 8-7-2004. He moved an application on 8-7-2004 that the time for filing written statement should be extended as the suit documents filed by the plaintiff were not served on him. The plaintiff contested the application by alleging that it was an afterthought and along with the process fee, plaint and documents were filed by the plaintiff to be served on the defendant. He also contended that the defendant did not raise non receipt of the documents any time between 6-4-2004 and 8-7-2004. And therefore no further time be given to him and a decree be passed under Order VIII Rule 10 CPC .
5. Mahesh got an ex parte decree against Suresh on 1<sup>st</sup> May 2023. He applied for execution of the decree on the 10<sup>th</sup> May 2023. The court officer visited the spot for delivery of possession and undertook measures for execution on 18<sup>th</sup> May 2023. On 30<sup>th</sup> May 2023. Suresh applied for setting aside the ex parte decree. The respondent has argued that the application is not maintainable. Decide whether the application under Order 9 rule 13 CPC is maintainable.

**Section - D**

6. In an application under Order 38 CPC for arrest before judgement. Mr. Ram Lal had stood surety for Sham for appearance in a suit for recovery. But Sham applied to the court to discharge him. Explain what procedure is to be adopted by the court. Further also explain if the defendant is unable to furnish fresh surety what is the procedure.
7. X a lady had taken a loan of Rs 4, 50000 from A. She did not pay the amount within the agreed time. A filed a suit for recovery against X. The suit was decreed. So A filed an execution proceeding but in the execution the decretal amount was not satisfied. A filed an application under section 55CPC for arrest and detention of X. X objected to the application on the ground of its maintainability. Are the objection justified? Explain with help of decide case.

**Section - E**

8. The plaintiff filed an application under Order 39 Rule 1,2 CPC for temporary injunction in a suit. The court dismissed the application. The plaintiff filed an appeal against the order. However the appellate court after some arguments withdrew the appeal. The court dismissed the appeal as withdrawn. Thereafter the plaintiff filed an application in the trial court under Order 47 Rule 1 of the CPC for review of the dismissal order. The defendant objected to the application that it was not maintainable. Decide if the review is maintainable.
  9. A decree was announced on 1<sup>st</sup> Sept 2015. The next day 2<sup>nd</sup> Sept was a holiday since it was a Sunday. The application for getting the copies is filed on 3<sup>rd</sup> Sept. The copies' then were supplied on 12<sup>th</sup> Sept. The time period for the appeal expired on 30 November. However the appellant filed the appeal on 5<sup>th</sup> December 2015. The respondent objected that the appeal was time barred. Discuss whether the appeal is within time.
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**B.A.LL.B. (HONS.) FYIC  
FIFTH SEMESTER  
END TERM EXAMINATION  
DECEMBER - 2023  
PAPER - IV PUBLIC INTERNATIONAL LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: EIGHTY (80)**

**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 15 marks.

**Section - A**

**1. Write short note on:**

- a. "A Custom in international law is such usage as obtained the force of law." Elucidate with examples.
- b. Explain with Examples:
  - a) Extra-territorial Asylum
  - b) Rule of Specialty
- c. Explain the relevance of 'Estrada Doctrine' and 'Effective Control Doctrine' from the standpoint of State/Government Recognition?
- d. "State resort to compulsive means of settlement when they cannot agree to or fail to settle their disputes by peaceful means". In light of this statement, enumerate and briefly explain various types of sanctions that the state can impose under international law?

### Section - B

2. Define International Law. Do you agree with John Austin's concept "International Law is not a true law, but a positive international morality"? Elaborate your answer with Examples and arguments.
- 3.a) "Treaties have norm-creating character" Explain with the reference of Continental Shelf Case
- b) Explain the operation of international law within the British municipal sphere.

### Section - C

- 4.a) "Treaties are known by variety of names, ranging from conventions, international agreements, pacts, charters through to Statutes and Declarations." Discuss in the light of laws of its formation, interpretation and termination. (10 Marks)
- b) Pacta tertiis nec nocent nec prosunt (5 Marks)
5. Discuss the liabilities and immunities of the following:
  - a) The ambassador of the Republic of Brondasia in Islamabad murders a Pakistani out of sudden provocation.
  - b) The wife of the USA ambassador bought cosmetics worth Rs.100000/ from a local departmental store, refused to pay and went away to her embassy.
  - c) A Pakistani friend of the Iraqi ambassador has murdered an Iraqi employee of the embassy

### Section - D

6. In the complex geopolitical landscape of Central Asia, Azamakhat has gained notoriety for its use of private mercenaries, the KS Dank, to assert control over the disputed territory of Blinsk. This territory was formerly governed by Nemakhat, Azamakhat's neighboring state, and it always considers the latter as its biggest nemesis. Agitated by such illegal occupation, the President of Nemakhat filed a claim before



International Court of Justice (ICJ) to challenge the territorial claim of Azamakhat over Blinks. Azamakhat deployed the services of KS Dank to eliminate Nemakhat's leadership. The covert operation, funded and armed by the Azamakhat government to further their nefarious designs, resulted in the assassination of the Nemakhat President and Defence Minister. The protest erupted in Nemakhat and the snipers were arrested on account of murder by the Police of Nemakhat for investigation. The revelation that the hired snipers were nationals of Barakhat, a country sharing borders with Azamakhat and Nemakhat, added another layer of complexity to the situation. In response, Nemakhat initiated another contentious proceedings before ICJ against Azamakhat, focusing on the crucial question of state responsibility for the violation of its sovereignty by the latter. To comprehensively analyze the intricacies, you are required to analyse the aforesaid issue in light of the relevant provisions of the Draft Articles on Responsibility of States for Internationally Wrongful Acts, 2001.

7. With the aid of hypothetical illustrations elaborate the theories of recognition, their limitation along with legal implications of recognition. Deconstruct the key elements for the recognition of insurgency and belligerency.

### Section -E

8. "Article 2 of the U.N. Charter, 1945 set out the principles on which the United Nations is based". Explain the principle entrenched within Article 2(4) of the Charter along with specific deviation/exception to the aforesaid principle permitted under the relevant provisions of the Charter. Discuss the possibility, along with the extent, of endowing legal obligation emanating from the Charter upon the non-members.
9. Critically appreciate the role (powers and functions) of United Nation General Assembly (UNGA) in maintaining international peace and security. Highlight the relevant UNGA resolutions dealing with the subject matter of international peace and security.
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**RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB**

**B.A.LL.B. (HONS.) FYIC  
FIFTH SEMESTER  
END TERM EXAMINATION  
DECEMBER - 2023  
PAPER - III: CRIMINAL LAW  
(SUBSTANTIVE - I)  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: EIGHTY (80)**

**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 **15 marks**.

**Section - A**

**1. Write short note on:**

- a. *"Anarkali – a civil engineer, was hired by an MNC to work as a consultant on an project in Kenya. The project was for the purpose of building a dam across the Galana river. Anarkali made some grave errors in calculation which led to a breach in the under-construction dam causing widespread flooding and damage including death of many locals. Fearing prosecution in Kenya, Anarkali boarded the first flight out of Kenya and managed to come back home to India. Possibly owing to weak laws regarding negligent deaths in Kenyan penal law, the Kenyan government requested the Indian government to prosecute Anarkali for causing death due to rash and negligent act."*

Discuss whether Anarkali can be prosecuted in India for the deaths caused by her in Kenya.

- b. *"Zara sees Louise commit, what appears to her, a murder. Zara ties Louise up and hands him over to the police. It turned out later that Louise was acting in self-defence."*

Examine the defence which Zara can take in light of the relevant provisions of the Indian Penal Code, 1860.

- c. *"Anam was a victim and prosecutrix in a high-profile rape case. On the day her testimony was scheduled, she received a phone call from the accused that if she chose to testify against him, he will kill all members of her family. Anam went to the police to complain about the same"*  
Identify the provision of the Indian Penal Code, 1860 which can be invoked by the police in the matter? Examine the need for the provision with the help of case laws.
- d. Critically examine the manner in which dowry death differs from culpable homicide.

### Section - B

2. Write a detailed note examining the various types of punishments provided for under the Indian Penal Code, 1860.
3. *"Indeed, the history of the British Colonial State in India, from the very beginning was shaped by these persistent questions of power and legitimacy... The ideological justification for the British presence in India drew heavily on a much-vaunted tradition of British liberty and lawfulness... Government by rules became the basis for the conceptualisation of the moral legitimacy of British colonial rule."*

In view of the abovementioned statement, identify the various legal and socio-political objectives with which the British enacted the Indian Penal Code, 1860.

### Section - C

4. *"A is a public servant who is authorized by law to apprehend C. He identifies the house which is owned by C and knock on C's door. C, believing A to be a loan shark to whom he owes money refuses to open the door. A attempts to break the door down and directs B, a passerby, to assist him. C, assuming that A and B are there to rob him of something precious in his possession in lieu of the defaulted loan, shoots at A and B from behind the door. A and B die as a result."*

In view of the abovementioned factual matrix, examine if C can claim the right to private defence under relevant provisions of the Indian Penal Code, 1860.

5. *"Alabh is the father of seven-year-old Zainab. Zainab requires life-saving brain surgery which carries the risk of causing lifelong paralysis. Alabh consents to such surgery. Zainab suffers paralysis as a result."*
- Examine the defence available to Alabh under the relevant provisions of the Indian Penal Code, 1860.
  - Examine the conditions under which an act may be done for the benefit of a person, but without the person's consent?
  - Identify the reason and object behind the insertion of the defence of consent in the Indian Penal Code.

### Section - D

6. *"Neerja Nidar is a Bollywood actress who is extremely popular for her roles in several cult movies. She is known to be an outspoken feminist and for being bold at a time when Bollywood is dominated by male figures and patriarchs. During a photoshoot titled 'Celebrating Motherhood', Neerja was being photographed while performing motherly duties. In one photograph, she was captured breastfeeding her baby without any clothes. She posted the same, along with other photographs, on her Instagram account where the same was shared amongst her 363 million followers belonging to all demographics. Feeling anguished by her audacity and believing the same to be against Indian culture and ethos, multiple individuals filed FIRs against Neerja Nidar in several parts of the country, alleging obscenity."*

In light of the decided case laws and tests, discuss whether Neerja's act amounts to obscenity under the relevant provisions of the Indian Penal Code, 1860.

7. *"Ameet and Amisha got married to each other in 2021. In 2022, Amisha found out about Ameet's extra-marital relations with Aveera. Ameet attempted to leverage the situation by requesting Amisha if he could also marry Aveera. Amisha refused the same and begged him to end his relationship with Aveera. Consequently, Ameet started to physically, verbally and emotionally abuse Amisha. In May 2023, Ameet brought Aveera home to Amisha while Aveera was dressed in a bridal gown. The same caused Amisha great mental anguish. In July 2023, Amisha threatened Ameet that she will commit suicide by hanging herself if this goes on any longer. On hearing this, Ameet went to the market and brought her a six feet long rope. In September, 2023, Amisha used the same rope to hang herself to death."*

In view of the abovementioned factual matrix, decided case laws and relevant provisions:

1. Examine if Ameet can be held liable for instigating Amisha to commit suicide.
2. Identify which kinds of acts provided under section 107 of Indian Penal Code, 1860, can be invoked for making Ameet liable for abetting the suicide by Amisha and explain why?

**Section - E**

8. *"Kiara and Siddharth got married in 2022. Kiara suffered from chronic depression for several years preceding the marriage which had resulted in a change in her personality with her exhibiting irritability and irascibility about the minutest of issues. On one fateful day, Kiara and Siddharth got into a fight about her not taking him on a vacation to Dubai on her birthday and for not doing something nice for her on their anniversary. Siddharth was being apologetic, but Kiara, in a fit of rage, punched Siddharth on the face. The punch broke Siddharth's nose and teeth and consequently Siddharth lost consciousness due to heavy bleeding. Siddharth fell to the ground which further exacerbated the injuries. Siddharth died as a result. The police registered a FIR under section 302 of the Indian Penal Code, 1860."*

In view of the abovementioned factual matrix:

1. Identify the distinction between culpable homicide and murder.
  2. Examine whether the invocation of section 302 by the police is supported by the law on the subject matter.
9. *"Iron Shymeela was a community leader who had been protesting continually against the application of the Armed Forces Special Powers Act, 1958 (AFSPA, 1958) in the north eastern regions of India. The invocation of AFSPA had caused great discontent in the community as it was being alleged that it armed the officials with draconian powers of search and seizure as well as punitive measures. In one of her protests, Iron Shymeela vowed to undertake a fast unto death unless the extension of AFSPA was revoked. Her vow was supported by a large section of protestors who encouraged her to complete her vow."*

In view of the abovementioned factual matrix:

1. Examine whether the police can charge Iron Shymeela with the offence of attempt to commit suicide under section 309 of the Indian Penal Code and examine whether the offence of abetment of suicide under section 306 can be invoked against Iron Shymeela's supporters?
2. Discuss the case laws on the constitutionality of section 309 of the Indian Penal Code.

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

RG/ET/19/12/23

# RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**B.A.LL.B. (HONS.) FYIC  
FIFTH SEMESTER  
END TERM EXAMINATION  
DECEMBER -2023  
PAPER - V: PROPERTY LAW  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: EIGHTY (80)**

**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 15 marks.

## Section - A

### 1. Write short note on:

- 'A' transfers his factory to 'B' with a condition that if 'B' does not take possession of factory within one year from the date of transfer, the factory shall belong to 'A's daughter. Whether the interest of 'B' is a vested or contingent interest and what are the differences between vested and contingent interest?
- Distinguish usufructuary mortgage from mortgage by deposit of title-deeds with relevant conditions?
- Dismissal of ejectment suit for default relating to Lease.
- "The government allotted land to Mr. Vinod on lease for construction of a Dam. The State authorities directed him to get the lease deed registered and to pay stamp duty and registration fee. He preferred the present writ petition seeking the quashing order passed by the state authorities." Can Mr. Vinod succeed under the Registration Act, 1908?

### Section - B

2. Smt. Lakshmi Kanta, aged of 62 years owns a two canal house in Patiala. She makes a gift of her house to her son Vijay for life and then to elder son of Vijay when he attains the age of 22 years. Vijay is issueless at the date of making of the gift by his mother. Whether the gift made by Lakshmi Kanta in favour of her elder son Vijay is valid or not? Analyze these facts and discuss the relevant provisions suitable with regard to perpetuity rule laid down in Transfer of Property Act, 1882.
3. Who is ostensible owner and Benamidar? Are there any considerations which must be taken into account while deciding whether a person is an Ostensible owner or not? Discuss with the help of examples, case laws and judicial decisions.

### Section - C

- 4.a) "Mr. Raman, a natural guardian of a minor boy namely Aman, sold the property of the minor to Mr. Rakesh. The minor sold his right in the property to Mr. Saleem after attaining majority. Mr. Saleem filed a suit against Mr. Rakesh for avoiding the sale and getting possession of the property." Can he succeed under Transfer of Property Act 1882.

#### b) Differences between Lease and License

5. "A person purchased a portion of land in auction from a corporation. He deposited the earnest money. The non-existence of independent passage to land was not disclosed to buyer. The purchaser did not deposit the balance of auction money." On the basis of this example answer the following questions:
  - i) Can Corporation forfeit the earnest money on the basis of non-payment of balance money?
  - ii) Whether any provision of Transfer of Property Act breached?
  - iii) Is it failure to deposit the balance?

**Section - D**

6. "Right to Redemption is statutory right, which is based on principle of equity, justice and good conscience which would not allow that a transaction which is basically a borrowing transaction should become an absolute conveyance only because there was no payment on a fixed date." Analyse this statement with reference of the maxim, "Once a mortgage, always a mortgage and nothing but a mortgage" and clog on redemption?
7. Doctrine of Marshaling supersedes contribution. Explain with illustrations and differentiate contribution from doctrine of marshaling?

**Section - E**

8. "X and Y divided joint property themselves on 05<sup>th</sup> October 2001 and Y handed over a declaration on 12<sup>th</sup> March 2002 to X in this form—'You have constructed a house and shops on property appertaining to your share in the same, I have no interest of any kind'."

Whether the above declaration requires a registration under Registration Act, 1908.

9. "A person namely Mr. Babu Chandra executed a contract for purchasing a piece of land in Delhi from Mr. Nakul. Mr. Babu Chandra just after the execution of contract, went to Canada and he is not expected to return to India before four months. His real brother who has general power of attorney to act on behalf of Mr. Babu Chandra gets the sale deed registered." Will this registration be valid under Registration Act 1908?
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Roll no. \_\_\_\_\_

RG/ET/08/12/23

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



**B.A.LL.B. (HONS.) FYIC  
FIFTH SEMESTER  
END TERM EXAMINATION  
DECEMBER -2023  
PAPER - I: SOCIOLOGY OF DEVELOPMENT  
(MAJOR- V)  
TIME DURATION: THREE HOURS  
MAXIMUM MARKS: EIGHTY (80)**

**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 **15 marks**.

**Section - A**

**1. Write short note on:**

- a. How Human centric development became a popular concern of Developmental Paradigm? Discuss.
- b. 'Freedom For All' is a notion of which Developmental Perspective? Elaborate the notion.
- c. What role does 'Market' play in Socialist Path of Development?
- d. How has 'Gender' been viewed as a factor of Social Disparity? Explain.



**Section - B**

2. Elaborate the Concept of Development with reference to the quest for Sustainability.
3. Out of the three, (I) Human Development; (II) Social Development And (III) Economic Development, Which do you think is more functional for 'Sustainability'. Elaborate your views.

**Section - C**

4. Critically appraise the notions propounded by the Ecological Developmental Perspective.
5. Critically discuss the notions propounded by the Liberal Perspective of Development.

**Section - D**

6. Elaborate the role played by Media as an Agency of Development. Is this role completely a functional role? Illustrate.
7. Discuss how does Gandhian Path of Development aim at and work for Social Welfare?

**Section - E**

8. Give a detailed critique of the process of development and the phenomenon of development with special reference to Human Wellbeing.
  9. How can 'Social Inclusivity' be assistive in bringing about Sustainable Social Development? In what ways social exclusion damages the agenda of Sustainable Development? Elaborate.
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