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RG/MT/20/03/25

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. (ONE YEAR COURSE)
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-I: LAW AND JUSTICE IN
GLOBALISED WORLD
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is Compulsory and each part carries 5 marks. Attempt One Question each from Section - B and Section - C each question carries 15 marks

SECTION - A

1. Write short notes on the followings:
 - a. Migration Governance in the Mediterranean
 - b. Global Imperialism

Contd.....P.2

SECTION - B

2. Critically analyze different theories of global justice, discussing their strengths and weaknesses in addressing contemporary global challenges.
3. Discuss the potential benefits and challenges of the concept of global citizenship.

SECTION - C

4. What role does international investment law play in safeguarding the rights of indigenous peoples, and how can it create conflicts between economic growth and cultural preservation?
5. How does global administrative law work and in what ways can it enhance accountability and transparency in global governance?

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**LL.M. (ONE YEAR COURSE)
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-III: LAW OF CRIMES- II
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is **Compulsory** and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 15 marks

SECTION - A

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

- a. *“The judge is not a mere umpire at a combat between the lawyers”*. Discuss the judicial perspective of this statement in the Indian context of adversarial system.
- b. *“Victim is a forgotten person in the Indian criminal justice system”*. Has the BNSS, 2023 made any shift from the above approach. Briefly discuss.

SECTION - B

2. Explain in detail the due process model. What is the difference between the due process and the crime control model. Which model is currently being followed in India.
3. Explain with relevant provisions the time lines for investigation, inquiry and trial introduced in the BNSS. What are the reasons behind introducing these time lines? Also discuss the possible challenges that shall be faced in abiding by these time lines.

SECTION - C

4. In the changing landscape of our country the BNSS has introduced various reforms in investigation. Discuss the reforms with its possible advantages and disadvantages.
 5. Explain with the help of relevant cases the rights of arrested person. Has the BNSS further strengthened the rights available to the arrested persons. Also discuss how the Indian judiciary has tried to strive a balance between the rights of accused and the rights of victim.
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M. (ONE YEAR COURSE)
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-III: CORPORATE FINANCE AND
TAXATION LAW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is **Compulsory** and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 15 marks

SECTION - A

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

- a. Explain the concept of cost of debt and its significance in corporate finance.
- b. HBC Pvt. Ltd., a closely held company, has the following transactions during the financial year 2024-25:
 - i.) It issued 10,000 shares at Rs. 500 per share, while the fair market value (FMV) of each share was Rs.300.
 - ii) The company received Rs.1 crore as share application money, but it could not provide sufficient details about the identity and creditworthiness of the investors.

Analyze the income tax implications of these transactions under the Income Tax Act, 1961.

Contd.....P.2

SECTION - B

2. Bright Future Ltd. needs to borrow Rs.50 crore for its business expansion and is considering the following options:
- i) Bank Loan at 10% interest for 5 years
 - ii) Debentures - Issuing non-convertible debentures (NCDs) at 9% interest with a maturity period of 7 years.
 - iii) Bonds - at 8.5% interest but requiring a credit rating and additional compliance costs.
 - iv) An External Loan from a foreign lender at 6.5% interest but with currency fluctuation risks.
- Define debt financing and explain its types. Analyze which of the above financing options would be most suitable for Bright Future Ltd. based on interest rate, repayment period, and Risks.

3. Discuss the concept of venture capital and analyze its role in business development. Explain how the different stages of venture capital financing impact the growth and sustainability of a startup.

SECTION - C

4. Define “place of effective management” and enumerate the guidelines for determining the place of effective management in India.
5. Ajmal Industries Ltd. reported a net profit of Rs. 10 crore as per its financial statements for the financial year 2024-25. The following information was recorded in the book of profits:
- i) Depreciation of Rs. 3 crore was charged in the books.
 - ii) A provision for doubtful debts of Rs.1 crore was made in the books.
 - iii) Provision for income tax of Rs.2 crore was recorded in the Profit and Loss Account:

After applying normal tax provisions, Ajmal Industries Ltd.’s taxable income was Rs.1.5 crore. However, the Assessing Officer applied MAT, leading to a higher tax liability. Compute the adjusted book profits and determine whether Ajmal Industries Ltd. should pay tax under MAT, even though it has taxable income under normal provisions.

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**LL.M. (ONE YEAR COURSE)
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-III: FUNDAMENTAL RIGHTS AND
DIRECTIVE PRINCIPLES
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is **Compulsory** and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 15 marks

SECTION - A

1. **Write short notes on the followings:**
 - a. Fundamental rights are enforceable while directive principles are not. Elucidate.
 - b. Discuss the rights of accused persons guaranteed under Part III of the Constitution of India.

Contd.....P.2

SECTION - B

2. Article 14 of the Indian Constitution which enshrines the right to equality uses the expressions 'equality before the law' and 'equal protection of the laws'. Discuss the relevance of the two expressions used under Article 14 in light of the decided cases.
3. The expression 'other authorities' under Article 12 of the Constitution of India has been interpreted by the Supreme Court of India in several cases. Discuss the evolution of the definition of 'State' citing landmark precedents.

SECTION - C

4. Critically analyse the evolution of 'right to life and liberty' under Article 21 of the Constitution of India from *A.K. Gopalan v. State of Madras* (AIR 1950 SC 27) to *Maneka Gandhi v. Union of India* (AIR 1978 SC 597).
 5. Discuss whether right to privacy is a fundamental right under Article 21 of the Indian Constitution in light of the judgment of the Supreme Court of India in *Justice K.S. Puttaswamy (Retd.) & Anr. vs. Union of India & Ors* (2017) 10 SCC 1.
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**LL.M (ONE YEAR COURSE)
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-V: CRIMINOLOGY, PENOLOGY AND
VICTIMOLOGY
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is Compulsory and each part carries 5 marks. Attempt One Question each from Section - B and Section - C each question carries 15 marks

SECTION - A

1. Write short notes on the followings:
 - a. Concept of 'felicitic calculus', 'facilitation principle' and Bentham's idea of 'punishment creep'.
 - b. Explain the concept of victimless crime and white-collar crimes

Contd.....P.2

SECTION - B

2. The biological positivism believes that, 'if Charles Darwin's theory of evolution was scientific as applied to animals, the same approach should be applied to man as an animal'. In the light of the above statement, explain the biological school of criminology propounded by Cesare Lombroso, Raffaele Garofalo and Enrico Ferri?

3. Elaborate the theories related to Genetic Anomalies, Constitutional body type determinants and constitutional interactionist view to explain the criminal behavior.

SECTION - C

4. It is believed that crime is the result of some personality attribute uniquely possessed or possessed to a special degree by the potential criminal. In the light of the above statement explain the theory related to personality defects and the psychoanalytic explanations given by Sigmund Freud?

 5. Discuss the Social-Psychological Theories of Crime, both Control Theories and Learning Theories with special mention to Differential Association Theory given by Edwin Sutherland?
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M (ONE YEAR COURSE)
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-V: INSOLVENCY AND BANKRUPTCY
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is **Compulsory** and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 15 marks

SECTION - A

1. Write short notes on the followings:

- a. XYZ Ltd. is a construction company that borrowed Rs.50 Crores from ABC Bank. Additionally, the company also owes Rs. 5 Crores to Raw Material Suppliers for building materials supplied. Due to financial distress, XYZ Ltd. failed to make payment to both. In the light of present facts discuss who is considered as Financial Creditor and Operational Creditor in this case?
- b. During the insolvency of Star Tech Ltd., the Resolution Professional formed a Committee of Creditors (CoC). The CoC was primarily composed of financial creditors of the company. Discuss the role of the CoC in the insolvency process?

Contd.....P.2

SECTION - B

2. Briefly discuss the pre-legislative framework and non-statutory guidelines prevalent before the enactment of the Insolvency and Bankruptcy Code, 2016 and the shortcomings existing in such framework.
3. “In view of the difficulties being faced by the bankers and creditors as a whole in recovering the value of assets and loans, the introduction of Insolvency and Bankruptcy Code was recommended. It was also established that the existing framework for insolvency and bankruptcy was inadequate, ineffective and resulted in undue delays”. In light of the statement discuss the recommendations of the Bankruptcy Law Reforms Committee.

SECTION - C

4. SpeedTech Pvt. Ltd. (an MSME) is undergoing financial stress but wants to avoid lengthy insolvency proceedings. The company voluntarily agreed to Pre-Packaged Insolvency Resolution with the consent of 66% creditors.
 - a) What is Pre-Pack Insolvency Resolution under IBC? (7.5)
 - b) Can the Resolution Professional take over the management of the company? (7.5)
5. Fast Track Infrastructure Ltd. was admitted into CIRP. The NCLT appointed Mr. R as the Resolution Professional. During the CIRP, Mr. R noticed that the company’s directors were involved in fraudulent transactions.
 - a) Can the Resolution Professional file a complaint against the Directors? (7.5)
 - b) Can the company raise fresh loans during the Moratorium period? (7.5)

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**LL.M (ONE YEAR COURSE)
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER - V: CONSTITUTIONAL
AMENDMENTS AND JUDICIAL
REVIEW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is **Compulsory** and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 15 marks

SECTION - A

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

- a. Do you think President of India is bound to sign a constitutional amendment duly approved by both Houses of Parliament?
- b. Discuss in brief the need for fourth amendment of the Constitution of India.

Contd.....P.2

SECTION - B

2. Discuss in detail the need and relevance of constitutional amendments in the constitutional law theory with the help of relevant examples.
3. Do you agree that fundamental rights as mentioned in Part III of the Constitution of India are unamendable?

SECTION - C

4. Discuss in detail the reasons for enactment of Constitution (First Amendment) Act, 1951 in light of political and judicial developments immediately after commencement of the Constitution of India.
 5. Discuss in detail how the judgment in *Golak Nath v. State of Punjab* (AIR 1967 SC 1643) influenced constitutional trajectory of the Republic of India in its immediate aftermath.
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RAJIV GANDHI NATIONAL UNIVERSITY OF LAW, PUNJAB



**LL.M (ONE YEAR COURSE)
SECOND SEMESTER
MID TERM EXAMINATION
MARCH - 2025
PAPER-VI: FAMILY LAW
TIME DURATION: ONE AND HALF HOUR
MAXIMUM MARKS: FORTY (40)**

Note: Section - A is **Compulsory** and each part carries 5 marks. Attempt **One Question** each from **Section - B** and **Section - C** each question carries 15 marks

SECTION - A

1. Write short notes on the followings:

- a. Distinguish between Mitakshara and Dayabhaga Schools of Hindu Law in the following areas:
- i) Law of Succession
 - ii) Law of Joint Family
- b. Natural Guardian under Hindu Law

Contd.....P.2

SECTION - B

2. "Clear proof of Custom will outweigh the written text of Law". Elucidate and discuss the essential requirements of a Valid Custom with relevant Case Laws.
3. Explain the concept of Nullity of marriage under the Hindu Marriage Act, 1955, and discuss the grounds on which a marriage can be annulled. How does the Law protect the rights of children and wife's right to maintenance in a void or annulled Voidable Marriage?

SECTION - C

4. Elaborate upon the legislative as well as Judicial developments relating to Maintenance of a Wife under personal laws as well as under secular law in India.
 5. Enumerate the points of criticism of Hindu Adoption and Maintenance Act, 1956 and discuss the validity of the following adoptions under HAMA, 1956:
 - (i) Adoption made by a married Hindu woman in the year 1970.
(5 marks)
 - (ii) 'A' a Hindu Male has a biological son who is mentally retarded, he adopts another son aged 12 years under HAMA, 1956
(5 marks)
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