



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: LB-901 Subject: Law of Interpretation of Statutes B.A./B.B.A. LL.B. 9th Semester 20th December, 2021
Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet– 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions:

- A.** Repeal and omission are two different terms. In view of the language of section 6 of General Clauses Act, explain with the help of cases whether the word repeal includes omission or not?
- B.** In general the words of common usage are to be understood in their popular sense in the process of interpretation. Is it so? Discuss.
- C.** Anything which is prepared to facilitate the passage of legislation forms part of its legislative history. Discuss the role of legislative history as an extrinsic aid.
- D.** Under what circumstances following internal aids would be referred for construction:
 - a)** Preamble
 - b)** Headings

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

Q.2 Section 6 of Probation of Offenders Act, 1958 provides that:

(1) When any person under twenty-one years of age is found guilty of having committed an offence punishable with imprisonment (but not with imprisonment for life), the court by which the person is found guilty shall not sentence him to imprisonment unless it is satisfied that, having regard to the circumstances of the case including the nature of the offence and the character of the offender, it would not be desirable to deal with him under section 3 or section 4, and if the court passes any sentence of imprisonment on the offender, it shall record its

reasons for doing so.

Examination R.NO.

HPNLU/--/------

In the light of the given provision, an accused committed crime when he was less than 21 years of age. He was later convicted when he was more than 21 years old. Whether he would be given the benefit of section 6 of the Act? Which rule of interpretation would govern this case?

Q.3 A) In modern times statutes contain punctuation. Therefore, whenever a matter comes before the courts for interpretation, the courts first look at the provision as they are punctuated and if they feel that there is no ambiguity while interpreting the punctuated provision, they shall interpret it. Explain punctuations as internal aid to the interpretation with the help of cases.

B) A section sometimes begins with the phrase ‘notwithstanding anything contained etc.’ Such a clause is called a non obstante clause and its general purpose is to give the provision contained in the non obstante clause an overriding effect in the event of a conflict between it and the rest of the section. Thus, there is generally a close relation between the non obstante clause and the main section but in case of ambiguity, how the rules of interpretation would help the courts?

Q.4 Many times our traditions contradict our fundamental rights. Constitutional morality should be given upper hand over those traditions. In India, there have been several court cases, in this regard, where the conflict between right to religion and old traditional norms were involved. Discuss, in the light of recently decided cases where the court took an approach of harmonious construction.

Q.5 There are several aids to interpretation of ambiguous provisions. In this regard, 183rd report of the law commission has addressed many issues regarding codification of external aids. Whether the General Clauses Act, 1897 should provide the principles of interpretation of a statute as regards the extrinsic aids of interpretation and Whether recommendations made in the said 60th Report need any revision or whether those have lost relevance now.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: LB-902 Subject: Alternative Dispute Resolution (ADR) B.A./B.B.A. LL.B. 9th Semester 22nd December, 2021 Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet- 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions:

- A. “The judiciary’s leadership and trailblazing effort in these difficult times has legitimized the use of technology to enable dispute resolution and thereby access to justice.” Critically examine the importance of Online Dispute Resolution (ODR) system in present pandemic situation?
- B. “The key feature of mediation is that it is controlled entirely by the parties themselves” Explain the stages of standard mediation process in light of above statement?
- C. “Confidence, trust and faith are the essential ingredients of conciliation”. Discuss the qualities of a good conciliator?
- D. “An arbitral tribunal has to rule upon its 'own' jurisdiction”. Discuss the doctrine of "*Kompetenze - Kompetenz*" in light of legislative provision in Arbitration and Conciliation Act, 1996.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** What is “*Court Referred ADR*”. The drafting of the Section 89 is said to be done in a haphazard manner. Discuss the anomalies of Section 89 in light of *Afcons Infrastructure Ltd. V. Cherian*

- Q.3** “Amongst several personal laws in India, The Hindu Marriage Act, 1955 and the Special Marriage Act, 1954 are the only ones that provide for mandatory reconciliation between the parties”
Analysis the realties and necessities of ADR in family dispute matters with the help of legal provisions and case laws.
- Q.4** Discuss the legislative aspect of Pre-Institution Mediation in Commercial matters in light of Commercial Court (Pre-institution Mediation and Settlement) Rules 2018?
- Q.5** “No judicial authority shall intervene except where so provided in Arbitration and Conciliation Act 1996”. Discuss the above statement in light of legal provision and case laws?



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPB2-903 Subject: Banking Law (Including Negotiable Instrument Act) B.A./B.B.A. LL.B. 9th Semester 24th December, 2021 Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet– 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions:

- A. The regulation of banks by Banking Regulation Act, 1949 does not exclude applicability of Companies Act on banking companies. Comment.
- B. A civil court wishes to admit evidence with regard to custom and usage in a case relating to negotiable instruments. Kindly, prepare a brief note on the same to assist the court.
- C. Mr. Shaun is having a bill that is payable on demand. He comes to you for advice that whether he should present it for acceptance separately, as the general rule is “presentment for acceptance must always and in every case precede presentment for payment”. Kindly, advise Mr. Shaun.
- D. Section 138 was inserted in 1988 to provide for imposition of criminal liability in case of dishonour of cheques. What is the status of civil liability for dishonour?

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** “The development of banks largely depends on the economic conditions of the country in general and business houses in particular. In India, the historical perspective of development of banks suggests a fairly bright picture. However, due to the pandemic, the development and effectiveness of banks has been severally hit.” In light of this statement, discuss the effect of

pandemic on development of banks.

Examination R.NO.

HPNLU/--/------

Q.3 “A person may sign a promissory note or a negotiable instrument in his own house and keep it there without incurring any obligation to anyone at all.” In light of this statement, answer the following questions:

- a.** What is the importance of delivery and endorsement for a negotiable instrument? **b.** What is the scope of transferring the negotiable instrument by assignment and operation of law?
- c.** Discuss the competence of different parties to negotiate the negotiable instruments.

Q.4 A Private Limited Company had its current account with Canara bank. Its employee named Abraham was attending to the maintenance of accounts of the plaintiff and was also in charge and custody of the cheque books issued by the Bank to the plaintiff. After five years a firm of Chartered Accountants appointed by the company to conduct special audit of the company's accounts disclosed that Abraham had withdrawn, in all, a sum of Rs. 3 crores under 42 cheques. The company filed suit for recovery of the amount against the bank on the plea that the amounts as per the forged cheques were not utilized for the purpose of the company, that they were not authorized ones, that there was no acquiescence or ratification open or tacit on the part of the company, that the company was unaware of the fraud till the new accountant discovered it. In light of these facts, answer the following questions:

- a.** What will be the liability of the bank if cheques did not bear signature of the authorised person?
- b.** What will be the liability of bank if cheques bear the signature of authorised person that were in fact forged by Abraham?
- c.** Discuss the rules relating to discharge from liability of a maker, acceptor or indorser.

Q.5 Section 138 of the Negotiable Instruments Act, has undergone various amendments during 1988, 2002, 2015 and so on. Evaluate each amendment made to this section with the reasons and effect of such amendments.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPB3-904 Subject: Bankruptcy, Insolvency and Insurance Law B.A./B.B.A. LL.B. 9th Semester 27th

December, 2021 Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet- 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)**Q.1 Short Answer Type Questions:**

- A. There are instances of conflict between the provisions of the Insolvency and Bankruptcy Code, 2016 (IBC, 2016) with other laws. Referring to at least one legislation in this regard, discuss how the conflict between two special laws will be dealt with in the case of conflict.
- B. Discuss the provisions related to the Fast Track corporate Insolvency Resolution (FTCIRP) under the IBC, 2016.
- C. The resolution professional owes responsibility to the creditors as much as he owes the responsibility towards the corporate debtor. Critically analyse this statement considering the duties of the resolution professionals.
- D. Answer the questions that follow –

A CIRP is filed on 01 December 2021 before the NCLT. The application is finally accepted and an order for the appointment of Interim Resolution Professional is made on 21 December 2021. Based on this decide –

- a. Date of initiation of CIRP
- b. Date of commencement of Insolvency
- c. Date of Public Announcement
- d. Tenure of the IRP
- e. Last date for creditors to file their claims against the corporate debtor

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

Q.2 Distinguish between the Fast Track corporate Insolvency Resolution (FTCIRP) and Corporate Insolvency Resolution Process highlighting the distinguishing provisions under the IBC, 2016. Discuss in detail the timeline associated with the FTCIRP and the process of filing application with the concerned authority in this regard.

Q.3 X Ltd. supplied goods to Y Ltd. totalling to INR 5 Lakhs. For the payments against the said amount a cheque of INR 5 Lakhs was issued by Y towards payment to X. Before the cheques could be presented for payment, due to failure of payment to the bank of Y Ltd., its account was made non-performing, and the limit of overdue loan facility was cancelled. Therefore, the bank of Y, S Bank Ltd. started Insolvency Resolution Process. After the initiation of the respective proceeding, the cheque was presented before the S Bank for payment by X Ltd., which due to obvious reasons bounced. X Ltd. filed a criminal complaint against the Directors of Y Ltd. during the period when the insolvency proceeding was ongoing.

The Adjudicating Authority granted the plea of Y Ltd. that the criminal complaint was barred by virtue of moratorium applicable in cases where the insolvency resolution process has begun. X Ltd. appealed to the National Company Law Appellate Tribunal.

- a. Discuss based on the relevant cases and provisions of the law, whether the appeal would succeed.
- b. Discuss the effect of declaration of moratorium under Section 14 of the IBC for both the insolvency resolution process, in general, and the fast-track insolvency resolution process.

Q.4 Insolvency and Bankruptcy Board of India regulates the process of insolvency, the conduct of insolvency professionals, and guides the modus of data collection for the information utilities. Discuss this statement considering the relevant provisions of IBC, 2016.

- a. Enumerate and discuss the responsibilities of insolvency resolution professional.
- b. Is the IRP permitted to act against the employees of corporate debtor considering the employment agreement?

Q.5 Answer the questions that follow –

- a. In cases where the process of insolvency is initiated against individuals, a distinction should be made between qualifying debts and the excluded debts. Define Excluded Debts and discuss the provisions in this regard.
- b. In case of the initiation of resolution process for the companies, the committee of creditors should

be constituted keeping in mind, the interest of the financial and operation creditors and the unpaid employees. However, not all the creditors stand at equal footing. Considering this statement, discuss –

- i. Whether unpaid employees are creditors for the corporate debtor undergoing insolvency process?
- ii. What is waterfall mechanism enshrined under IBC, 2016? Discuss with specific provision in this regard? Also, discuss the rights of secured creditors under the IBC, 2016.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPA3-904 Subject: Comparative Constitution B.A./B.B.A.LL.B. 9th Semester 27th December, 2021 Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet– 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Write Comment on/Answer the following :

- A.** Briefly discuss the phenomenon of 'universalization' of fundamental concepts in constitutional law.
- B.** Comment on *Naz Foundation v. State (NCT of Delhi)*, 2009, as a representative case of comparative studies.
- C.** Constitutional as a closed system of norms. Elaborate.
- D.** The theory of state in the Indian constitution, Article 12, embodies a specific concept of Sovereignty. Discuss.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** 'Public law is different. In a strict sense, it comes into existence only as a consequence of the changes that give birth to the modern idea of the state'. In light of this statement discuss the development of modern constitutional law in the West.
- Q.3** Write an analyst of comparative influences the U.S. and Canadian Supreme Court decisions may have on the outcome of the judgement of the Indian supreme Court in *Lt. Colonel Nitisha v. Union of India*, 2021.
- Q.4** Discuss Carl Schmitt's theory of 'constitution' as the 'complete condition of political Unity

and Order', in the Indian contexts.

Examination R.NO.

HPNLU/--/------

Q.5 In light of the theory of 'state action/responsibility' critically discuss the relevance of the doctrine for India in 21st Century. Refer to interpretations of Charles L. Black Jr., by Gary Peller & Mark Tushnet.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPC3-904 Subject: Forensic Science B.A./B.B.A. LL.B. 9th Semester 27th December, 2021 Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet– 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions:

- A.** Critically analyse the importance of forensics in criminal justice system?
- B.** Define chain of custody and significance of physical evidence?
- C.** Critically discuss the fundamental concept of forensic psychology?
- D.** What is the significance of poison in criminal law and its admissibility in the court of law?

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

Q.2 Critically examine and explain the forensic important of the following

- (i)** Locard's law of exchange
- (ii)** Law of progressive changes.

Q.3 Explain in detail the fingerprinting, heads of collecting fingerprints and its evidentiary value in the court of law?

Q.4 Critically examine the role of forensic psychology in crime investigation and in the court room?

Q.5 Critically examine the following with its evidentiary value

- (i)** Narco Analysis

(ii) Brain Mapping



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPA4-905 Subject: Health Law B.A./B.B.A.LL.B. 9th Semester 29th December, 2021 Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet– 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions :

- A.** Working conditions and the nature of employment tend to have major repercussions on the health of a workman. Can we place the above statement under the concept of ‘occupational health’? Explain.
- B.** “The Declaration on the rights of Mentally Retarded Persons (1971) and the Principles for Protection of Persons with Mental illness and the improvement of mental Health Care (1991) adopted by the General Assembly played important role in promoting the rights of persons with mental or intellectual disabilities”. Keeping in mind the above statement lay down the basic facts about Mental Health, Well-Being and Disability adopted universally.
- C.** “It is ethical to disclose confidential information in certain situations.” Do you agree with this statement? If so, discuss under which circumstances if the medical practitioner discloses the confidential information he will not be responsible for violating professional code of conduct.
- D.** “Biotechnology is regarded as key to food security. However, organisations such as Greenpeace argue that the Genetically Modified (GM) crops don’t yield better results, but push the farmers into debt. They lose their sovereign right over seeds as they are forced to buy GM seeds and technologies from multinational corporations”. Keeping in mind the above statement highlight the concerns regarding genetically modified crops. What is the regulatory mechanism in India relating to GM crops.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** “M- Health also known as mobile health is commonly used in reference to using mobile communication devices, such as mobile phones, tablet, computers for health services and information. While M-Health certainly has application for industrialized nations, the field has emerged in recent years as largely an application for developing countries, like India. However, when technology is used for medical purposes, it gives rise to medico legal and techno legal issues”. Discuss laws in India relating to mobile health and to deal with these medico legal and techno legal issues.
- Q.3** The World Health Organisation (WHO) is the specialized agency of the United Nations that is concerned with International Public Health. Discuss the role and functions of WHO keeping in mind the Covid-19 pandemic where various nations of the world criticizes WHO.
- Q.4** Medical tourism in India is a multibillion dollar provider industry and attracting millions of foreigners and domestic to visit incredible heritage of country and enjoy the medicinal blessings of traditional Vedas and Upanishads. India is full of well trained, qualified and experienced professionals and doctors. However certain issues are associated with medical tourism in India. Discuss what those issues are. Also highlight the scope of medical tourism in India and legal scenario associated with it.
- Q.5** “Medical Termination of Pregnancy Act, 1971 provides legal protection against sec. 315 and sec. 316 of the Indian Penal Code. Thus the traditional legal attitude to abortion was altered in response to the need to regulate abortions and safeguard the health of the pregnant women seeking an abortion. However, the consequences of sec. 3 of the Medical Termination of Pregnancy Act, 1971 were an increase in the cases of female feticide”. Discuss section 3 of the Medical Termination of Pregnancy Act which permits conditional termination of pregnancy. Also name and discuss the main provisions of the legislation which was enacted to curb the social consequence which resulted in female feticide in certain social groups as a result of Medical

Termination of Pregnancy Act, 1971.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPB4-905 Subject: Investment and Security Law B.A./B.B.A.LL.B. 9th Semester 29th December, 2021

Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet– 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions :

- A.** Discuss the India's Foreign Direct Investment policy?
- B.** What is 'investment vehicle'? Explain with reference to FDI Policy 2020.
- C.** What are government securities? Explain with the help of illustrations?
- D.** Mr. Azeeb Kumar is one of the promoters of XYZ Pvt. Ltd. In the year 2020, a look out notice was issued against Mr. Kumar due to his alleged involvement in banking fraud. The whereabouts of Mr. Kumar is yet not known to the authorities. The XYZ Pvt. Ltd., wishes to get listed with the stock exchange and raise capital. Discuss the listing eligibility of this company in terms of Security and Exchange Board of India Regulations.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

Q.2 What do you mean by Foreign Portfolio Investor (FPI)? Discuss the role of SEBI in foreign portfolio investment.

Q.3 Government of India wishes to raise infrastructure fund by way of bond to fulfil the capital requirement for a given project. Discuss the manner in which bond could be issued.

Q.4 Mr. Chanda Prasad, promoter of CP Ltd., wishes to get his company listed at the National Stock Exchange, and thereby wishes to bring Initial Public Offer. List the mandatory requirements which

the CP Ltd. Must comply for listing at NSE.

Examination R.NO.

HPNLU/--/------

Q.5 Mr. Nasseb Chand is running a firm, which provides stock broker services to many small investors. Security and Exchange Board India started a *suo motu* inquiry against the firm for violation of SEBI Act, 1992 and the SEBI (Stock Brokers) Regulations, 1992. The inquiry officer found that the firm is guilty of violating the provisions of the SEBI Act, 1992 when it has failed to deliver the securities to the investor in accordance with the SEBI (Stock Broker) Regulations, 1992 within the specified period under the regulations. The adjudicating officer, after due procedure, imposed fine of Rs. 100,000/- under Section 15F of SEBI, Act, 1992, and also suspended the certificate for 6 months. Against this order, the firm files an appeal before the Securities Appellate Tribunal, which inter alia upheld the order of the adjudicating officer. Aggrieved by the decision, the firm files special leave petition before Supreme Court. Primary contention of the firm is that there was inadvertent error in the maintenance of accounts, books and register, due to which delay occurred in transfer of securities. There was no intention involved. Further, without proof of *mens rea*, the penalty cannot sustain in eyes of laws. Discuss and decide the dispute in accordance with SEBI Act, 1992, Regulations and judicial precedents.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPA2-903 Subject: Local Self Government Including Panchayat Self Administration B.A./B.B.A. LL.B. 9th
Semester 24th December, 2021 Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for
scanning & uploading answer sheet- 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions:

- A. Briefly discuss Mahatma Gandhi's view on Panchayat Raj which he calls as *gram swaraj*.
- B. Write a brief note on The Panchayat (Extension of the Scheduled Areas) Act, 1996.
- C. Discuss the provisions for reservation of seats in Municipalities as per the 74th amendment of the Constitution.
- D. Write a brief note on the constitution of *Mahila Gram Sabha* as per the provision of the Himachal Pradesh Panchayati Raj Act, 1994.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2 “The system of Panchayats as an institution of local self-government at the village level is not new in India. The genesis of the system of Panchayati Raj can be traced back to the ancient India”. Discuss.
- Q.3 “Balwant Rai Mehta Committee was the benchmark in the history of democratic decentralization which gave birth to the very basis of Panchayat Raj System in India”. Discuss the major

recommendations of Balwant Rai Mehta Committee.

Examination R.NO.

HPNLU/--/------

Q.4 The Constitution (Seventy-third Amendment) Act, 1992 accorded the Panchayati Raj Institutions a constitutional status that helped the panchayats to develop as Institutions of Self Government". Explain.

Q.5 Panchayati Raj is the government at the village level that takes care of all needs of the villagers and has to play a prominent role in the development at the grass route level. In the background of this discuss the functions of the Gram Panchayat as provided in the Himachal Pradesh Panchayati Raj Act, 1994.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPC4-905 Subject: Offences against child & woman B.A./B.B.A.LL.B. 9th Semester 29th December, 2021
Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet– 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions :

- A.** ‘Eve teasing was not recognized as a crime earlier but with changing society it has taken a new legal color’. Explain.
- B.** How far the working of National Commission for Women has proved to be effective and successful?
- C.** *In Laxmi v. Union of India*, the Supreme Court has issued many directions in respect of acid attack victims. Throw light on those guidelines and give your suggestions.
- D.** ‘There is different age prescribed for children in different legislations, so is in the case of child labor’. Critically analyse the statement in the light of Child Labor Amendment Act 2016.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

Q.2 Critically analyse the features of Prevention of Domestic Violence against Women Act, 2005 (PDVW Act, 2005).

Q.3 Discuss the role of judiciary in Prevention of Prostitution in India. Do you think Immoral Traffic Prevention Act is effective enough to control the trafficking for prostitution purposes?

Q.4 Critically analyse the POCSO act 2012. How it is different from other laws presently dealing with
Examination R.NO.

HPNLU/--/------

children.

Q.5 Juvenile Justice Act defines different category of children dealt under the law. Explain. What is the need to categorize them. Also discuss the landmark judgments given by the courts in respect of juvenile in conflict with law.



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examinations

Paper Code: SPC2-903 Subject: Penology and Victimology B.A./B.B.A. LL.B. 9th Semester 24th December, 2021 Time: 3 hours and 30 minutes (for writing exam- 09:30 am -12:00 pm and for scanning & uploading answer sheet– 12:00 pm – 01:00 pm)

Maximum Marks: 75

Instructions:

Attempt any three questions from Section-A. Each question in Section-A carries five marks. Attempt any three questions from Section-B. Each question in Section-B carries twenty marks.

SECTION-A (Short-Answer Type) (3x5=15Marks)

Q.1 Short Answer Type Questions:

- A. Discuss the Pennsylvanian and Auburn system of prison administration.
- B. Discuss the life style theory of victimization.
- C. Write a short comment on restorative justice.
- D. Write a short comment on various victim assistance programmes.

SECTION-B (Long-Answer/Descriptive/Analytical Type) (3x20=60Marks)

- Q.2** “Punishment depends upon the degree of culpability of criminal act and the danger posed by it to the society and also the depravity shown by the offender in the commission of such crime.” In the light of the statement, discuss the effectiveness of death penalty and the safeguards against the possibility of miscarriage of justice due to disproportionality in the sentencing.
- Q.3** “Penologists across the world have expressed doubt about the efficacy of fixed sentence as punishment to the offender of a crime and have advocated for greater judicial discretion in sentencing for effectively treating an offender.” In the light of the statement, discuss the executive

clemency, good time laws and indeterminate sentence.

Examination R.NO.

HPNLU/--/------

Q.4 “The rule of law should run parallel to the rule of the society. The initial focus of criminologists were only on the aspect of punishment but the focus started shifting when they encountered the fact that the person who is a victim of crime is getting nothing out of the whole process of criminal justice system or is getting a so called satisfaction by seeing the offender punished.” Discuss the judicial trend in looking after the interests of the victims of crime.

Q.5 “Punishment is the oldest method of controlling crime, criminal and criminality. But with passage of time, there has been a sea change in severity, uniformity and certainty about the modalities of punishment across the world over societies as a reaction to breaking of law.” In the light of the statement, discuss the various forms of punishment which have been practiced by different countries.