

**HIMACHAL PRADESH NATIONAL LAW UNIVERSITY
SHIMLA**

End-Term Examination

Paper Code: LLM 101

Subject: Legal Research Methodology

LL.M. 1st Semester

NOTE: Attempt any two questions.

Time: 3 Hours

Maximum Marks: 50

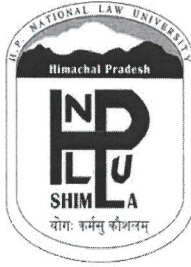
Q1 “While conducting research, a researcher has to collect data from different sources and it is quite obvious that relying on entire population is neither feasible nor practical. So, a researcher has to select a sample instead of going in for a complete census and to draw inferences about the population based on information obtained from sample. In this process, we need to keep in mind that the sample contains only a proportion of population and not the entire population. In order to make a good estimate of population characteristics, selecting reasonably good sampling method is of paramount importance”. Based on above statement discuss different sources of data, sampling design process, and types of different sampling procedures. **(25 Marks)**

Q2. “In the field of research, researcher tries to gather information through administering questionnaires/ schedules. In most of the cases, this information happens to be psychological in nature. In order to generate useful data, Researcher has to be careful in assessing what is to be measured and how is it to be measured”. In the light of this statement, discuss different levels of measurement, criteria for good measurement and types of different measurement scales. **(25 Marks)**

Q3(a) Quite a number of scholars in the recent decades have argued that there cannot and should not be a rigid research design in research. Comment.

(b) Prepare research design on any one of the following topics: 1) Compensatory Jurisprudence in India (2) Right to education **(12.5+12.5=25 Marks)**

Q4. According to Haring, 2008, “analyzing data is an important and scientific procedure and should be well described, documented and explained”, The exercise of data analysis cannot be launched independently ignoring the initial steps of research. Analysis of data thus collected depends on the nature of data and the battery of tests available for its interpretation. Discuss various types of tests which can be applied to data collected in the process of research. Highlight the element of dependence of these tests on the nature of data available for analysis. **(25 Marks)**



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examination

Paper Code: LLM 501

**Subject: Criminology & Criminal
Justice Administration**

LL.M. 1st Semester

NOTE: Attempt any two questions. All questions carry equal marks.

Time: 3 Hrs.

Maximum Marks: 50

Q.1 (a) “Criminology generally focuses on scientific studies of crime and criminality, whereas criminal justice focuses on scientific studies of decision-making processes, operations, and such justice-related concerns as the efficiency of police, courts, and corrective systems; the just treatment of offenders; the needs of victims; and the effects of changes in sentencing philosophy”.

On the basis of above statement define criminology and trace the development of criminology as a branch of criminal science. (12.5 Marks)

(b) The neo-classists asserted that certain categories of offenders such as minors, idiots, insane or incompetent persons had to be treated leniently irrespective of the similarity of their criminal acts with those of other offenders. This reasoning was based on the argument that such persons are incapable or partially incapable of distinguishing right from wrong. They approached the study of criminology on scientific lines by recognizing that certain extenuating situations or mental disorders deprive the criminal of his normal capacity to control his conduct. In so doing they represent a reaction against the severity of the classical view of equal punishment for the same offence.

On the basis of above assertion do you find any errors committed by the classical school in their criminological thinking? What is new about the neo-classics from the classics in their contribution to criminology? (12.5 Marks)

Q.2 (a) “The term ‘organized crime’ refers to the unlawful activities of members of criminal organizations that supply illegal goods and services. Organized crime or criminal organizations are groups or operations run by criminals, most commonly for the purpose of generating a monetary profit. Organized crime has become a branch of big business and is simply the illegal sector of capital. It has been estimated that, by the middle of the 1990s, the “gross criminal product” of organized crime made it the twentieth richest organization in the world.”

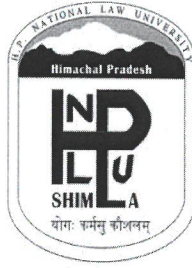
Elucidate why organized crime is the world’s largest business? What efforts to control the rise of organized crime seem most promising? (12.5 Marks)

(b) “Concern about hate crimes has become increasingly prominent among policymakers in many nations and at all levels of government in recent years.”

On the basis of above statement explain hate crime? Trace the development of this concept. (12.5 Marks)

Q.3 “A fair procedure is the bedrock of the criminal justice system. The object of the criminal justice system is to render public justice, to punish the criminal and to see that the trial is concluded expeditiously before the memory of the witness fades out. However, it is matter of the serious concern that administration of the criminal justice system in India is deteriorating day by day. Therefore, there is urgent need of fresh look to review the entire criminal justice system. Specially, in the field of the investigation of the crime by police and court proceedings. Hence, the courts should always try to maintain the public faith of the people in administration of the justice by ensuring the concept of the human rights in administration of the Criminal justice”

On the basis of above statement explain the object of Criminal Justice System and Criminal Justice reforms in India. (25 Marks)



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examination

Paper Code: LLM 502

Subject: Victimology

LL.M 1st Semester

NOTE: Attempt any two questions. All questions carry equal marks.

Time: 3 Hours

Maximum Marks: 50

Q.1 (a) “Victimology is the scientific study of victimization including the relationships between victims and offenders, the interactions between victims and the criminal justice system.”

In the light of the above statement, discuss the nature, scope and theories of victimology.

(b) Discuss the changing status/position of victim in an era of victimological developments in Indian Criminal Law Jurisprudence. **(12.5+12.5=25Marks)**

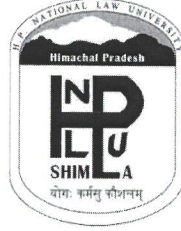
Q.2 (a) “The entire philosophy behind victimology centers around the ‘victim’ who is the ‘lynch-pin’ of victimological studies.” Discuss the various classifications made of ‘Victims of Crime’.

(b) Discuss the role of victim during trial, appeal, compounding of offences and for appointing a lawyer for assisting prosecution in Indian Justice Administration.

(12.5+12.5=25Marks)

Q.3 (a) “Judicial attitude, as reflected in sentencing appears to be amenable to the personal factors and characteristics of victims of crime and victims of abuse of power.” Comment on the Indian judicial attitude towards Compensatory Jurisprudence.

(b) Discuss various laws providing for victim Compensation schemes provided at International, National and State level. **(12.5+12.5=25 Marks)**



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examination

Paper Code: LLM 301	Subject: Constitutional Governance & Federalism
LL.M 1st Semester	

Note: Attempt any two questions. All questions carry equal marks.
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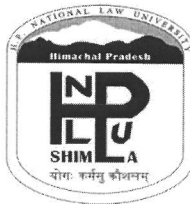
Time: 3 hours

Maximum Marks: 50

Q.1. The words “federation” and “federal” do not appear in the text of the Constitution of India. The Preamble of the Constitution recites the nature of India as a Socialist Secular Democratic Republic so constituted by resolution of “the people of India”. Article 1 describes India as “a Union of States”. By way of contrast the Preamble to the Commonwealth of Australia Constitution Act refers to the agreement of the people of the colonies to unite “in one indissoluble Federal Commonwealth.” Therefore, any comparative discussions about federalism in India and Australia should be conducted in a consciousness of the substantial differences between our two countries. Discuss. **(25 Marks)**

Q.2 Legislature of a federal state is accountable to its people and different legislatures have different power which is vested in them by the Constitution. Therefore, the question is what would be the extent and context of legislative accountability with reference to the power conferred upon it in the light of doctrine of colourable legislation in Indian scenario? Also discuss the different judicial pronouncements of the Supreme Court of India that has laid down certain tests in order to determine the true nature of the legislation impeached as colourable. **(25 Marks)**

Q.3. “From the language of the Article 301 of the Constitution of India it does not appear that it imposes any duty on any one or command any one to do or not to do something, but it may reasonably be said that if the language is to be given effect, then it imposes a limitation on anyone and everyone who impose a restriction on the freedom. In that sense this Article gains the character of a limitation and, on the principle of judicial review, its violation can be challenged in a court of law”. In the light of this, discuss with the support of case law whether it imposes a positive duty on someone to maintain the freedom or just commands not to interfere with it? If the duty is not observed, or the command is not obeyed, then who will question such non-observance or disobedience? **(25 Marks)**



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examination

Paper Code: LLM 303

Subject: Media Law

LL.M. 1st Semester

NOTE: Attempt any two questions. All questions carry equal marks.

Time: 3 Hours

Maximum Marks: 50

Q.1 (a) In a case of freedom of speech and expression two questions are involved; whether the speech entitled to Constitutional Protection and whether the speech Constitutionally prohibited? What is constitutionally protected is the right of dissent. Discuss the analysis given by Kent Greenwalt in his essay 'Free Speech Justifications' in light of freedom of speech and expression exercised by Media. **(15 Marks)**

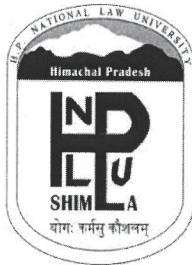
(b) Critically analyze the prospects and challenges being posed by social networking sites as canvassing platform during election in India. Do you think that these social sites have enhanced the concept of 'free market place of idea' and promote positive democratic values to the people of India? **(10 Marks)**

Q.2 (a) Now a days there are various options available where the movies or serials are out through freelancers or otherwise. Even many special series are released not in cinema Houses but on certain open streaming sites like Netflix and Prime Video etc. In these circumstances how far is it relevant and significant that a Central Authority such as CBFC (Central Board of Film Certification) should continue to scrutinize cinematographic content? Critically analyze the Cinematograph Act, 1952 in light of the above observation. **(15Marks)**

(b) Comment on Pre and Post-Censorship and freedom of speech and expression. **(10 Marks)**

Q.3 'As the voice of the masses, representing their concerns, the media not only interprets and comments on the present but it also sets the agenda for the future. In India too, the media – press, radio, television and, now, the internet - has certainly played a significant role in the manner in which democracy has evolved over the years.' Discuss how the concentration of ownership of major publishing house in few hands is hampering the above-mentioned basic notion of Media responsibility in democracy? **(15 Marks)**

(b) Write a Comment on 'Paid news'. **(10 Marks)**



**HIMACHAL PRADESH NATIONAL LAW UNIVERSITY
SHIMLA**

End-Term Examination

Paper Code: LLM 503

**Subject: Criminal Justice
System & Human Rights**

LL.M. 1st Semester

NOTE: Attempt any two questions. All questions carry equal marks.

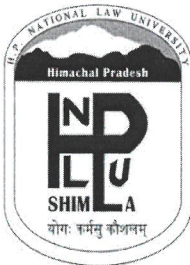
Time: 3 Hours

Maximum Marks: 50

Q.1 The nature and standard of administration of justice within a state has huge practical consequences for ordinary individuals and groups. Do you believe that this very reason paved the way for of the Criminal Justice with the new legal philosophy/norms such as Human Rights? How far it has succeeded in protecting the rights of minorities and others who cannot claim their rights adequately through democratic process? Discuss your answer in the light of recent case laws. **(25 Marks)**

Q.2 Do you agree with the statement that, the human rights jurisprudence of the administration of justice is remarkably consistent and has gradually created a unified worldwide definition of procedural fairness? **(25marks)**

Q.3 "Resort to human rights in criminal justice system is compelled when a given right encounters an 'enforcement crisis' in which other modalities of protection appear inadequate. Yet, the need to find an international or transnational element in human rights violations together with the need to rely on national courts to implement international penal proscriptions present impediments to scrutiny of violations committed by officials of sovereign states." Discuss the role of police and adjudicatory bodies in the light of above statement? **(25marks)**



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examination

Paper Code: LLM 102

**Subject: Law and Justice in a
Globalizing World**

LL.M. 1st Semester

NOTE: Attempt any two questions. All questions carry equal marks.

Time: 3 Hours

Maximum Marks: 50

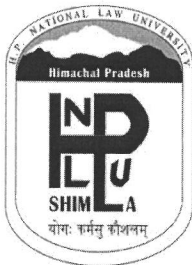
Q.1 "The Concept of liberty is more complex than it appears. The West has always thought of the category of liberty to be something that is external and concerns actions or omissions affecting other." Such conceptions of liberty necessitate existence of modern state with coercive authority. Thus, whether it is J. S. Mill or Isaiah Berlin, the identification of individual and culturally generated ideal- liberty, is difficult. The problem is confounded when historically and culturally contingent philosophical categories, including liberty, is uncritically imported and practiced under our Constitutional and legal system. Alienation or more importantly social alienation is inbuilt into the Western theories of liberty". Critically examine. Illustrate your arguments with instances from current social and legal problems. **(25Marks)**

Q.2 The institution of property has acquired new dimensions in the age of globalization. The so called neo liberal economic policies effectively entail revision of classical modern (dominant) theories of property. In a sense, then, there is hardly a theory of property away from the modern theory of right and the theory of modern state. The existent theories of property are incapable of categorically answering as to what are the things, tangible and intangible, which can be or can be made objects of property. Moreover, absence of definition of the concept in the Constitution and laws of our legal system enables the concept of property to assume character and substance what the other two concepts logically and pragmatically entail for it. Such kind of the structure of the three fundamental legal categories is undoubtedly responsible for much of the modern social problems. Discuss Critically. **(25Marks)**

Q.3 Write short comments on any two of the following:

- a) Conception of Self or Self Autonomy and religious tolerance in contemporary India.
- b) Globalization and its impact on adjudication by the Supreme Court concerning socio- economic rights.
- c) Rawls theory of justice and its relevance in twenty-first Century India.

(25Marks)



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY SHIMLA

End-Term Examination

Paper Code: LLM 302

**Subject: Administrative Process,
Discretion and Techniques of Judicial Control**

LL.M. 1st Semester

NOTE: Attempt any two questions. All questions carry equal marks.

Time: 3 Hours

Maximum Marks: 50

- Q.1** A petition has been filed by the mother of one Mr. X in which she has requested the Director of Public Instruction for exemption under Rule 127E of the Delta Education Code to be given to her son. The Rule provides as follows:

No English School Leaving Certificate will be granted to any person unless

- (a) he has been a pupil on the rolls of Form VI of a recognised English High School during the whole of the school year in which he has applied for a certificate;
- (b) he has completed fifteen years of age on or before the first day of July of the year, in which he applies for the certificate;

The Director was, however, empowered to grant exemption from this rule in deserving cases in favour of Pupils on whose behalf recommendations for exemption are received from their respective Headmasters, provided such recommendations are invariably accompanied by certificates of physical fitness from medical practitioners.

The Director has framed and practiced/followed without deviation invariable rule of not granting exemption unless the deficiency in age was less than two years. In the light of the above said rule/practice, the Director rejected the petition. Help the petitioner putting relevant rules and decided case.

(25Marks)

Q.2 A circular was issued by a government company, prejudicially altering the term and conditions of its employees with offering an opportunity of hearing to them. In reply to the said contention, an argument was advanced by the company that after the impugned circular was issued, an opportunity was given to the employees with regard to alteration made in circular. The employee's association filed a petition before appropriate court and challenged the said circular against the company. Decide the case with the help of judicial pronouncement. **(25Marks)**

Q.3 (a) Explain the concept of Regulators and analyze their role based on their need and policy of the government in India. **(10 Marks)**

(b) Write an overview of Tribunals in India with particular reference to Administrative Tribunals established under Articles 323A and 323B of the Indian Constitution. **(15 Marks)**