



Second Semester LL.M. Examination, June 2013
LAW MAKING PROCESS

Duration : 3 Hours

Max. Marks : 80

- Instructions:**
1. Answer **all 5** questions.
 2. Essay carries – 10
Short notes – 6.
 3. Answer **one** essay type and **one** short note question from **each unit**.

Q. No. 1. (a) “When society possesses accredited law givers or tribunals, it is part of their function to supervise the operation of custom” – Evaluate..

OR

Explain the adverse impact of customs on social development and welfare

Marks : 10

(b) Write note on :
Custom in early societies.

OR

Need to recognise customs as laws.

Marks : 6

Q. No. 2. (a) Explain the procedure required for the making of the law by the legislature.

OR

Discuss purposive approach and mischief rule in interpretation of legislature.

Marks : 10

(b) Write note on :
Referential approach.

OR

Relation between sovereign and subordinate legislation.

Marks : 6

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Q. No. 3. (a) Examine the relationship between equity and Dharma in Indian context.

OR

Discuss the chief equitable principles of Roman law.

Marks : 10

(b) Write note on :
Equity through common law.

OR

International comity.

Marks : 6

Q. No. 4. (a) "For its realisation justice depends on law but justice is not the same as law" – Evaluate..

OR

Critically explain the problems of accountability in judicial law making.

Marks : 10

(b) Write note on :
Special dimensions of judicial process in constitutional adjudication.

OR

Tools and techniques of judicial creativity.

Marks : 6

Q. No. 5. (a) Evaluate the concept of Dharma as the foundation of legal ordering in India.

OR

The theories of justice prevailed in western Europe and united states were amalgamation of Greco-Roman thought of justice. Briefly sketch the development of western legal thought.

Marks : 10

(b) Write note on :
Natural law theory.

OR

Influence of themes of justice in Supreme Court decisions.

Marks : 6