



**Second Semester LL.M. Examination, June 2011**  
**LAW MAKING PROCESSES**  
**(Course No. II)**

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** Questions.  
2. Figures to the **right** indicate marks.

Q. No. 1. (a) Critically examine custom as a source of law. Marks : 10

OR

Examine the role of custom as an instrument of social ordering.

(b) Write a short note on : Marks : 6

i) Custom and positive morality.

OR

ii) Theory of custom in Roman law.

Q. No. 2. (a) Discuss the procedure of law making by the parliament of India. Marks : 10

OR

Judiciary evolves the law and brings changes in it through interpretation. Enlighten this statement with reference to rules of interpretation.

(b) Write a short note on : Marks : 6

i) Supreme legislation.

OR

ii) Use of extrinsic material in interpretation.

Q. No. 3. (a) “Both sanctity of the person and of property give way when the safety of the nation or society is at stake”. Discuss how values differ from individual concern to nation’s concern. Marks : 10

OR

Examine the relation between common law and equity.

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Marks

- (b) Write a short note on :
- i) Values and international comity.
- OR
- ii) Equity as a source of law.

Q. No. 4. (a) With the help of leading case laws critically examine the creative role of a judge which amounts to judicial activism. Marks : 10

OR

Examine the various techniques adopted in judicial creativity.

- (b) Write a short note on : Marks : 6
- i) Statutory and codified systems.
- OR
- ii) Independence of judiciary.

Q. No. 5. (a) Discuss the ancient Indian concept of 'Dharma'. Marks : 10

OR

Analyse few decisions of Supreme Court which are essentially based on the theories of justice.

- (b) Write a short note on : Marks : 6
- i) Liberal moral tradition.
- OR
- ii) Theory of justice in western thought.