



Second Semester LL.M. Examination, January 2011
LAW MAKING PROCESSES
(Course – II)

Duration : 3 Hours

Max. Marks : 80

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

Q. No. 1. (a) Custom is recognized as law if it satisfies certain tests. Discuss. Marks : 10

OR

Critically examine the analytical views on custom.

(b) Write short note on : Marks : 6

i) Local custom.

OR

ii) Tarde's thesis.

Q. No. 2. (a) Legislation is the most important source of law compared to other sources of law. Elucidate. Marks : 10

OR

Explain the literal rule of interpretation along with its defects.

(b) Write short note on : Marks : 6

i) Subordinate legislation and its types.

OR

ii) Golden rule of interpretation.

Q. No. 3. (a) Values are behind every justice which is described as "the inarticulate major premises of judicial reasoning". Critically examine the importance of values in providing justice. Marks : 10

OR

Sketch briefly the evolution of equity.

(b) Write short note on : Marks : 6

i) Values and social welfare.

OR

ii) Equity and Dharma.

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Q. No. 4. (a) 'Judicial process is an instrument of social ordering'. Discuss. Marks :

OR

State the importance of judicial process in pursuit of constitutional goals and values.

(b) Write short note on :

Marks : 6

i) Epistolary jurisdiction.

OR

ii) Judicial accountability.

Q. No. 5. (a) Compare and contrast Indian concept of Dharma with Western notions of natural law.

Marks : 10

OR

Explain utilitarian concept of justice and examine it as a basis for modern welfare state.

(b) Write short note on :

Marks : 6

i) Liberal contractual tradition.

OR

ii) Dependency theory.
