

LLM-1st Sem

Roll No.

Total Pages : 02

MLD/D-22

30664

LAW, SOCIAL TRANSFORMATION AND
JUDICIAL PROCESS IN INDIA

Paper 101

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *Four* questions in all, selecting *one* question from each Unit. All questions carry equal marks.

Unit I

1. Discuss in detail the 'Principle of Utility'.
2. Write a critical essay on the 'Principles of Penal Code'.

Unit II

3. Write a critical note on 'Civil Disobedience of Law'. Is it permissible within the theory of law ?
4. What do you mean by 'Delegated Legislation' ? Examine the control mechanism of administrative rule making in India.

Unit III

5. "Law is the product of tradition and culture." Comment.
6. Elaborate upon modernisation trends in the area of 'Family Law'.

Unit IV

7. What do you mean by 'Judicial Review' ? Can the pardoning power of the President be subject to Judicial review ? Explain by citing decided cases.
8. What do you understand by 'Judicial Activism' ? How has it helped in protecting the right to life and personal liberty enshrined in Article 21 of the Indian Constitution ? Explain with leading cases.

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INDIAN CONSTITUTIONAL LAW AND THE
NEW CHALLENGES

Paper 102

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *Four* questions in all, selecting *one* question from each Unit. All questions carry equal marks.

Unit I

1. Differentiate between Presidential form of Government and Parliamentary form of Government. Discuss critically which one of the Govt. is most suitable in present Indian System.
2. "Judicial activism has been used by judiciary in spreading its wings to those fields which so far remained untouched." In this reference explain the utility of Judicial activism with the help of decided cases.

Unit II

3. Freedom of speech and expression is one of the most important Fundamental Right. Discuss its scope and ambit with reference to the decision to the apex court.

4. Critically examine the widening dimensional of the concept of "State" in Article-12 of the constitutional of India with the help of judicial decision.

Unit III

5. How does Indian Constitution protect cultural and educational case of minority ? Explain.
6. Describe the relation between Directive Principle of the State Policy and Fundamental Rights. How are Directive Principles used by the Judiciary in Interpretation of Fundamental Rights.

Unit IV

7. Right a critical note on theory of basis structure in Indian Constitution.
8. What is cooperative federalism ? Discuss the development of cooperative federalism in India ? Do you agree that coalition government weaken the Cooperative Federalism ?

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30666

PRINCIPLES OF STATUTORY
INTERPRETATION

Paper : (103)

(Non CBCS)

Time : Three Hours]

[Maximum Marks : 100

Note : Eight questions shall be set with two questions from each Unit. Attempt *four* question in all, selective *one* question from each Unit. All questions shall carry equal mark.

Unit I

1. "If the strict grammatical interpretation gives rise to absurdity or inconsistency, the Court could discard such interpretation and adopt an interpretation which will give effect to the purpose of the legislature. This could be done, if necessary, even by modification of the language used."

Discuss the above rule of interpretation of statutes and refer to at least two decided cases in which the courts in order to avoid the absurdity that the literal rule, if applied, would have resulted in the felt justified to modify the language of the statute to arrive at the true intent of the legislature.

2. (a) What is 'Golden Rule of Interpretation' ? Explain with case laws.
- (b) Discuss the Rule of Harmonious Construction of Statute.

Unit II

3. What is the value of intrinsic aids of the Construction of statutes ? Explain.
4. What do you mean by Construction Noscitur-a-Sociis of statutes ? Explain with the help of deciding cases.

Unit III

5. Explain the following with the help of the decided cases :
 - (a) Rule of Pari Materia
 - (b) Use of Foreign Decision.
6. Bring out the distinction between Codifying and Consolidation of Statutes and the rules of interpretation applicable to them. Discuss the recent judicial trend in the interpretation of Consolidation of statutes.

Unit IV

7. What is the distinction between penal and remedial statutes and the rules of interpretation applicable to them ? Discuss the recent judicial trend in the interpretation of penal statutes.

8. To remove the disability imposed by the custom or usage on certain classes of Hindus against entry into a Hindu Public temple, State X passed a law under Article 25(2) (b) of the Constitution and throws open the entry to any such temple to all sections of Hindus. The trustees of a denominational Hindu temple resist the application of such law on the ground that their temple had been built for the benefit of a particular Hindu sect. They contend that under Article 26(b) of the Constitution, they have a right to manage their affairs in the matter of religion which includes right of entry also. Discuss the rule of interpretation that you will apply to resolve the above dispute.