



‘সম্মানো মন্ত্র: সাধিত: সমানী’

UNIVERSITY OF NORTH BENGAL

LL.M. 2nd Semester Non-Specialisation Examination, 2024

ADMINISTRATIVE LAW

COURSE: LLM0CCT0201N

Time Allotted: 4 Hours

Full Marks: 100

*The questions are of equal value.
The figures in the margin indicate full marks.*

Answer any four questions

1. Administrative law is a by-product of intensive form of government. During the last century, the role of the government has changed from laissez-faire to paternalism and from paternalism to maternalism. In the light of this statement discuss the growth of Administrative law with special reference to India. 25
2. The aim of the doctrine of separation of powers is to guard against tyrannical and arbitrary powers of the state. In this context analyse critically whether the Indian Constitution contains provisions embodying this doctrine while referring to the celebrated Keshavananda Bharti and Indira Nehru Gandhi's case. 25
3. What is Delegated Legislation? Critically examine the importance and scope of legislative Control of Delegated legislation in India. 25
4. What is Natural Justice? Analyse critically the essentials of notice and hearing. Refer the important Supreme Court judgements where the court has relied on the importance of applying the principles of natural justice in order to have a progressive legal system. 25
5. What is the 'Rule of Law'? Critically examine to what extent the concept of 'Rule of Law' has been adopted in Indian Constitutional context with the help of important judgments. 25
6. Discuss with the help of case-laws, the administrative liability of the state in torts and in contract. 25
7. Write a comprehensive note on judicial review and public remedies with special reference to important case-laws. 25
8. Write short notes on any *two* of the following: 12 $\frac{1}{2}$ \times 2 = 25
 - (a) Separation of Powers
 - (b) Statutory and judicial remedies
 - (c) Estoppel and Waiver.

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JUDICIAL PROCESS

COURSE: LLM0CCT0202N

Time Allotted: 4 Hours

Full Marks: 100

The figures in the margin indicate full marks.

Answer any four questions

1. Define the term ‘Judicial Process’. Judicial process is said to be dynamic and as an Instrument of social ordering — Explain with reference to Cardozo’s view on Judicial Process. 25
2. What is the meaning of Judicial Accountability in India? What is the current Framework of Judicial Accountability in India? What steps can be taken to enhance Judicial Accountability? 25
3. Explain Rawl’s theory of Justice and applicability of this theory to Indian legal Framework. 25
4. Explain the doctrine of Precedent as a tool of Judicial legislation in India. 25
5. Write an essay on the interpretation of statutes as a method of Judicial Law Reviewing. 25
6. Discuss the role of Indian Judiciary in promoting the spirits of Transformative Constitutionalism. 25
7. With the help of Habeas Corpus Case critically discuss the interferences of executive in Indian higher Judiciary. 25
8. Answer any *two* of the following: 12 $\frac{1}{2}$ \times 2 = 25
 - (a) Ratio Decidendi and Goodharts test
 - (b) Prospective Overruling
 - (c) Equity jurisdiction of Supreme Court of India.

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CONSTITUTIONAL AND SOCIAL TRANSFORMATION

COURSE: LLM0CCT0203N

Time Allotted: 4 Hours

Full Marks: 100

*The questions are of equal value.
The figures in the margin indicate full marks.*

Answer any *four* questions from the following

1. Law is one of the important instruments of affecting change. In the light of this statement discuss the impact of societal traditions and culture in law which brings social transformation with special emphasis on the Indian Context.
2. Women constitute half of the world's population yet we find various forms of atrocities committed against women and their rights getting infringed. Discuss elaborately with the help of relevant cases the constitutional safeguards for the empowerment of women in India.
3. Education has been a human right and not a privilege. Elucidate the statement and discuss the efforts of Government in India to provide this right to the children along with suitable cases.
4. India is a land of varied heritage and inclusive diversity and it is quite evident from the existence of different linguistic communities. In this light discuss the Government Policy in India regarding "One Nation, One language" and its impact.
5. Discuss how far the fundamental duties outlined in the Constitution of India serve as a mechanism for societal transformation, alongside the rights it grants to individuals. Comment on this point referring to the landmark judicial decisions of the Indian Courts. 25
6. Examine the relationship between law and morality specifically highlighting the Hart and Fuller's debate on it. Explain the relevancy of law and morality in present society. 25
7. Explain how the process of constitutional amendments facilitated the accommodation of evolving social changes in India. Comment on it mentioning the significant constitutional amendments to the Indian Constitution. 25
8. Write notes on any *two* of the following: 12 $\frac{1}{2}$ \times 2 = 25
 - (a) Judicial activism and social transformation
 - (b) Crimes against women and amendments to criminal laws
 - (c) Law as a tool of social reforms.

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