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LL. M. (Semester - II) Examination - 2010

LW - 203 : LAW, SOCIAL TRANSFORMATION
AND JUDICIAL PROCESS IN INDIA - II

(New Course)

Time : 3 Hours]

[Max. Marks : 60

Instructions :

(1) Attempt *any four* questions.

(2) All questions carry equal marks i.e. 15 each.

Q.1) What are the basic aspects of Dharma as enunciated in Hindu Philosophy ?
How has it provided foundation to the Indian Legal System as exists today ?

Q.2) According to Bodenheimer, "The judges do not legislate at all. The law is already there present in Customary Rules." Do you agree ? Justify yourself with appropriate illustrations showing the true nature of judicial process.

Q.3) What is the Concept of Political Liberalism ? How far Rawl's Theory of Justice is applicable in Indian Legal System ? Explain.

Q.4) "Independence and Integrity of the Judiciary in a Democratic System of Government is of the highest importance not only to the judges but also to the people at large seeking judicial redress." Discuss the relevance and applicability of the statement by reference to the Indian Judicial System.

Q.5) Discuss the Post-emergency Judicial Activism with special reference to Article 21 of Indian Constitution.

Q.6) Critically explain the importance of mediation and conciliation as a part of reform in the process of alternative dispute resolution.

Q.7) Write short notes : (Any Two)

- (a) Stare Decisis
 - (b) National Judicial Commission – its role and purpose
 - (c) Problems of Accountability and Judicial Law Making
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