

(Pages : 2)

P – 4867

Reg. No. :

Name :

Second Semester LLM Degree Examination, February 2023

Core Paper

Paper IV : LEGISLATIVE PROCESS

(2021 Admission)

Time : 3 Hours

Max. Marks : 60

Instructions : Answer **all** questions. All questions carry equal marks.

- ✓ (a) "The Utilitarian Philosophy is based on the consequential ideology of rightness or wrongness of any action". Evaluate the relevance of this philosophy in the legislative process.

OR

- ✓ (b) "With a renewed interest in the Welfare state and the role it can play in improving societal well being. changes in the world have increased the imperative for reconstructing the welfare state." Do you agree with this statement? Substantiate your answer with suitable illustrations.

- ✗ (a) Explain the role of the Indian judiciary in influencing and shaping the legislative process in India. Is the process responsible and robust, in your opinion?

OR

- ✓ (b) "The Preamble, the Fundamental Rights and the Directive Principles- these may be described as the soul of the Constitution and the testament of the founding fathers to the succeeding generations". Explain how these are reflected in the legislative process in India.

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- 3 ✓ (a) "Though the emergence of the welfare state, to a large extent, has minimized the importance of the legislature, it still continues to be a significant organ of any form of government." Critically evaluate this statement.

OR

- (b) "The legislature transacts a great deal of its business through committees." Explain the role played by such committees, which are also termed as 'mini legislatures'. Are such committees against the letter and spirit of democracy?

- 4 ✓ (a) "It is not the legislature as a whole, but its component units such as parliamentary parties, factions, committees and individual legislators, that are the main actors in the policy processes". Critically assess this statement. Do you agree with the same?

OR

- (b) "The scheme of the Constitution for the realisation of the socio-economic agenda comprises of both the justiciable Fundamental Rights as well as the non-justiciable Directive Principles." Explain the role of the Parliament in enforcing the 'the socio-economic agenda' of the Constitution.

- 5 ✓ (a) "The Law of the land, besides the common law and statute law, includes a great deal of what may be termed Subordinate or Delegated Legislation." Elucidate.

OR

- (b) "All jurisdictions acknowledge the departure from the traditional doctrine of separation of powers, but equally have to ensure that delegated legislation carries sufficient democratic legitimation". Examine the measures that are adopted by modern democracies to ensure such legitimation.

(5 × 12 = 60 Marks)