

Total number of printed pages-3

23 (1) LLM 1-4.

2015

**THEORY OF LEGISLATION**

Paper : 1004

Full Marks : 80

Time : Three hours

*The figures in the margin indicate full marks for the questions.*

1  
0 Write an exhaustive note on the Principle of Utilitarianism. How far is this principle helpful in making modern Legislations effective ? 16

Or

What do you mean by 'Legisprudence' ? Explain various principles of Legislation. How far the principle of utility is operated on the basis of Pleasure and Pain Theory ? Discuss with examples. 16

Contd.

12  
Marius - Servant  
Municipal agent  
wife husband  
Crown  
servant  
v/v

"Rights are in themselves advantages, benefits for him who enjoys them, obligations on the contrary are duties, charges to him who ought to fulfil them". Elucidate the above statement in the light of Bentham's Rights and obligations attached to several private conditions. 16

Or

Give a brief concept of property. Discuss critically Bentham's Distribution of Property followed by criticisms. 16

13  
"Bentham offers a classification of sanctions, which by itself may not be original, it may well be regarded as highly derivative". Discuss briefly the general classification of offences. How Bentham justifies the variety of punishments? 16

Or

14  
What do you mean by chronic offences? What are the remedies available according to Bentham to prevent offences from harming the society? Highlight your answer by citing some practical examples. 16

15  
Write short notes on *any two*: 8+8

(a) Relationship between Legislative Opinion and General Public Opinion.

(b) Public Opinion on Election

(c) Relation between Law and Public Opinion.

(d) Opinion Polls.

Or

16  
Discuss in brief the status and importance of Public Opinion in India. What do you think are the most important problems facing the country today? 16

17  
Discuss the establishment and the development of the Law Commission of India. How far the recommendations of the Law Commission are adhered to in successfully bringing about changes in the Indian Legal System? 16

Or

18  
What do you mean by 'Codification'? Is it true or myth that Legislation may be the result of Law made by Judges, as Judges are the makers or discoverers of Law? Give a comparative analysis of the Judge made Law and the Statutory Law? 16