

**ONE YEAR LL.M DEGREE SECOND SEMESTER EXAMINATION**

**SEPTEMBER 2021**

**LAW RELATING TO PUBLIC EMPLOYMENT**

**Duration: 10.00am - 1.45 pm**

**Maximum Marks: 50**

**Question carry Ten marks**

**Module 1 (Time 10 a.m-10.45 a.m (35 minutes for writing and 10 minutes for uploading)**

1. a) Examine the concept and nature of the civil service in India. How does it maintain neutrality from political executives?

OR

- b) Are there any restrictions on government officials from enjoying the freedoms envisioned in part III of the constitution? If so, examine its constitutional validity in the light of court decisions

**Module 2 Time 10.45 a.m-11.30 a.m (35 minutes for writing and 10 minutes for uploading)**

2. a) Discuss the concept of doctrine of pleasure under Indian constitution and explain how it works in the Indian public services with the help of case laws.

OR

- b) Explain the safeguards available to public servants under Article 311 of the constitution and critically examine the case laws.

**Module 3(Time 11.30 a.m-12.15 p.m (35 minutes for writing and 10 minutes for uploading)**

3. a) Judicial review can be exercised only if the action of the employer runs contrary to the Constitution, statutory provisions or is patently arbitrary or illegal. Discuss

OR

- b) Explain the rules and settled laws related to probation and confirmation for public services in India.

**Module 4((Time 12.15 p.m-1.00 p.m (35 minutes for writing and 10 minutes for uploading)**

4. a) Examine the different kinds of pension available to public servants under service laws and discuss case laws on the matter.

OR

b) Explain the case laws and rules relating to recruitment and appointment for public services in India.

**Module 5(Time 1.00 p.m-1.45 p.m (35 minutes for writing and 10 minutes for uploading)**

5. a) Primarily seniority is determined on the basis of statutory provisions. In the absence of rules relating to seniority or any particular aspect of principle relating to the law governing seniority, the employer is entitled to fill up the gap by executive order. Comment the statement with the help of case laws.

OR

b) Transfer is an ordinary incident of service and therefore does not result in any alteration of any condition of service to his disadvantage. How does the transfer differ from deputation?

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