

TECHNIQUES OF JUDICIAL CONTROL

Time: 3 Hours

Maximum Marks: 50

Answer ANY FIVE of the following. Each question carries TEN marks

(5 x 10 = 50)

- I. Judiciary has confined itself within the limitations imposed by the legal system and it has adopted a consistent and wise policy in relation to auto limitation. Examine the statement with reference to judicial deference and judicial self restraint.
- II. Amendments help to maintain a balance by protecting the rights of the state leaving the remainder of the Constitution easy to amend. Comment.
- III. Examine the grounds for judicial review of legislations. What is the effect of declaration of unconstitutionality of a pre and post constitutional statutes.
- IV. Enumerate the different stages in the evolution of Public interest litigation in India.
- V. Examine the technocratic and proactive models of judicial review and see whether judicial activism has a constitutional basis.
- VI. Give an account of dimensions of judicial review and see how judicial review is justifiable in a democracy where judiciary is a deviant institution.
- VII. It is highly difficult to draw a bright line to differentiate the various functions of administration. Examine the extent to which judiciary could intervene to ensure compliance with the Constitution emphasizing the various grounds for judicial review of administrative action.
- VIII. An ouster clause will not prevent judicial review on jurisdictional grounds. Comment.
