

LLM Semester-II Examination, 2023**LAW****Course ID : 22751****Course Code : 201C****Course Title : Law and Social Transformation in India**

Time : 3 Hours

Full Marks : 80

*The figures in the right-hand margin indicate marks.**Candidates are required to give their answers in their own words as far as practicable.*Answer any **four** questions.

1. "The complexity of worldly changes on the one hand, and the enduring values embodied in law on the other, often stand at loggerheads, and pose difficulties in the management of change. Law has to find appropriate via media path for balancing the extremes. The issues of desirability of change, the identification of appropriate new legal policy to bring the desired change, its justification in terms of people's aspiration or paramount ideals, and the determinations about the extent, level and modality of change through law are greatly important factors that mould the change management process." — In the light of the above, discuss the role of Law as an instrument of Social Change and point out the limitations of Law in bringing Social Change. 20

[Turn Over]

2. When India is said to be a secular State, it does not mean that we reject the reality of an unseen spirit or the relevance of religion to life or that we exalt irreligion. It does not mean that secularism itself becomes a positive religion or that the State assumes divine prerogatives... We hold that not one religion should be given preferential status . . . This view of religious impartiality, or comprehension and forbearance, has a prophetic role to play within the national and international life".—Dr. S. Radhakrishnan. Evaluate the true spirit of Secularism under the Constitution of India and thoroughly assess the problems of Religious Minorities in India. 20
3. Human trafficking is "the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or service, slavery or practices similar to slavery, servitude or

the removal of organs.” —Critically analyze the concept of Human Trafficking. Do you think indian laws are good enough to eradicate the crime of Human Trafficking? 20

4. "Healthy synthesis between continuity and change can be found as the major pattern of modernization contemplated in the constitutional provisions on fundamental duties. They appeal to citizens' attention for preserving the loveable past and for projecting a laudable future. They gain considerable importance as they address to the issues of modalities and aims of change through conscious and committed participation by the citizenry." — In the light of the above, cultivate the value of modernization reflected in the Constitutional perspectives of Fundamental Duties in India specifically highlighting the enforceability of said duties with the help of decided cases. 20

5. "The fundamental purpose of decentralization should be to train the local leadership to assume higher responsibilities and to serve the people with maximum efficiency and economy and with minimum vexation so as to meet their growing needs within the resources at their disposal, giving priority where it is legitimately due." — In view of the above, critically examine the

role of Democratic Decentralization and Local Self Government in bringing Modernization in India. 20

6. Write short notes on (any **two**) of the following: 10×2=20

- a) Reservation Policy and Social Welfare in India.
- b) Empowerment of Women
- c) Education of Children in India
- d) Grama Nyayalayas and Indian Criminal Justice System.