



0152

I Semester 2 Years LL.M. Examination, October/November 2021
INDIAN CONSTITUTIONAL LAW : NEW CHALLENGES

Duration : 3 Hours

Max. Marks : 80

Instructions : 1. Answer any five of the following.

2. Answer should be written in English compulsory.

- Q. No. 1. Critically examine the constitutional framework governing creation of new states in India. Marks : 16
- Q. No. 2. Examine nature and scope of Article 356 of Indian Constitution.
- Q. No. 3. Evaluate the impact of privatization on affirmative actions in India. Marks : 16
- Q. No. 4. Discuss the role of Election commission of India in ensuring free and fair election.
- Q. No. 5. Discuss the scope and limitations of Freedom of Speech and Expression under Constitution of India. Marks : 16
- Q. No. 6. Elucidate the judicial developments with respect to appointment of judges of High Court and Supreme Court of India. Marks : 16
- Q. No. 7. Discuss the judicial developments on right of minorities to establish and administer educational institutions. Marks : 16
- Q. No. 8. Explain the electoral reforms brought out in India. Marks : 16
- Q. No. 9. Write note on **any two**.
- (a) Judicial Activism. Marks : 8
- (b) Women empowerment under Constitution of India. Marks : 8
- (c) Right to strike. Marks : 8
- (d) Religious fanaticism. Marks : 8
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0152

**I Semester 2 Year LL.M. (Constitutional Law/Business and Trade Law)
Examination, December 2019
INDIAN CONSTITUTIONAL LAW : NEW CHALLENGES**

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **any five** of the following.
2. Answer should be written in **English** only.

- Q. No. 1. Discuss the role of Election Commission in ensuring free and fair elections. Marks : 16
- Q. No. 2. Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation. Marks : 16
- Q. No. 3. Discuss the concept of Secularism and the effect of Religious Fanaticism on the Secular fabric of India. Marks : 16
- Q. No. 4. Examine Freedom of Speech and the Right to Broadcast and Telecast. Marks : 16
- Q. No. 5. Discuss the initiatives by the Judiciary for empowerment of Women. Marks : 16
- Q. No. 6. Discuss with the help of relevant case law the scope of "Procedure established by Law" under Article 21. Marks : 16
- Q. No. 7. Write note on **any two** of the following : Marks : 2×8=16
- (a) Constitution and Constitutionalism
 - (b) Commercialization of education and its impact
 - (c) Inter-state disputes on resources
 - (d) Federalism in India.
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I Semester LL.M. (2 Years) (IPR Laws/Constitutional Law/B and T Law)
Examination, December 2015
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

Duration : 3 Hours

Max. Marks : 80

Instructions : 1. Answer **all 5** questions.

2. Figures to the **right** indicate marks.

Q. No. 1. (a) Explain the claims of riparian owners and evaluate critically the settlement of Inter state river water disputes under the Constitution of India and relevant statutory provisions.

Marks : 10

OR

Whether special status accorded to certain states is concomitant with the spirit of federalism. Comment with special reference to Art. 371J.

(b) Violation of fundamental rights by a Non Profit Sector – Third Sector Organisation/NGOs.

Marks : 6

OR

Modified scheme of Indian federal polity.

Q. No. 2. (a) Whether a private corporation discharging public function be considered as 'state' for the purpose of providing equal opportunity in matters of employment.

Marks : 10

OR

Do you think 'affirmative action and protective discrimination' are serving the purpose of minimisation of inequality ? Substantiate.

(b) Gender justice.

Marks : 6

OR

Clash between fundamental rights.

0152



- Q. No. 3. (a) Discuss the theoretical foundation and practical difficulties created by the decision of Supreme Court in T.M.A. Pai's case.

Marks : 10

OR

Is there a clash between right to free and compulsory education and right to occupation of establishing educational institution in the context of exemption given to minority run educational institutions under Article 15(5) to disregard reservation. Comment.

- (b) "Secularism" V Communalism V fundamentalism.

Marks : 6

OR

Distinction between Art. 29 and 30.

- Q. No. 4. (a) Define 'telecasting rights'. Discuss whether use of technology to restrict telecasting of indecent and obscene motion pictures is within the scope of reasonable restrictions.

Marks : 10

OR

Do you consider that the Supreme Court of India is on the right track in awarding compensation as writ remedy in the context of doing 'Complete Justice'.

- (b) Nationalisation of primary education for decommercialisation.

Marks : 6

OR

Emergence of new rights.

- Q. No. 5. (a) Critically examine the role played by the Supreme Court in upholding 'Collegium' system of Judges appointing Judges in the context of theory of separation of powers.

Marks : 10

OR

Will of the legislature may not be the wish of the people. In this contextual background examine democratisation of law making process.

- (b) Epistolary jurisdiction.

Marks : 6

OR

Judicial restraint in case of fiscal policy.



0152

I Semester LL.M. (Compulsory) Examination, June/July 2015
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES
(IPR, Const, Business and Trade)

Duration : 3 Hours

Max. Marks : 80

Instructions : 1. Answer **all** questions.

2. Figures to the **right** indicate marks.

Q. No. 1. (a) Explain the need for widening the scope of "state" in the wake of liberalisation. Marks : 10

OR

What is federalism ? Examine the features of a federal form of government.

(b) Write a note on Inter-State disputes on resources. Marks : 6

OR

Failure of Constitutional machinery in a states.

Q. No. 2. (a) "Article 14 is nothing but a classification clause" – comment. Marks : 10

OR

"Once a backward is not always a backward" – comment.

(b) Write a note on reservations in the field of promotions. Marks : 6

OR

Empowerment of women.

Q. No. 3. (a) Examine the scope of freedom of speech under Indian Constitution. Marks : 10

OR

Examine how judiciary has read Part – IV and Part – IV A into Part – III of the Constitution.

(b) Write a note on restrictions on right to broadcast. Marks : 6

OR

Right to strike.

P.T.O.

0152



Q. No. 4. (a) Who are minorities ? Examine the right of minorities to preserve, conserve their script and culture with the help of caselaws.

Marks : 10

OR

How the Constitution has provided for religious pluralism assuring individuals right to freedom of religion.

(b) Write a note on Right to Education.

Marks : 6

OR

Commercialization of education in the era of globalization.

Q. No. 5. (a) Explain the procedure relating to appointment and removal of Supreme Court Judges.

Marks : 10

OR

Explain the concept of public interest litigation.

(b) Write a note on Electoral Reforms.

Marks : 6

OR

Write a note on Coalition Government.



First Semester LL.M. (IPR/Const/B&T) Examination, December 2014
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** questions.
 2. Figures to **right** indicate marks.

Q. No. 1. (a) Examine the criticism that the states in India have been burdened with many responsibilities without adequate financial resources.

Marks : 10

OR

Whether special status awarded to certain states is concomitant with the spirit of federalism as enshrined in constitution of India. Comment.

(b) Would you advocate further distructibility of states for effective administration of states in union of India ?

Marks : 6

OR

Critically examine the interstate disputes on natural resources as a natural phenomenon of a Indian federalism.

Q. No. 2. (a) Conceptually analyse 'classification test' and 'New doctrine' of equality as interpreted by the Supreme Court.

Marks : 10

OR

Whether incorporation of Article 15 (5) leads to affirmative action in Private higher educational institution, elucidate.

(b) What do you mean by empowerment of women.

Marks : 6

OR

Write a note on gender justice.

Q. No. 3. (a) Discuss, whether 'trial by press' is within the scope of freedom of expression.

Marks : 10

OR

With the help of decided cases, explain the circumstances of reading directive principles into fundamental rights.

P.T.O.

0152



(b) Explain the scope of 'freedom of speech'.

Marks : 6

OR

Write a note on 'decommercialisation of education'.

Q. No. 4. (a) Discuss the provisions relating to religious and linguistic minorities under the constitution.

Marks : 10

OR

Distinguish secularism and religious fanaticism.

(b) Whether exclusion of minority run Higher educational institutions from the purview of reservation under Act 15 (5) is complementary to the right guaranteed to them under Act 30 (1). Comment.

Marks : 6

OR

Regulation of minority educational institutions.

Q. No. 5. (a) Explain the concept of separation of powers in relation to independence and accountability of Judiciary.

Marks : 10

OR

Discuss 'electoral jurisprudence' as envisaged under constitutional provisions.

(b) Judicial activism.

Marks : 6

OR

Write a note on Nexus of politicians with the criminals and the business.

5



0152

First Semester LL.M. [IPR/Const/B&T] Examination, June/July 2014
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** questions.
2. Figures to the **right** indicate marks.

Q. No. 1. (a) "Irrespective of a question whether particular federation is over federal or underfederal or truly federal or only quasi federal – a true federation contemplates that the political system must reflect federal principle" – analyse this statement with reference to the Constitution of India.

Marks : 10

OR

How far do you agree with the statement that 'the judicial interpretation of statutory authorities under Article 12 has led to the protection of service conditions of its employees rather than the protection of fundamental rights of the citizens at large' ?

(b) Directions by the Centre to the states.

Marks : 6

OR

Use and abuse of Article 356.

Q. No. 2. (a) How far the reservation policy promotes the constitutional principle of equality and emancipation ?

Marks : 10

OR

Among the constitutional Articles, article 14 is most significant as it has been given a highly activist magnitude in recent years by the courts and thus generated a large number of court cases' – Explain.

(b) Political empowerment of women.

Marks : 6

OR

Vishaka v. State of Rajasthan.

P.T.O.

0152



- Q. No. 3. (a) Whether directive principles of the state policy have still remained as 'valuable dustbins of sentiments or an instrument of instructions' ?

Marks : 10

OR

Critically evaluate the role of apex court in preventing commercialization of education.

- (b) Right to information.

Marks : 6

OR

Right to education.

- Q. No. 4. (a) "The rights guaranteed to the religious minorities is to strengthen the secular fabric" – Comment.

Marks : 10

OR

'While the right to freely practise religion is subject to limitations, at the same time there is no such protection to activities which are economic, commercial or political in character'. Comment.

- (b) Religious freedom and fanaticism.

Marks : 6

OR

T.M.A. Pai Foundation (II) v. State of Karnataka.

- Q. No. 5. (a) Examine the trends of Indian judiciary relating to political corruption.

Marks : 10

OR

What are changes that have to be introduced in respect of appointment of judges to the higher judiciary ?

- (b) Election Commission.

Marks : 6

OR

Judicial self restraint.



0152

First Semester LL.M. Examination, December 2013
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** Questions.
2. Answer **one** essay type and **one** short note question from **each Unit**.
3. Figure to **right** indicate marks.

- Q. No. 1. (a) What are the Yardsticks of federalism ? Verify, whether constitution of India answers positively the requirements of Federal Yardsticks. Marks : 10

OR

Analyse the case law relating to 'State action' doctrine in the post GATT Final Act 1994 Scenario.

- (b) Whether union government is under a duty to protect state against internal disturbance due to communal violence ? Marks : 6

OR

Write a note on grant in aid under the constitution.

- Q. No. 2. (a) Discuss with the help of case laws whether right to equality can be made possible by minimising inequality. Marks : 10

OR

Discuss the impact of privatization on state's affirmative action for achieving equality.

- (b) Briefly explain the constitutional jurisprudence on gender justice. Marks : 6

OR

Whether 'Right to education' if implemented effectively, will lead to equality in society ? Elucidate.

- Q. No. 3. (a) Discuss the scope of freedom of expression with reference to right to telecast. Marks : 10

OR

Evaluate critically the power of apex court to award compensation in writ proceedings.

P.T.O.



(b) Write a note on 'trial by press'.

Marks : 6

OR

Distinguish strike, hartal and bandh.

Q. No. 4. (a) 'Secularism' means developing, understanding and respect for different religion. Comment.

Marks : 10

OR

Discuss, whether exclusion of minority run higher educational institutions from the purview of reservation as enshrined under Article 15(5) of the Constitution is anathema to equality concept.

(b) Explain the power of the state to regulate secular activities associated religions activities.

Marks : 6

OR

Write a note on 'non-establishment clause'.

Q. No. 5. (a) Explain the constitutional measures for judicial independence.

Marks : 10

OR

Discuss the limits of epistolary jurisdiction.

(b) How is judicial activism integrated with 'Check and balance' theory ?

Marks : 6

OR

Identify the defects in the electoral system and suggest remedial measures.



0152

First Semester LL.M. Examination, June 2013
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** questions.
2. Figures to the **right** indicate marks.
3. Answer **one** essay type and **one** short note question from **each** unit.

Q. No. 1. (a) Briefly explain and critically evaluate the settlement of Inter-state river water disputes under the constitution of India. Refer to relevant statutory provisions, constitutional provisions and judicial decisions.

Marks : 10

OR

Discuss the nature and extent of judicial review available with respect to imposition of presidential rule on the ground of failure of constitutional machinery in the state.

(b) Write a note on the necessity of redefining the term "state".

Marks : 6

OR

Whether special status accorded to certain states is in accordance with the true spirit of federalism ? Comment.

Q. No. 2. (a) Explain whether "moral reading" is necessary into the constitutional provisions to further promote affirmative action in private sphere.

Marks : 10

OR

Critically evaluate the provisions under the constitution of India with reference to right to education.

(b) Write a note on the right of the people to form co-operative societies as a fundamental right and provision for reservation therein.

Marks : 6

OR

Critically assess the recent criminal law amendments as a measure to provide, protect and promote rights of women.

P.T.O.

0152



- Q. No. 3. (a) Whether right to telecast is an aspect of freedom of expression. Discuss with the help of case laws in the context of content screening.

Marks : 10

OR

Discuss whether showing of cinemas of celebrities contestants of elections at the time of election is in violation of election code of conduct and hence can be reasonably restricted not to show.

- (b) Expand the concept of "right to education" emerged as a result of reading together of various provisions under the constitution.

Marks : 6

OR

State whether the foundations laid down in T.M.A. Pai case and its explanation in P.A. Inamdar case has led to (further) commercialisation of education.

- Q. No. 4. (a) Who are minorities ? How to distinguish minority and majority in a country of federal set up wherein citizen's are having freedom of movement, residence and having single citizenship.

Marks : 10

OR

With the help of case laws discuss the rights of minorities to establish and administer educations and state control.

- (b) Draw the line of distinction between secularism and religious fanaticism.

Marks : 6

OR

Do you think 'non establishment' clause only advocates secularism, if not what status of the country can be categorised as 'secular' ?

- Q. No. 5. (a) What electional reforms you would like to suggest with regard to making of voting right as mandatory.

Marks : 10

OR

Discuss the accountability of judges of the Supreme Court and High Courts.

- (b) What are all the possible corrupt practices that could lure the voter and also suggest the way out.

Marks : 6

OR

Do you favour the establishment of National Judicial Service Commission for appointment of judges ?



First Semester LL.M. Examination, December 2012
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** questions.
2. Figures to the **right** indicate marks.

Q. No. 1. (a) 'The fact that under scheme of Indian Constitution, greater power is conferred upon the centre vis-a-vis the states does not mean that the states are mere appendages of the centre' – Elucidate.

Marks : 10

OR

'A healthy financial relation in federation between the centre and the states is a necessary concomitant of co-operative federalism – Explain.

(b) Write a note on :
Administrative directions.

Marks : 6

OR

The need for codification of Constitutional priorities for governor.

Q. No. 2. (a) "Classification made in utmost goodfaith; classification that are scientific and rational, that will have direct and reasonable relation with the object sought to be achieved can be bad because the object offends Article 14". – Elucidate.

Marks : 10

OR

Trace out the legislative contribution in amplifying the Constitutional provision of empowerment of women.

(b) Write a note on :

Marks : 6

The role of the Supreme Court in balancing the issues concerning reservation.

OR

State of Karnataka V. Appa Balu Ingale.

P.T.O.

0152



- Q. No. 3. (a) The positive aspect of the freedom of speech and expression is the right to know. Narrate the contribution of the Supreme Court in conceptualizing the right to information and the legislative response for the same.

Marks : 10

OR

Discuss the statement that the 'creative interpretation of directives has elevated them to the status of fundamental rights that they are enforceable by themselves'.

- (b) Write a note on :

Marks : 6

Compensation Jurisprudence.

OR

The Right to Education Act.

- Q. No. 4. (a) "State tolerance of religion, does not make it either a religious or a theoretical state". Secularism represents faith born out of the rational facilities and it enables to see the imperative requirements for human progress in all aspects". Discuss.

Marks : 10

OR

The right to 'establish' and 'administer' for the purposes of Article 30 (1) means a right to effectively manage and conduct the affairs of the institution – Explain.

- (b) Write a note on :

Marks : 6

Religious fanaticism.

OR

P.A. Inamdar V. State of Maharashtra.

- Q. No. 5. (a) Those who oppose to the growing judicial activism of the higher courts do not realize that it is judicial activism that has set right a number of wrongs committed by the states – Explain

Marks : 10

OR

Give an account of Constitutional mechanism for ensuring free and fair election. Do you suggest any reforms ?

- (b) Write a note on :

Marks : 6

Judicial activism through public interest litigation.

OR

Impeachment of Judges.



0152

First Semester LL.M. Examination, June 2011

INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES (Course – II)

Duration : 3 Hours

Max. Marks : 80

Instructions : 1. Answer **all** questions.

2. Figures to the **right** indicate marks.

- Q. No. 1. (a) In matters of allocation and sharing of resources and distribution of grant in aid does the exercise of the central authority reaches all its citizens directly independent of the individual approval and resources of the component states ?

Marks : 10

OR

Apart from boundary dispute, water and mineral resources are normally the subject matter of dispute between neighbourhood states in a federal setup like India. Would you suggest consensus bilateral agreement or interstate council for the settlement of such disputes ?

- (b) The Constitution of India provides for indestructible union of destructible states. Comment.

Marks : 6

OR

The judicial process of constitutional interpretation of the phrase "other authorities" in Article 12 involves a technique of adopting the law to meet changing social moves". Comment.

- Q. No. 2. (a) Distinguish between protective discrimination and affirmative action and discuss the need for a constitutional requirement of equal opportunity in employment in private sector.

Marks : 10

OR

Critically evaluate whether legislative measures and judicial interpretation for protective discrimination of women are satisfactory.

- (b) Explain the constitutional promise and performance in empowering women in post independent India.

Marks : 6

OR

Explain whether a new look is necessary into the constitutional provisions to promote affirmative action in the context of privatisation.

P.T.O.



- Q. No. 3. (a) Examine the judicial inconsistency, absence of judicial philosophy in the matters of commercialisation of professional education with reference to decided cases. Marks : 10

OR

Discuss the democratic dimensions of right to information in the context of scientific development in information and communication technology with regard to recent developments.

- (b) Whether strikes, hartal and bundhs are indispensable for democracy ? Marks : 6

OR

Give a conceptual flow chart of emerging regime of new rights and remedies.

- Q. No. 4. (a) Carve out the salient features from art of the judgement of supreme court in T.M.A. Pai's case. Marks : 10

OR

Explain various aspects of religious freedom and fanaticism. How state can regulate secular activities associated with religious practices.

- (b) Write a note on : Minorities uninterrupted right to establish and administer educational institutions. Marks : 6

OR

Secularism Vs religious freedom.

- Q. No. 5. (a) Discuss the proposition that politics with blackmailing has become attribute of coalition government. Marks : 10

OR

Assess the contribution of public interest litigation movement towards meeting the challenges of compensatory jurisprudence.

- (b) Suggest reforms to break nexus between politics and criminals. Marks : 6

OR

Judicial activism Vs judicial restraint.



0152

First Semester LL.M. Examination, January 2011
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES
(Course – II)

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** questions.
2. Figures to the **right** indicate marks.

- Q. No. 1.(a) Discuss the factors influencing federalism and factors responsible for subordination of states in the era of advocacy for co-operative federalism. Marks : 10

OR

In the wake of liberalisation is there a need of widening the definition of "State" for the purposes of part III of Constitution of India ?

- (b) Write short note on : Marks : 6
i) Destructible states of indestructible union.

OR

Directions of centre to states.

- Q. No. 2.(a) Whether parliament can make law for reservation in employment in private sector ? Discuss the impact of privatisation on affirmative action by state for equality. Marks : 10

OR

Critically evaluate whether legislative measures and judicial interpretations for protective discrimination of women are satisfactory.

- (b) Write short note on : Marks : 6
i) Affirmative action.

OR

Empowerment of women through education.

P.T.O.



- Q. No. 3.(a) Whether strikes, hartal and total bandh be banned in the wake of recent decision by the apex court ? Can there be a strike by the persons involved in dispensation of Justice.

Marks : 10

OR

Discuss the emerging regime of new rights and remedies in the context of harmonious construction of Directive Principles and Fundamental Rights.

- (b) Write short note on :

Marks : 6

- i) Broadcasting rights.

OR

Commercialisation of education and its impact.

- Q. No. 4.(a) Discuss the theoretical foundations and difficulties created by T.M.A. Pai's case and their practical implications with reference to minority rights to establish and administer educational institution of their choice.

Marks : 10

OR

Distinguish between freedom of religion and religious fanaticism. Critically evaluate the provisions of constitution of India with reference to secularism in India.

- (b) Write short note on :

Marks : 6

- i) Minority run educational institution and state control.

OR

Secularism versus freedom of religion.

- Q. No. 5.(a) What are the constitutional measures available for judicial independence ? Is the system of transfer of judges against judicial independence ?

Marks : 10

OR

Discuss democratic process and jurisprudence of representation through election.

- (b) Write short note on :

Marks : 6

- i) Judicial activism/over reach.

OR

Electoral reforms.



0152

First Semester LL.M. Examination June 2010

INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES
(Course – II)

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all** questions.
2. Figures to the right indicate marks.

- Q. No. 1. (a) Briefly explain and critically evaluate the settlement of Inter-State river water disputes under the Indian Constitution. Refer to relevant statutory provisions, constitutional provisions and judicial decisions.

OR

Briefly explain and critically evaluate the Constitutional provisions relating to the failure of State machinery. What is the nature and extent of judicial review available in this regard ? Marks : 10

- (b) Write a critical note on : The importance of Finance Commission under the Indian Constitution.

OR

Explain the need for widening the definition of 'State' under the Indian Constitution. Marks : 6

- Q. No. 2. (a) "Article 14 permits classification but prohibits class legislation". Critically evaluate this statement in the context of privatisation and its impact on affirmative action.

OR

Briefly explain and critically evaluate the nature and scope of affirmative action in the field of education, Illustrate your answer with decided cases and enactments, if any. Marks : 10

P.T.O.



- (b) Briefly explain the constitutional protection extended to women as well as measures to be taken to empower them.

OR

What is meant by 'Creamy Layer'? Does it violate the right to equality, Illustrate your answer with suitable examples.

Marks : 6

- Q. No. 3. (a) Freedom of speech and expression has been expanded to include various other freedoms as well by the Supreme Court. Do you agree with this statement ? Illustrate your answer with decided cases as well as limitations on this freedom as provided under the Constitution.

OR

"Although article 37 provides that the Directive Principles of State Policy shall not be enforceable by any court, the Supreme Court has interpreted the provision to strike a balance". Critically evaluate this statement in the light of judicial decisions, constitutional amendments and statutory provisions.

Marks : 10

- (b) What is meant by compensatory jurisprudence ? Briefly explain and critically evaluate its growth in India in the light of judicial decisions and limitations, if any.

OR

Is there a fundamental right to education ? Explain the evolution of this right from 1950 along with judicial decisions and constitutional amendments.

Marks : 6

- Q. No. 4. (a) Is 'Secularism' a basic structure of the Indian Constitution ? Illustrate your answer with judicial decisions and constitutional amendment.

OR

Briefly explain and critically evaluate the right of minorities to establish and administer educational institutions of their choice in the light of judicial decisions.

Marks : 10



- (b) What are the controls the state can impose on minority educational institutions ? Explain the same with suitable examples and judicial decisions.

OR

What are the distinctions, if any, between Articles 29 and 30 ? Marks : 6

- Q. No. 5. (a) What is meant by 'Public interest litigation' ? Briefly explain and critically evaluate its growth in Indian in the light of judicial decisions. Are there any limitation on this public interest litigation ? Explain

OR

Briefly explain and critically evaluate the nature powers and functions of the Election Commission of India. Critically evaluate whether the Parliamentary law and the judicial decisions on Election Commission tend to undermine its independence and autonomy.

Marks : 10

- (b) Critically evaluate the procedure to impeach a judge of the Supreme Court in the light of recent developments.

OR

Critically evaluate the importance and relevance of the Constitution (Seventy Third Amendment) Act, 1992 and its subsequent developments.

Marks : 6



0152

First Semester LL.M. Examination, January 2010
INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES (Course – II)

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer all questions.
2. Figures to the right indicate marks.

Q.No. 1.(a) Discuss the scheme of allocation and share of resource under the Constitution of India. In the absence of any yardstick for the distribution of grants in aid to the State. What do you suggest for rationality in distribution.

Marks : 10

OR

Analyse the case law relating to 'State action' doctrine in the post 1990 scenario of India and assess whether a private Corporation engaged in commercial activities in public interest be exempted from constitutional limitation of fundamental rights.

(b) Write short note on :
Federal Comity : Relationship of trust and faith between Centre and States.

Marks : 6

OR

Instrumentality or agency test.

Q.No. 2.(a) Whether Constitutional provisions for affirmative action for ameliorating justice to SC/ST are satisfactory ? Do you advocate reservation in employment even in private sector.

Marks : 10

OR

Discuss the Constitutional provisions and performance in empowering women of India.

(b) Write short note on :
Private-public-participation for affirmative action.

Marks : 6

OR

Socio-economic and political empowerment of women.

P.T.O.



- Q.No. 3. (a) What are the challenges of new scientific development in the arena of freedom of expression. Whether grounds mentioned in the Constitution are adequate to impose reasonable restrictions on those challenges. Marks : 10

OR

What is meant by compensation jurisprudence ? Critically evaluate the power of Supreme Court in awarding compensation through writ remedies.

- (b) Write short note on : Marks : 6
Telecasting rights

OR

Right to education.

- Q.No. 4. (a) Discuss the power of State to control the minority right to establish and administer educational institutions of their choice. Marks : 10

OR

What is meant by Secularism ? Critically evaluate the provisions of Constitution of India pertaining to Secularism with the help of case laws.

- (b) Write short note on : Marks : 6
Religious fanaticism.

OR

T.M.A. Pai's case.

- Q.No. 5 (a) Discuss whether application of separation of power theory has put the Constitution of India under stress and strain. Substantiate with illustrations. Marks : 10

OR

Discuss the stability, durability and corrupt practices of coalition government in an hung legislature.

- (b) Write short note on : Marks : 6
'First past the post'

OR

Epistolary Jurisdiction.
