

2011

LL.M.

1ST SEMESTER EXAMINATION

INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

PAPER—LLM_103

Full Marks : 100

Time : 4 Hours

The figures in the right-hand margin indicate full marks.

Candidates are required to give their answers in their own words as far as practicable.

Illustrate the answers wherever necessary.

Answer any four questions.

1. "The Indian Constitution establishes a system of Government which is almost quasi federal ... a Unitary state with subsidiary federal features rather than a federal state with subsidiary unitary features."
— Prof. Wheare
Comment.

2. Explain the effect of privatization on affirmative actions of the state in the light of equality provisions under the Indian Constitution.

3. Examine the centre's responsibility in case of internal disturbance within states and discuss the importance of the directions which may be given by the centre to the States under Articles 356 and 365 of the Constitution of India.

4. Explain the role of doctrine '*Separation of Powers*' in determining the nature and scope of Indian administration within the framework of Indian Constitution.
5. Write the explanatory note on reading of '*Directive Principles of State Policy*' into '*Fundamental Rights*' in the light of new rights and remedies as expanded by the Apex Court of Land.
6. Write short note on any two of the following :
 - (a) Right to education.
 - (b) Compensation jurisprudence.
 - (c) Right to minority to establish and administer educational Institutions.
7. "A voter has a fundamental right under Article 19(1)(a) of the Constitution to know the antecedents of a candidate who will contest in the election."

In the light of the above statement explain the electoral reforms which had taken place in India in recent past. Is there any necessity of further reform ? Explain with the help of judicial decisions.

8. "Public Interest Litigation is not in the nature of adversary litigation but it is a challenge and an opportunity to the Government and its officers to make basic human rights meaningful to the deprived and vulnerable sections of the Community and to assure them social and economic justice which is the significant tune of our Indian Constitution." — Comment.
-