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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 : Marks : 6

Administrative directions.

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.

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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 Maharastra.

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.
