SDM LAW COLLEGE LIBRARY

0152

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 sprit 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.

P.T.O.

SDM LAW COLLEGE LIBRARY

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.