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 : Marks : 6

Federal Comity : Relationship of trust and faith between Centre and States.

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 : Marks : 6

Private-public-participation for affirmative action.

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.