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 privitisation.

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 : Marks : 6
Minorities uninterrupted right to establish and administer educational institutions.

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 activitism Vs judicial restraint.