0152

First Semester LL.M. Examination, June 2013

INDIAN CONSTITUTIONAL LAW : THE NEW CHALLENGES

Duration : 3 Hours Max. Marks : 80

Instructions : 1. Answer **all** questions.
2. Figures to the **right** indicate marks.
3. Answer **one** essay type and **one** short note question from **each** unit.

Q. No. 1. (a) Briefly explain and critically evaluate the settlement of Inter-state river water disputes under the constitution of India. Refer to relevant statutory provisions, constitutional provisions and judicial decisions. Marks : 10

OR

Discuss the nature and extent of judicial review available with respect to imposition of presidential rule on the ground of failure of constitutional machinery in the state.

(b) Write a note on the necessity of redefining the term "state". Marks : 6

OR

Whether special status accorded to certain states is in accordance with the true spirit of federalism ? Comment.

Q. No. 2. (a) Explain whether "moral reading" is necessary into the constitutional provisions to further promote affirmative action in private sphere. Marks : 10

OR

Critically evaluate the provisions under the constitution of India with reference to right to education.

(b) Write a note on the right of the people to form co-operative societies as a fundamental right and provision for reservation therein. Marks : 6

OR

Critically assess the recent criminal law amendments as a measure to provide, protect and promote rights of women.

P.T.O.

Q. No. 3. (a) Whether right to telecast is an aspect of freedom of expression. Discuss with the help of case laws in the context of content screening. Marks : 10

OR

Discuss whether showing of cinemas of celebrities contestants of elections at the time of election is in violation of election code of conduct and hence can be reasonably restricted not to show.

(b) Expand the concept of "right to education" emerged as a result of reading together of various provisions under the constitution. Marks : 6

OR

State whether the foundations laid down in T.M.A. Pai case and its explanation in P.A. Inamdar case has led to (further) commercialisation of education.

Q. No. 4. (a) Who are minorities ? How to distinguish minority and majority in a country of federal set up wherein citizen's are having freedom of movement, residence and having single citizenship. Marks : 10

OR

With the help of case laws discuss the rights of minorities to establish and administer educations and state control.

(b) Draw the line of distinction between secularism and religious fanaticism. Marks : 6

OR

Do you think 'non establishment' clause only advocates secularism, if not what status of the country can be categorised as 'secular' ?

Q. No. 5. (a) What electional reforms you would like to suggest with regard to making of voting right as mandatory. Marks : 10

OR

Discuss the accountability of judges of the Supreme Court and High Courts.

(b) What are all the possible corrupt practices that could lure the voter and also suggest the way out. Marks : 6

OR

Do you favour the establishment of National Judicial Service Commission for appointment of judges ?
