

ZJ-112

May-2014

LL.M. Sem.-I

402 : Indian Constitutional Law : The New Challenges

Time : 3 Hours]

[Max. Marks : 100

Instruction : Answer **all** questions.

1. “Any body which can be ‘instrumentality’ of the ‘State’ falls under the Article 12.”
Critically discuss the statement. **20**

OR

“Creating equality of opportunity and reducing inequality are the two folds of any affirmative action”. Critically discuss the statement from the ‘Right to Equality’ perspective under the Indian Constitution.

2. From the Constitutionally guaranteed ‘Freedom of Speech and Expression’ perspective critically discuss ‘Right to Strike’, ‘Hartal’ and ‘Bandh’. **20**

OR

“Reading Article 21, 47, 48A and 51A(g) together the Supreme Court of India has developed an emerging regime of new rights and remedies.” Critically discuss the statement.

3. “In the light of decided cases, discuss the emergence of a new jurisprudence of compensation for the wrong done by the ‘State’.” **20**

OR

Write note on :

- (a) Right to Education
(b) Access to Information

4. Critically discuss the 'inter-state' dispute on resources with special reference to Water as a Constitutional Challenge. 20

OR

Critically discuss the Constitutional provisions relating the 'special status' of certain States and the challenges thereof.

5. "Judicial independence is the touch stone of the Indian Constitution." Discuss the issues and challenges of judicial independence. 20

OR

Critically discuss the stresses and strains among the three organs of Indian Constitution in the light of separation of powers.
