

NB-147

November-2019

LL.M., Sem.-I

402 : Law

(Indian Constitutional Law : The New Challenges)

Time : 2½ Hours]

[Max. Marks : 100

Instruction : All questions carry equal marks.

1. Discuss in detail the constitutional provisions relating reservation of Scheduled Caste, Scheduled Tribes and Economically Weaker Sections (SC, ST & EWS) in the Educational Institutions alongwith Judicial Approach covering relevant decisions of the Apex Court. 25

OR

Explain the concept, characteristics and importance of Quasi-Federal structure of the Constitution of India. What are the effects of Quasi-Federal structure of the Constitution during Emergency ?

2. "...the right to live with dignity also includes the smoothening of the process of dying in the case of a terminally-ill or a person in PVS with no hope of recovery." Discuss this statement of Dipak Misra, C.J. expressing his views in the judgment of Common Cause v. Union of India [(2018) 5 SCC 1]. 25

OR

Discuss in detail the concept of "Other Authorities" under Article 12 of the Constitution of India and its expansion in the light of various important decisions of the Supreme Court of India.

3. "Freedom of Press and Media is the essential and inevitable for every democratic country." Discuss this statement in the light of various decisions of the Supreme Court protecting the above mentioned fundamental freedom. 25

OR

Explain in detail merits and demerits of commercialization of Higher Education with the help of appropriate judicial pronouncements.

4. (a) Discuss any **one** from the following :

- (1) Development of Compensatory Jurisprudence in writ jurisdiction as a revolutionary step of the Judiciary.
- (2) Approach of the Apex Court about calling for Strikes, Hartals and Bandh.
- (3) Reading the Directive Principles of State Policy into Fundamental Rights By the Supreme Court through its decisions.

(b) State with reasons whether the following statements are true or false :

- (1) Council for Scientific and Industrial Research (CSIR) is not covered within the ambit of "State" under Article 12 of the Constitution of India.
- (2) After recent decision of the Supreme Court, Passive Euthanasia is now permissible in India.
- (3) Convict of death sentence by court has no right to publish his autobiography.
- (4) The definition of "Secularism" is given under Article 24 of the Constitution of India.

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