

2032

LL.M. First Semester

(Dept. of Laws- One Year Course)

Group - I: Constitutional and Administrative Law

Paper – III [Opt. (i)]: Fundamental Rights and Directive Principles

Time allowed: 3 Hours

Max. Marks: 75

NOTE: Attempt five questions in all, including Question No. 1 (Unit-I) which is compulsory and selecting one question each from Unit II-V.

x-x-x

UNIT-I

1. (a) What can an individual do if one or more of his or her Fundamental Rights are encroached upon by the State?
- (b) Why a person cannot waive its Fundamental Right of life and personal liberty.
- (c) Explain Wednesbury Principle.
- (d) What are reasonable restrictions on freedom of speech and expression?
- (e) Examine the relationship between Fundamental Rights and Directive Principles of State Policy.

(5x5)

UNIT II

2. For the enforcement of Fundamental Rights, what are the parameters laid down by courts to consider other authorities as state. Explain with the help of case laws.
3. Class classification is permissible but class legislation is not permissible. Comment with the help of relevant case laws?

(12 ½)

UNIT III

4. What is Protective Discrimination? Why it is allowed. Discuss with relevant provision of the Constitution and case laws.
5. India is the largest democracy in the world today. This track of progress and development has a great struggle hidden behind it. The framers of the Indian Constitution expunged such practices which promoted slavery. The Constitution of India guarantees freedom and decorum to every individual, hence, leaving no scope for exploitation, slavery and ill-

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treatment. Discuss the statement, explaining relevant provisions of Constitution and case laws.

(12 ½)

UNIT IV

6. Freedom is essential for the development of the personality of each person and for the maintenance of human dignity that is why our Constitution ensures a bundle of freedoms. Explain fundamental freedoms contained in our Constitution. Examine the right to privacy with the help of case laws.
7. While examining the Right to Life and Personal Liberty, Explain the controversy on procedure established by law and due process of law.

(12 ½)

UNIT V

8. In the Western model, secularism connotes complete separation of the State from the Church. In India, however, the State and religion are not water-tight compartments. The influence of the government does extend to religious affairs, albeit in a limited fashion. Discuss with relevant provision of the constitution.
9. To achieve the socio-economic justice and objectives laid down in the preamble of our constitution, Public Interest Litigation has played an important role. Discuss and also highlight the challenges of PIL.

(12 ½)