



First Semester LL.M. Examination, June 2013
Course IV : CONSTITUTIONAL LAW THEORY AND PRACTICE
(Constitutional Law Branch)

Duration : 3 Hours

Max. Marks : 80

- Instructions :**
1. Answer **all five** questions.
 2. **One** essay type and **one** short note questions from **each unit** have to be attempted, which is referred as Part **(a)** and Part **(b)** in all Units.
 3. Figures to the **right** indicate marks.

Q. No. 1. (a) Discuss the importance of a written constitution in a Federal State. Marks : 10

OR

Discuss the need for amending power under the constitution and its scope with reference to judicial approach.

(b) Write a short note on : Marks : 6
i) Constitutionalism

OR

ii) Basic structure theory.

Q. No. 2. (a) Elucidate the social contract theories with reference to the origin and role of state. Marks : 10

OR

Discuss critically the views of Nehru and Ambedkar on the functions of the state.

(b) Write a short note on : Marks : 6
i) Saptanga theory of state

OR

ii) Model of Indian Constitution.

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Q. No. 3. (a) Discuss the Indian Constitutional scheme regarding the protection of religious and linguistic minorities.

Marks : 10

OR

Explain with reference to Constitutional provisions, the credentials of India as a secular state. What is the constitutional status of personal laws ?

(b) Write a short note on :

Marks : 6

i) Pluralism

OR

ii) Protection of ethnic minorities.

Q. No. 4. (a) How far constitutional Assembly Debates are relevant in the interpretation of constitutional provisions ?

Marks : 10

OR

Discuss the influence of values and approaches on the constitutional interpretation.

(b) Write a short note on :

Marks : 6

i) Original intention theory.

OR

ii) Internal aids in interpretation.

Q. No. 5. (a) How far policy considerations are useful for judges in arriving at their conclusions on the questions of constitutional interpretation ?

Marks : 10

OR

Explain literal interpretation and its limitations.

(b) Write a short note on :

Marks : 6

i) Eiusdem generis

OR

ii) Doctrine of pith and substance.