



**Fourth Semester LL.M. Degree Examination, December 2012  
Splz. Pap. – 8 : CONSTITUTIONAL THEORY AND PRACTICE**

Duration : 3 Hours

Max. Marks : 80

- Instruction :** 1. Answer **all** questions.  
2. Figures to the **right** indicate marks.

Q. No. 1. (a) What is Constitutionalism ? Examine its role in containing misuse of authority. Marks : 10

OR

Examine the need for limitations on amending power with reference to basic structure theory.

(b) Write a note on :  
Evolution of Constitutions in the west. Marks : 6

OR

State the requisits of an ideal Constitution.

Q. No. 2. (a) Discuss social contract as the basis of modern Democracy. Marks : 10

OR

Explain briefly the contributions of M.K. Gandhi and B.R. Ambedkar to modern Indian political thought.

(b) Write explanatory note on Saptanga theory. Marks : 6

OR

Write a note on T.H. Green's political thought.

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Q. No. 3. (a) Examine with the help of decided cases Constitutional response to need for maintaining and sustaining cultural pluralism in India.

Marks : 10

OR

Discuss constitutional mandates and their political application in promoting secularism in India.

(b) Write an explanatory notes on ethnic minorities and their Constitutional status.

Marks : 6

OR

Explain briefly the nature of language rights in India.

Q. No. 4. (a) What are the roles of internal and external aids to the construction or interpretation of the Constitution ?

Marks : 10

OR

Explain the principles of interpretation that are normally applied to interpret non-derogation provisions of the Constitution.

(b) Write a note on utility of preamble in interpretation of the Constitution.

Marks : 6

OR

Explain briefly original intention theory of interpretation.

Q. No. 5. (a) Examine the suitability of literal interpretation in interpreting Constitution as a value document.

Marks : 10

OR

Discuss the impact of the doctrine of presumption of constitutionality on protection of fundamental rights of the citizens.

(b) Write a note on doctrine of pith and substance.

Marks : 6

OR

Explain briefly the maxim Eiusdem generis.

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