



Fourth Semester LL.M. Examination, June 2013
(Constitutional Law Branch)
CONSTITUTIONAL THEORY AND PRACTICE (Course – II)
(Specialisation) (Paper – 8)

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer **all** questions.
2. Answer **one** essay type and **one** short notes from **each** Unit.
3. Figures to the **right** indicate **marks**.

UNIT – I

- Q. No.1. (a) (i) What is constitutionalism ? Explain how it is incorporated into the Indian Constitution. Marks : 10
OR
(ii) Discuss the binding force of a written constitution.
- (b) (i) Explain the need for limitations on amending power. Marks : 6
OR
(ii) Write a note on requisites of an ideal constitution.

UNIT – II

- Q. No. 2. (a) (i) Explain salient features of T. H. Green's view on relation between state and individuals. Marks : 10
OR
(ii) Examine with reference to Saptanga theory the relation between rulers and the ruled.
- (b) (i) Write a note on Gandhian Political Thought. Marks : 6
OR
(ii) Explain briefly Locke's Social Contract Theory.

UNIT – III

- Q. No. 3. (a) (i) Examine constitutional policies and practices relating to multicultural society. Marks : 10
OR
(ii) Explain the role of secularism in balancing religious interests of the society and state neutrality towards religion.

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Marks :

- (b) Write explanatory notes on :
- (i) Protection of ethnic minorities.
- OR
- (ii) Language rights.

UNIT – IV

- Q. No. 4. (a) (i) Explain the rules of interpretation of non-abrogation and non-derogation provisions in the constitution. Marks : 10

OR

- (ii) Discuss the role of legislative History on interpretation of the constitution.

- (b) (i) Write a note on preamble to the constitution. Marks : 6

OR

- (ii) Explain briefly original intention theory.

UNIT – V

- Q. No. 5. (a) (i) Explain the rules of interpretation relating to interrelationship between different fundamental rights. Marks : 10

OR

- (ii) Explain the doctrine of severability and colourable legislations in interpretation of federal provisions of the constitution.

- (b) Write a critical note on : Marks : 6

- (i) Harmonious construction.

OR

- (ii) Reading up and reading down.
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