



I Semester LL.M. Examination, Dec. 2012

Paper – 4 : CONSTITUTIONAL LAW THEORY AND PRACTICE  
Spl. Paper – I  
(Constitutional Law Branch)

Duration : 3 Hours

Max. Marks : 80

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

Q. No. 1. (a) "A Country may have Constitution, but may not have Constitutionalism". Comment. Marks : 10

OR

Discuss the importance of power of amendment of a constitution and its limitations.

(b) Write a short note on : Marks : 6  
i) Requisites of ideal Constitution.

OR

ii) Constitutional values.

Q. No. 2. (a) Elucidate the Saptanga theory of state in ancient India.  
How far the theory is relevant at the present time ? Marks : 10

OR

Discuss critically the views of Nehru and Ambedkar about the functions of state. How far they are reflected in the Indian Constitution.

(b) Write a short note on : Marks : 6  
i) Social contract theory

OR

ii) Obligation of ruler.

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Q. No. 3. (a) Write a critical note on the constitutional policies and practices relating to pluralism with reference to U.S.A. and India.

Marks : 10

OR

Define multiculturalism. Discuss the protection of ethnic minorities in India and Canada.

(b) Write a short note on :

Marks : 6

1) Secularism.

OR

2) Linguistic rights.

Q. No. 4. (a) Discuss the relevance of Constituent Assembly Debates in the interpretation of the constitution.

Marks : 10

OR

How far the principles of international law may be useful in the interpretation of domestic law ? What is the judicial approach in India about this ? Explain.

(b) Write a short note on :

Marks : 6

1) Preamble as an aid in interpretation.

OR

2) Inclusive definition.

Q. No. 5. (a) Discuss the judicial approach to the interrelationship of fundamental rights.

Marks : 10

OR

Discuss the doctrines developed by the courts in India which are applied to the interpretation of legislative lists.

(b) Write a short note on :

Marks : 6

1) Doctrine of Eclipse.

OR

2) Purposive interpretation.