

LL.M QUESTION BANK-

SEMESTER- I

GROUP I - CONSTITUTIONAL AND ADMINISTRATIVE LAW

SUBJECT- CONSTITUTIONALISM: PLURALISM & FEDERALISM

1. Enumerate on the case of Sarla Mudgal v. Union of India. Highlight the case with respect to Article 44 of the Indian Constitution.
2. Personal laws are not “laws in force” under Article 13(3) (b) of the Indian Constitution. Comment.
3. Are Personal laws a hindrance in the implementation of Article 44 under the Indian Constitution? State the challenges with relevant examples.
4. What is right to equality? Enumerate on the positive and negative notion on Right to equality. Explain with relevant case laws.
5. Shed light on the judgment in the ‘Indra Sawhney v. Union of India [AIR 1993 SC 477]’ and the aftermath of the case in the system of positive affirmation in India.
6. Comment on the significance of Article 17 with respect to current scenario.
7. State and explain equality before law and equal protection of law with relevant case laws.
8. Discuss the different protections given to backward classes, women and schedule tribes in Indian pluralistic society.
9. Elaborate on the three major points of Genocide Convention. State the total signatories of the Genocide Convention.
10. Write a detailed note on Universal Declaration of Human Rights, 1948.
11. What is pluralistic society? Elaborate in detail on the linguistic, ethnic, cultural and political pluralism.
12. Elaborate on the protection of religious, ethnic and linguistic minorities.
13. Indian constitution includes most of the rights from International Declaration of Human Rights. Discuss. Explain Article 29 and 30 of the Indian Constitution. Give leading case laws to support your contentions.
14. Discuss on conventions against genocide. Explain the significance of right of self-determination.
15. Elaborate the State Intervention for human rights. Give a detailed note on the main responsibilities of the State.
16. Explain: What is United Nations Genocide Convention?

17. What is protection of minorities? How are the rights of minorities protected in India?
18. Are the States obliged to ensure human rights of citizens? Elaborate with leading case laws.
19. What is meant by right to self-determination of peoples and what is its role in the creation of a new state? Elaborate on International Covenant on Civil and Political Rights.
20. What is the responsibility of the State to protect human rights?
21. Who are the linguistic minorities in India? What are the provisions regarding the protection of linguistic minorities in the Constitution?
22. Explain the concept Limited Government and Limitations on Government.
23. Explain Dicey's concept of Rule of Law and new horizons to it.
24. Explain Montesquieu's doctrine of separation of powers.
25. Distinguish between Fundamental rights and Human rights.
26. Compare the Constitution of U.S.A and India.
27. Explain the doctrine of domestic Jurisdiction in International Law and Limitations to it.
28. Explain the concept of Jurisdiction as stated in Constitution of India.
29. Karl Marx concept of Constitutionalism.
30. Elucidate the purposes of the freedom of speech and expression.
31. "It is the religious teaching, not the teaching of religion which is prohibited under the Constitution of India." Explain. "
32. What is freedom of religion? How it is different from spirituality?
33. Explain the reasonable restriction impose on the freedom of association.
34. Examine the scope of protective discrimination offered to persons belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes under Articles 15 and 16 of the Constitution of India.
35. "Pluralism is the root of Indian culture and religious tolerance is the bedrock of Indian Secularism. It is based on the belief that all religions are equally good and effective ways to perfection of God-realization. Thus, all persons are equally entitled to freedom of religion which is not absolute." Critically examine the above statement with the help of constitutional provisions and relevant case laws".

36. "Liberty of Press consists in laying no prior restraints upon publications and not in freedom from censure for matters when published." Indicate how far this liberty of press is protected under the Indian Constitution.
37. "The fundamental right to freedom of speech and expression has in recent times seen expanding horizons." Discuss and point out the judicial approach in this regard.
38. "Article 16(4) is by itself a rule of equality rather than an exception to the rule." What is your view?
39. 'The reservation policy adopted in India in the last four decades has failed to promote social justice. On the contrary it has led to social friction, conflict and disharmony. It has been called a case of right goal, wrong strategy'. Critically examine this statement and suggest measures to protect the interest of socially, educationally and economically backward classes of people.
40. Explain the Freedom of press with the new scientific era. With Case Laws.

Short Question

- 1) Distinguish between Democracy and Communism.
- 2) What is a constitutionalism?
- 3) Elaborate on any two conventions held on Constitutionalism.
- 4) What is dictatorship? Explain in detail.
- 5) Brief note on Constitution of Sweden.
- 6) Brief note on European Court of Human rights.
- 7) Discuss any International Convention on Human rights.
- 8) Article 30 of the Indian Constitution
- 9) Article 350 (A) and (B) of the Indian Constitution.
- 10) Convention against genocide.
- 11) International Covenant on Civil and Political Rights.
- 12) Minorities in India: rights and legal status.
- 13) Article 5 of the UDHR.
- 14) State intervention for protection of human rights.
- 15) Secularism – constitutional principles.
- 16) Constitutional provisions for minorities.
- 17) Right of self-determination
- 18) Article 25-28 of the Indian Constitution.
- 19) Role of state in protecting human rights.
- 20) Ethnic and Linguistic minorities.
- 21) Universal Declaration of human rights Vs. Indian Constitution.
- 22) Write a note on the importance of Uniform civil code in India.

- 23) Write the principles evolved in the case of *State of Bombay and Ors. V. F.N. Balsara* AIR 1951 SC 318.
- 24) Highlight on the principle of equality as embodied in the Preamble of the Indian Constitution. State the importance of personal laws in India.
- 25) What is vertical federalism?
- 26) Differentiate between Horizontal and vertical federalism. State the provisions resembling the same under the Indian Constitution.
- 27) Write a note on Abolition of untouchability.
- 28) Arbitrariness is the very antithesis of equality. Comment.
- 29) What is a pluralistic society? How it is different from totalitarianism?
- 30) Write a note on *C.B. Muthamma v. Union of India*. (AIR 1968)