

Reg. No. :

Name :

Third Semester LL.M. Degree Examination, November 2021

Branch II: Constitutional law

Paper IV : CIVIL AND POLITICAL RIGHTS IN THE CONSTITUTION

Time : 3 Hours

Max. Marks : 75

Answer **all** questions. All questions carry equal marks.

1. (a) Examine right to privacy in India with the help of decided cases.

OR

- (b) How far the Universal Declaration of Human Rights influence the Constituent Assembly in drafting Fundamental Rights?

2. (a) Certain rights which are though not specifically enumerated in PART III of the Constitution of India are fundamental rights by way of judicial pronouncements relying on ICCPR. Elucidate.

OR

- (b) Critically examine the desirability and efficiency of human rights courts stipulated in Section 30 of The Protection of Human Rights Act as instruments to protect human rights.

3. (a) "The fundamental right to religion does not include practices which run counter to other fundamental rights public order, health and morality". Comment with suitable examples.

OR

- (b) The judiciary scrutinizes not only the form of restrictions, by also the true character, its reasonableness and substantial effect on the rights which are alleged to be curtailed on the account of restriction. Explain.

4. (a) Discuss the impact of declaration of emergency on fundamental rights guaranteed by Article 19 before and after 44th Constitutional amendment.

OR

- (b) Compare and contrast the ambit and scope of Article 358 and Article 359 of Constitution of India.
5. (a) Analyse the contribution of judiciary in making preventive detention more compatible with human rights values.

OR

- (b) Explain various guidelines issued by the apex court to check the abuse of PIL.
