

Reg. No. :

Name :

Third Semester LL.M. Degree Examination, SEPTEMBER 2020

Branch II : Constitutional Law

Subject Paper VII : AMENDING PROCESS AND JUDICIAL REVIEW

Time : 3 Hours

Max. Marks : 75

Answer all questions. All questions carry equal marks.

1. (a) Examine the basic philosophy behind the amendability of a written constitution in the light of French Constitutional Experience.

OR

- (b) Explain the meaning, nature and scope of amending power. State basic philosophy behind the amendability of a written constitution.

2. (a) Elucidate factors responsible for changes in constitutions. State your views as to the need to amend a constitution.

OR

- (b) Critically examine the methods of amendment with special reference to amending process of Indian Constitution.

3. (a) Evaluate the basic structure doctrine. Is amendability of the constitution as per the basic scheme of Art. 368 forms basic structure.

OR

- (b) "Judicial review is an inseparable part of the constitution and that it cannot be excluded even by a constitutional amendment" – Comment.

4. (a) "42nd Constitutional Amendment, 1976 is a mini-constitution" – Explain with reference to two new clauses (4) and (5) to Art. 368.

OR

- (b) Explain the salient features of 44th Amendment 1977 with special reference to property right.

5. (a) How far 'Referendum' is a mode of amendment? Do you feel that referendum is the most desirable method of amendment?

OR

- (b) Examine the recommendations to the National Commission to Review the working of the constitution on the amending power.
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