

Reg. No. : .....

Name : .....

**Third Semester LL.M. Degree Examination, September 2023**

**Constitutional Law**

**Paper IV – CIVIL AND POLITICAL RIGHTS IN THE CONSTITUTION**

**(2021 Admission)**

Time : 3 Hours

Max. Marks : 60

Answer all questions. All questions carry equal marks.

1. (a) Trace the evolution of fundamental rights in the United States of America and France.

OR

- (b) Critically examine the nature of civil and political rights. How are these rights recognized in the International Covenant on Civil and Political Rights?

2. (a) Examine to what extent the term “procedure established by law” in Article 21 of the Constitution of India has undergone transformation in the hands of the judiciary.

OR

- (b) Critically examine the scope and extent of freedom of religion under the Constitution of India, specially referring to the concept of “essential religious practices”.

3. (a) Critically examine the freedom of press in India. Compare with the position in the United States of America.

OR

- (b) “The purpose of defining State under Article 12 of the Constitution of India is to ensure that the State is under an obligation not to violate the fundamental rights” Do you think that the expansion of the concept of State to cover even private entity is justified?

P.T.O.

4. (a) Elucidate the impact of Emergency on the exercise of fundamental rights. Has this position undergone any change with India's ratifying the International Covenant on Civil and Political Rights?

OR

- (b) "The basic structure theory is an invention of the judiciary to save the fundamental rights from being repealed through amendment". Comment.

5. (a) Write short notes on the followings :

- (i) Writ of prohibition  
(ii) Constitutional morality

(2 × 6 = 12)

OR

- (b) Examine the activism shown by the judiciary in India in areas of women's rights.

(5 × 12 = 60 Marks)