

Reg. No. : .....

Name : .....

**Third Semester LL.M. Degree Examination, September 2025**

**Branch II — CONSTITUTIONAL LAW**

**Paper III : CONSTITUTION AND SOCIAL JUSTICE**

**(2021 Admission Onwards)**

Time : 3 Hours

Max. Marks : 60

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

1. (a) "Constitutional morality is not a natural sentiment. It has to be cultivated. We must realise that our people have yet to learn it. Democracy in India is only a top-dressing on an Indian soil which is essentially undemocratic". Critically examine this statement in the light of recent Supreme Court judgements relying on constitutional morality.

OR

- (b) The 93<sup>rd</sup> amendment to the Constitution of India has resulted in a severe blow to the efforts of the Indian Supreme Court in regard to reservation in private educational institutions. Comment.

2. (a) "The doctrine of waiver has no application in the case of fundamental rights under our Constitution". Can it be said that if the doctrine of waiver is engrafted to fundamental rights; it will mean that a citizen can agree to be discriminated?

OR

- (b) The provisions under Part IV of the Constitution of India are being made justiciable by reading it with provisions of Part III of the Constitution of India. Elucidate.

3. (a) "The Indian Constitution provides equality of opportunity in matters of public employment, but at the same time allows the state from making provisions for reservation of posts in favour of backward class of citizens and for making reservations in promotions". Comment.

OR

- (b) Do you agree with the fact that Indian Supreme Court needs to reconsider its jurisprudence on religious freedom especially with regard to 'essential religious practices doctrine'? Justify your answer.

4. (a) "The attractive brand name of public interest litigation should not be used for suspicious products of mischief. It should be aimed at redressal of genuine public wrong or public injury and not publicity oriented or founded on personal vendetta". Discuss this observation of the Indian Apex Court in the context of Public Interest Litigation.

OR

- (b) Trace the role of the Supreme Court in bringing equality and social justice in India with the help of landmark judgments.

5. (a) Critically evaluate the Indian judiciary's response towards sexual violence and intersectional discrimination.

OR

- (b) Can we trace similarities between US and India in terms of constitutional safeguards for marginalized sections, though affirmative action in US and protective discrimination in India are known under different nomenclatures?

(5 × 12 = 60 Marks)