

Reg. No. : .....

Name : .....

**Third Semester LL.M. Degree Examination, August 2024**

**Constitutional Law**

**Paper V : SOCIAL, ECONOMIC AND CULTURAL RIGHTS IN THE  
CONSTITUTION**

**(2021 Admission Onwards)**

Time : 3 Hours

Max. Marks : 60

Answer **all** questions. All question carries equal marks.

1. (a) "Economic social and cultural rights (ESCR) include the rights to adequate food, to adequate housing, to education, to health, to social security, to take part in cultural life, to water and sanitation and to work." How has the Indian Constitution adopted and guaranteed social, economic and political rights to the citizenry?

OR

- (b) "The motive behind the inclusion of Directive Principles of State Policy (DPSP) is not establishing political democracy; rather, its about establishing social and economic democracy in the State. These are some basic principles or instructions or guidelines for the government while formulating laws/policies of the country and in executing them." Elaborate.

2. (a) Examine and critically evaluate the Indian position regarding right to wholesome environment as a fundamental right.

OR

- (b) "The Indian Constitution has clearly mandated right to health and education as inalienable rights of the citizenry, thereby placing an obligation on the State to facilitate and further these rights". Elaborate.

P.T.O.

3. (a) "The relationship between the Fundamental Rights and Directive Principles is one of mutual reinforcement. The Directive Principles set out the goals that the Indian state should strive for, while the Fundamental Rights lay down the guarantees that individuals should receive in order to protect their rights". Discuss.

OR

- (b) "Directive Principles of State Policy, though faced with the problem of non-justiciability, has had a very positive impact on the electoral mandates and its utility has outweighed the non-justiciability restraints" Comment.
4. (a) "Supreme Court in Maneka Gandhi v. Union of India interpreted the right to life and to widen its scope, deduced an un-enumerated right such as "right to live with human dignity". Supreme Court propounded the theory of "emanation" to make the existence of the fundamental right meaningful and active." Elaborate.

OR

- (b) "Pecuniary compensation is a judicially recognised and an endorsed mode of enforcing fundamental rights by the courts of law for serving the lawful entitlements of persons on being victimized of abuse and human rights violations". Discuss about compensatory jurisprudence as an evolving facet in India.
5. (a) "The Indian judiciary's contribution to development of various socio-economic and cultural rights is commendable." Elaborate.

OR

- (b) "DPSP consists of all the ideals which the State should follow and keep in mind while formulating policies and enacting laws for the country". Examine the role and importance of the Directive Principles of State Policy in protecting human rights in India.

(5 × 12 = 60 Marks)