

Total No. of Questions—8]

[Total No. of Printed Pages—2

Seat No.	
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[5338]-201-A

LL.M. (II SEM.) EXAMINATION, 2018

LW-201 : CONSTITUTIONAL AND LEGAL ORDER-II  
(2006 PATTERN)

Time : Three Hours

Maximum Marks : 60

**N.B.** :— (i) All questions carry equal marks i.e. 15 marks.

(ii) Attempt any *four* questions.

1. Discuss with the help of appropriate case laws the procedure of appointment of Judges of the Supreme Court and High Courts in India. What are the new changes suggested in NJAC judgement ?
2. Write a detailed note on :  
“Whether the satisfaction of the President under Article 356 is completely immune from the judicial review in all the circumstances and the material relied by the Union Cabinet to give the advice to the President for proclamation of emergency under Article 356 also receives the same immunity ?” Substantiate your answer with the guidelines given by the Supreme Court in the decision in S.R. Bommai Vs. Union of India.
3. “The concept of Co-operative federalism’ helps the federal system, with its divided jurisdiction, to act in the Union. It minimizes friction and promotes co-operation among the constituent Governments of the Federal Union so that they can pool their resources to achieve certain desired national goal.” Evaluate this statement in the Indian context.

P.T.O.

4. What do you mean by Public Interest Litigation ? Who is qualified to file Public Interest Litigation ? Give detailed analysis of the guidelines laid down by the Supreme Court in entertaining Public Interest Litigation.
5. Write a detailed note on 'Colourable exercise of Power' and 'Fraud on the Constitution'. Substantiate your answer in the light of Supreme Court Judgement in D.C. Wadhwa Vs. State of Bihar.
6. Explain 'Sarkaria Commission Report' on Centre-State relationship special reference to Freedom of Trade, Commerce and Intercourse under Indian Constitution.
7. Critically examine Political and Administrative implications of Anti-Defection Law. Explain judicial review of Speaker's decision in the cases of Anti-Defection.
8. Answer any *two* of the following :
  - (a) Pardoning Powers of the Governor
  - (b) Declaration of Criminal Antecedents
  - (c) Restrictions on taxing powers
  - (d) Finance Commission.