

ONE YEAR LL.M DEGREE FIRST SEMESTER EXAMINATIONS,

DECEMBER 2019

CONSTITUTIONAL RIGHTS AND SOCIAL JUSTICE

Time: 3 Hrs

Maximum Marks: 50

Answer any FIVE. All questions carry equal marks.

1. "Information on expenditure of government money in an official capacity cannot be regarded as personal information. There is much that the public can legitimately ask of the workings of the judiciary, such as verdicts delayed after the arguments have been heard." Comment.
2. Religion to mean a system of beliefs which is regarded by those who profess as conducive to their spiritual well being, it does not merely mean an opinion. Analyse on the basis of provisions of the constitution of India.
3. Affirmative actions are means of empowerment and an instrument of social justice has taken multiple forms. Elaborate with the help of judicial pronouncements.
4. Constitutional morality means adherence to the core principles of constitutional democracy. Do you think that the courts should employ constitutional morality as a tool for interpretations of the rights conferred on the individual by the Constitution. Explain.
5. Provisions for preventive detention grant sweeping powers to detain and allow hearings behind closed doors, besides denying detainees basic rights such as immediate information on the reasons for arrest, legal assistance and the right to seek bail, which 'arrested' persons have but 'detainees' do not. Examine in the light of Constitutional provisions.
6. "Privacy is a constitutionally protected right which emerges, primarily, from Article 21 of the Constitution. This is not an absolute right. Informational privacy is a facet of the right to privacy the Government will need to put in place a robust regime for data protection." Comment.
7. Hon'ble Justice Indu Malhotra opined that the issues with a deep religious connotation shouldn't be tinkered with to maintain a secular atmosphere in the country and it's not for courts to determine which religious practices should be struck down - except in issues of social evil like Sati. Examine on the basis of judgment in Kantaru Rajeevaru v. Indian Young Lawyers Association.
8. Freedom of expression is necessary for the attainment of truth, for individual fulfilment, for participation by members of society in political or social decision making, and for the effective functioning of democracy. Do you think that censorship is a threat to this right to freedom? Examine in the light of different classification of censorship.
