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14(ELM-2) 2-1

2015

**CIVIL LIBERTIES & JUDICIAL PROCESS**

Paper : 2-1

Full Marks : 80

Pass Marks : 32

Time : Three hours

*The figures in the margin indicate full marks for the questions.*

13. "Freedom of speech and expression is indispensable in a democracy". Discuss the meaning and scope of 'speech and expression' with landmark decisions of the Supreme Court. The right under Article 19(1)(a) includes the freedom of silence—discuss with case laws. 16

Contd.

Or

"... Equality is a dynamic concept with many aspects and many dimensions and it cannot be imprisoned within traditional doctrinaire limits ..."—(J) Bhagwati.

Critically analyse the above statement with the help of the judgments of the Supreme Court. Discuss in brief the exceptions to the rule of equality. 16

2. The Supreme Court has delivered a number of judgments on right against exploitation. Discuss the constitutional provisions and two judgments of the Supreme Court that provide guidelines on this right or held as unconstitutional to child labour and forced labour. 16

Or

Write an exhaustive note on Right of Minorities to establish and manage educational institutions. Embellish your answer with Supreme Court's decisions. What is the relationship between Article 29 and Art. 30(1)? 16

3. Independent and impartial judiciary is the sentinel to protect the sacrosanct of the Constitution in a democratic country. What are the different provisions that incorporated in the Constitution of India to ensure independence of judiciary? Discuss with case laws. 16

Or

In a written constitution the power of 'judicial review' has been accepted as the basic and essential feature of the constitution. Write an exhaustive note on 'Judicial Review' under the Constitution of India. Embellish your answer with landmark decisions of the Supreme Court. 16

4. What are the constitutional provisions regarding issue of writs? Attempt a critical analysis of the writ of 'habeas corpus' with decisions of the Supreme Court. 16

Or

Write short notes on 8+8  
(a) Writ of Certiorari  
(b) PIL

5. Discuss the need for amending provisions in the Constitution and analyse the power and procedure of Parliament to amend the Constitution of India. 16

Or

The Constitution was not drafted for a particular period or to serve a particular generation. It was intended to serve the people of this vast country and for periods to come.

Attempt an exhaustive analysis of the above statement. Embellish your answer with landmark judgment of the Supreme Court of India. 16