

**SCHOOL OF LAW
HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH
(HILSR)**

JAMLA HAMDARD, NEW DELHI

PhD (Law) Course Work Examination, May/June 2024

Indian Constitutional Law: Emerging Trends and New Challenges (Ph.D- C2-101)

Time : 3 Hours

Maximum Marks-75

Instructions

- I. Write your Roll Number on the top immediately on receipt of this question paper.
- II. Attempt five questions selecting one from each Unit. All questions carry equal marks.

Unit -I

(15 marks)

1. *“Power dispersed: Asymmetric Federalism and Constitutional Pluralism under the Indian Constitution”*. In the light of above statement define the key features of Indian Federalism and discuss whether the procedure adopted for the Abrogation of Article 370 was constitutional or unconstitutional.

Or

- 2. Discuss the Constitution of the GST Council and The Goods and Services Tax (Compensation to States) Act, 2017. And elucidate whether it is Cooperative Federalism or competitive federalism.**

Unit-II

(15 marks)

3. **Unit-II (15 marks)**
What are the different modes of acquiring Citizenship in India and discuss the salient features of the Citizenship (Amendment) Act, 2019.

Or

4. "The right to personal liberty under Article 21 and as a part of the freedoms guaranteed by Part III of the Constitution" **Or**

Court in *Kharak Singh v. State of UP* and *M.P Sharma v. Union of India*, which held that there is no fundamental right to privacy under the Indian Constitution.

In the recent development of the right to privacy discuss the “Right to be Forgotten” and “Data Privacy” in Aadhar Judgment.

Unit- III

(15 marks)

5. What is Anti-Defection Law and elucidate whether anti defection can be used as a weapon against the members of political parties. Cite with the recent examples of political crisis in India.

Or

- 6. Discuss the role of the Election Commission in India and role of the opposition parties in maintaining the check and balances/accountability in the democratic form of government.**

Unit -IV

(15 marks)

7. In a 3-2 majority, the Supreme Court upheld the 103rd Constitutional Amendment providing EWS reservation. With this, the Court extended the net of reservation benefits to include solely economic backwardness. “Socio-Economic Rights in the Constitution of India is a necessity for the progress of the individual and the Country”. Comment.

Or

- 8. Discuss the provisions, procedure and principle established by law for judicial review in India with the help of landmark cases.**

Unit-V

(15 marks)

- 9. Discuss the “Collegium system” for the appointment of judges of Supreme Court of India unconstitutionality of National Judicial Appointment Commission (NJAC). How to incur the transparency and accountability in the process of appointment of judges?**

Or

- 10: Elucidate the Fourth Organ Institutions in India and its importance for the effective implementation of Constitutional machinery.**
