

LL.M (C) – 301

Roll No.....

**HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH
SCHOOL OF LAW**

JAMIA HAMDARD, NEW DELHI - 110062

**LLM 1st Semester January 2024
Fundamental Rights and Directive
Principles**

Time: 3 Hours

Maximum Marks: 60

Write your Roll No. on the top immediately on receipt of this question paper. Attempt five questions selecting one from each unit. Each question carries twelve marks.

UNIT-I

Q1. Is the Indian Constitution liberal? Support your answer with explanations. (12)

Q2. India's constitutional trajectory has been a fine balance of "living originalism" and "constitutional cosmopolitanism." Discuss the role played by the constitutional courts in India in ensuring that the Constitution stays liberal. (12)

UNIT-II

Q3. Critically discuss the different interpretive tests used by the Supreme Court in theorising "other authorities" under Article 12 of the Indian Constitution. (12)

Q4. "There is not enough clarity whether fundamental rights can be enforced horizontally and how". Comment with the help of case law. (12)

UNIT-III

Q5. Critically discuss the different tests laid down by the judiciary in India as an interpretive aid to the functionality of equality guarantee under Article 14 of the Constitution. Cite case laws. (12)

Q6. Write a critical essay on the judicial response to the questions of gender and sexual orientation in India with a focus on some recent developments. (12)

UNIT-IV

Q7. Should personal laws be subjected to reform by the state including courts. Discuss how the constitutional courts have responded to the questions of personal law reform in the post colonial Indian state. (12)

Q8. Write an essay on the new challenges to the guarantee of "right to life" under Article 21 of the Constitution with a focus on "right to die" and "euthanasia." (12)

UNIT-V

Q9. Critically discuss the philosophical foundations of the Directive Principles of State Policy as enshrined in the Indian Constitution. (12)

Q10. Discuss the interpretive discourses employed by the Indian judiciary to navigate the relationship of "fundamental rights" and "Directive Principles of State Policy." (12)