



LLM-302 (C)

Roll No.....

**SCHOOL OF LAW
HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH(HILSR)
JAMIA HAMDARD, NEW DELHI - 110062**

LL.M. IIIrd SEMESTER (Special Supplementary Exam), 2025-26

LL.M. 302 (C): National Security, Public Order & Rule of Law

Time: 3 Hours

Maximum Marks: 60

Instructions

- i. *Write your Roll No. 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 (12 Marks)

Q1. Kautilya's *Arthashastra* reflects a deep understanding of national power and security in ancient India. Analyse how this ancient wisdom has influenced India's approach to modern national security challenges.

OR

Q2. Evaluate the balance between coercion and legitimacy in the Indian constitutional framework. How has the increasing reliance on coercive measures, as discussed in the Kuldeep Mathur's paper, impacted civil liberties and democratic values in India?

UNIT-II (12 Marks)

Q3. Examine the necessity of emergency provisions that deviate from legal normality in India. Analyse this in the context of the historical evolution of emergency powers and discuss the various judicial doctrines

developed to justify or scrutinize such provisions and their implications for democratic governance.

OR

Q4. Short notes on:

- a) Preventive detention – Constitutional safeguards.
- b) Suspension of Fundamental Rights during proclamation Article 352, Constitution of India.

UNIT-III (12 Marks)

Q5. How does the imposition of Martial Law challenge the core principles of Indian democracy, particularly the balance between individual freedoms and state power? Examine the scope and constitutional relevance of Article 34 of the Constitution in this regard.

OR

Q6. Critically analyse the constitutional validity and implications of the Armed Forces (Special Powers) Act (AFSPA) in India. How does it impact the balance between national security and protection of fundamental rights.

UNIT-IV (12 Marks)

Q7. Examine the development of anti-terrorism legislation in India. How effectively have these laws tackled the challenges posed by terrorism, and to what extent have they sparked concerns about misuse and the infringement of fundamental rights? Analyse the efforts made to balance the imperatives of national security with the protection of individual freedoms.

OR

Q8. How can a state effectively balance the protection of human rights with the necessity of implementing counter-terrorism measures? Critically examine the challenges and strategies involved in maintaining this balance, with examples from both domestic and international contexts.

UNIT-V

(12 Marks)

Q9. How have post-independence judicial rulings on the right to freedom of speech and expression under Article 19(2) contributed to the development of contradictory precedents on the restriction of "public order," and what are the implications of the "tendency-driven test" and "consequence-driven test" in determining the limits of an average Indian's rationality in the public sphere?

OR

Q10. How does the concept of "reasonable restrictions" under Article 19(2) of the Indian Constitution impact the fundamental right to freedom of speech and expression as enshrined in Article 19(1)(a)? Discuss the balance between individual liberties and legitimate state interests within this constitutional framework.
