

LLM (C) - 104

Roll No.....

**HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH
SCHOOL OF LAW
JAMIA HAMDARD, NEW DELHI - 110062
LLM 1st Semester January 2024
Constitutional Interpretation**

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. Write a critical essay on the theories/methods followed by the Indian constitutional courts in the interpretation of the Constitution. (12)

Q2. "Constitutions thrive on silences, gaps, abeyances and ambiguities." Comment. (12)

UNIT-II

Q3. Critically discuss Jamal Greene & Yvonne Tew's 2018 paper "Comparative Approaches to Constitutional History" with a particular focus on India. (12)

Q4. Discuss the limitations of originalist approach of interpretation with special reference to the judgement of the Indian Supreme Court in Justice K S Puttaswamy (Retd.) v. Union of India (2017) 10 SCC 1.

UNIT-III

Q5. Discuss the Supreme Court's engagement with the inter-relationship between constitutional provisions. Refer to case laws.

Q6. Write a critical essay on the judgement of the Supreme Court in Maneka Gandhi v Union of India, (1978).

UNIT-IV

Q7. Is there a basic structure of the Constitution? With the help of case laws, discuss the evolution of the doctrine in India. Do you think the doctrine is helpful in acting as a check and balance on Parliament's amending power. (12)

Q8. Constitutional morality has lately become important in constitutional adjudication. Elucidate. (12)

UNIT-V

Q9. Critically discuss the Supreme Court's non compliance with its own precedents in the recent past. (12)

Q10. Write a critical essay on the persuasive role of foreign judgements in India. Refer to at least three cases. (12)