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**SCHOOL OF LAW**  
Parasat, Kolkata- 700125

**Term End Examination 2025-2026****Programme – LLM-2025****Course Name – Indian Constitutional Law and New Challenges****Course Code - LLM201B****( Semester II )****Full Marks : 60****Time : 2:30 Hours**

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

**Group-A**

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Which Supreme Court case provided directives to prohibit child labour across India?
- a) State of Madhya Pradesh Vs. Narmada Bachao Andolan      b) M.C. Mehta Vs State of Tamil Nadu
- c) Kharak Singh Vs. State of UP      d) Sheela Barse Vs. State of Maharashtra
- (ii) Who is regarded as the father of Public Interest Litigation (PIL) in India?
- a) Justice DY Chandrachud      b) Justice AN Ray
- c) Justice P N Bhagwati      d) Justice Krishna Iyer
- (iii) What does the principle of separation of powers mean?
- a) One organ of the government should not exercise the function of the other      b) One organ of the government should not control or interfere with the exercise of its functions by another organ
- c) Same persons should not form part of more than one of the three organs of the government      d) All of these
- (iv) Choose the correct option. When was the Judges Inquiry Act, which provides the procedure for the removal of judges, enacted?"
- a) 1987      b) 1986
- c) 1968      d) 1978
- (v) Select the correct option. 'access to courts' for common people refers to.
- a) Access to help      b) Access to equality
- c) Access to justice      d) None of these
- (vi) In case of a conflict between the fundamental rights of citizens and the privileges of Parliament, what is the legal position?
- a) Parliamentary privilege will have supremacy      b) Fundamental Right will prevail

- c) Some of the fundamental rights are sacrosanct over which privileges will not prevail
- d) Generally Parliamentary privileges will prevail. But, parliament while acting against the fundamental rights of the citizens, should not violate due process of law.
- (vii) Identify the generation of human rights under which the eradication of all types of social discrimination falls.
- a) First Generation
- b) Second Generation
- c) Third Generation
- d) Fourth Generation
- (viii) Identify the case in which it was held that the Jain community is NOT a minority community under the Constitution of India.
- a) Bal Patil Vs. Union of India
- b) Waman Rao Vs. Union of India
- c) Minerva Mills Vs Union of India
- d) Ram Krishnan Vs Union of India
- (ix) Identify the concept under which the major challenges to human rights arise.
- a) Violence
- b) Conflict
- c) Both of these
- d) None of these
- (x) Identify the case from the following The Supreme Court struck down Section 497 of the IPC on the grounds that it violated Articles 14, 15 and 21 of the Constitution.
- a) Joseph Shine Vs Union of India
- b) Faheema Shereen vs State of Kerala
- c) Digbijay Dubay vs State
- d) TN Kumar Vs State of Bihar
- (xi) Select the rate at which a commercial bank borrows money from RBI.
- a) Repo Rate
- b) Market rate of Interest
- c) Inflation rate
- d) Nominal rate
- (xii) Determine the international organization that is directly related to industrial relations at international level.
- a) United Nations Organisation
- b) UNESCO
- c) World Health Organisation
- d) International Labour Organisation
- (xiii) Evaluate the future of constitutional governance in global economy.
- a) Constitution irrelevant
- b) Market supreme
- c) Constitution acts as balancing framework
- d) Courts abolished
- (xiv) Analyze constitutional justification for regulating private monopolies.
- a) To prevent economic exploitation violating equality
- b) To protect government companies
- c) To promote competition only
- d) To increase tax
- (xv) Determine the impact of liberalization on Directive Principles.
- a) Makes irrelevant impact
- b) Deletes DPSP
- c) Requires reinterpretation of social justice goals
- d) Converts DPSP into FR

### Group-B

(Short Answer Type Questions)

3 x 5=15

2. What is carry forward rule? (3)
3. Develop a brief note on journalism and right to privacy. (3)
4. Identify the core difference between Public Interest Litigation and Judicial activism in India. (3)
5. Analyze the present status of GST in India. (3)
6. Determine the extent to which globalization has transformed state sovereignty. (3)

OR

Determine the role of the Government of India in controlling fiscal deficit. (3)

### Group-C

(Long Answer Type Questions)

5 x 6=30

7. Identify the viability of new rights and their remedies in India. (5)

8. The Constitution of India guarantees Universal Adult Franchise under Article 326, allowing every citizen above 18 years of age to vote, subject to certain disqualifications. However, under Section 62(5) of the Representation of the People Act, 1951, prisoners and undertrial detainees lodged in jail are not allowed to vote. An undertrial prisoner, who has not yet been convicted of any offence, challenges this restriction before the Supreme Court, arguing that denying him the right to vote violates his fundamental rights and the democratic principle of Universal Adult Franchise. The Government contends that such restrictions are reasonable and necessary for maintaining electoral integrity. Explain the quote: "Denying voting rights to undertrials contradicts the principles of Universal Adult Franchise." (5)
9. Article 12 of the Indian Constitution defines the term "State" for the purpose of enforcing Fundamental Rights under Part III. It includes the Government and Parliament of India, State Governments, and "other authorities" within the territory of India or under the control of the Government of India. With the growth of a market economy and privatization, many public functions are now performed by private companies and corporations. In several cases, such as R.D. Shetty v. International Airport Authority of India and Ajay Hasia v. Khalid Mujib Sehravardi, the Supreme Court of India expanded the meaning of "other authorities" under Article 12. However, in Zee Telefilms Ltd. v. Union of India, the Court adopted a more restrictive approach regarding private bodies. Analyze the relationship between Article 12 and fundamental rights protection in a market economy. (5)
10. Classify privatization with liberalization. (5)
11. Explain the process in brief on allocation and share of resources distribution of grant aid etc. (5)
12. Assess the positive effects of globalization. (5)

OR

Assess the impact of privatization on India's economy, society, and governance, highlighting both its benefits and challenges. (5)

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