



0354

**Third Semester LL.M. Examination, June 2013**  
**NATIONAL SECURITY, PUBLIC ORDER AND RULE OF LAW**

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer **all 5** questions.  
2. Answer **one** essay type and **one** short question from **each** Unit.  
3. Figures to the **right** indicate marks.

Q. No. 1. (a) 'Civil liberties are rights and freedoms that protect an individual from the state'. Comment on the above statement with reference to emergency detention in England. Marks : 10

OR

Explain 'Rule of Law' in the light of judicial decisions

(b) Write short note on : Marks : 6

Security of state.

OR

Public order.

Q. No. 2. (a) 'As preventive detention encroached upon personal liberty, this power has to be exercised strictly in accordance with the requirements of constitution and the law'. Elucidate the above statement with decided cases. Marks : 10

OR

'Preventive detention is not a punitive but a precautionary measure'. Comment.

(b) Write short note on : Marks : 6

1975 emergency.

OR

Emergency provisions under the Indian Constitution.

Q. No. 3. (a) Why TADA Act was called as Draconian Law ? Marks : 10

OR

Whether COFEPOSA and other legislations have helped to curb economic offenders. Explain.

P.T.O.



(b) Write short notes on :

Marks : 6

Human Rights.

OR

Special Courts and Tribunals under TADA.

Q. No. 4. (a) Distinguish between 'Security of State' and 'Public Order' in the context of Protecting freedom under Article 19(1) (a) read with Art. 19(2).

Marks : 10

OR

Examine the powers of the president to suspend right to move any court during emergency by referring to Article 21 of the Indian Constitution.

(b) Write short note on :

Marks : 6

Constitution (44<sup>th</sup>) Amendment.

OR

Suspension of Article 19 on declaration of emergency.

Q. No. 5. (a) 'Emergency is a unique feature of Indian Constitution'. Elucidate the above statement by referring to various emergency provisions.

Marks : 10

OR

Critically comment on the ups and downs of judicial review regarding access to courts during emergency.

(b) Write short note on :

Marks : 6

Martial law-provisions under English Law.

OR

Constitution (Fifty ninth) Amendment.

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