



0354

Third Semester LL.M. Examination, January 2011
NATIONAL SECURITY, PUBLIC ORDER AND RULE OF LAW
(Specialization Paper – VI) (Course – IV)

Duration : 3 Hours

Max. Marks : 80

- Instructions :** 1. Answer **all 5** questions.
2. Figures to the **right** indicate marks.

- Q. No. 1. (a) Explain the impact of emergency detention in England on civil liberties. Marks : 10
OR
Explain critically the terms national security, public order and rule of law.
- (b) Write short note on : Subjective satisfaction. Marks : 6
OR
Objective Assessment.
- Q. No. 2. (a) Examine various constitutional provisions protecting liberty of a detainee against bureaucratic lethargy, insensitivity, routine approach and abuse of power. Marks : 10
OR
Explain the consequences of proclamation of emergency.
- (b) Write short note on : Procedure for imposing national emergency. Marks : 6
OR
Emergency during the period of war.
- Q. No. 3. (a) Examine various preventive detention law dealing with economic offences. Marks : 10
OR
TADA is the most draconian law among the preventive detention laws in India – Comment.

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(b) Write short note on : Special Court under TADA.

Marks : 6

OR

Impact of due process on special legislations.

Q. No. 4. (a) Proclamation of emergency drastically affects the fundamental rights – Explain.

Marks : 10

OR

The expression of security of state under Art. 19(2) is not synonymous to public order – Explain with the help of Judicial pronouncements.

(b) Write short note on : Constitutional (44th Amendment) Act.

Marks : 6

OR

Suspension of right to move any court.

Q. No. 5. (a) During proclamation of national emergency fundamental rights are not suspended but only their enforcement – Explain.

Marks : 10

OR

Explain the provision of Martial law in England. How these provisions are different from India ?

(b) Write short note on : Constitutional (59th Amendment) Act.

Marks : 6

OR

Preventive detention and emergency.
