



0354

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

Duration : 3 Hours

Max. Marks : 80

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

Q. No. I. (a) i) Rule of law is the foundation of public order. Comment. Marks : 10

OR

ii) Arrest of persons under National Securities Act is contrary to the principle justice. Comment.

(b) Write note on : Marks : 6

i) Objective assessment

OR

ii) Public order.

Q. No. II. (a) i) Examine the reasons for the declaration of emergency in 1962 and 1965 in India. Marks : 10

OR

ii) Critically examine the grounds of temporary release of person detained.

(b) Write note on : Marks : 6

i) 1975 emergency

OR

ii) Detention order.

Q. No. III. (a) i) Discuss the admissibility of confessional statement under Section 15 of TADA Act. Marks : 10

OR

ii) Reasons for the scrapping of TADA.

P.T.O.



(b) Write note on : Marks : 6

i) NHRC views on Armed Force (Special Power) Act, 1958.

OR

ii) NHRC. Vs National Security Saws.

Q. No. IV.(a) i) What are the various grounds for proclamation of emergency under the Indian Constitution. Marks : 10

OR

ii) Article 359 (1) does not empower the President to suspend the fundamental rights but to suspend the enforcement of fundamental rights named in such notification. Critically examination.

(b) Write note on : Marks : 6

i) Security of State

OR

ii) Duration of emergency.

Q. No. V. (a) i) State the differences between 1962 and 1975 Presidential order of emergency in India. Marks : 10

OR

ii) Discuss the position of Part III of Constitution before and after 44 Amendment Act.

(b) Write note on : Marks : 6

i) Habeas Corpus

OR

ii) When the court look into the character of the order of detention ?
