

GUJARAT NATIONAL LAW UNIVERSITY
SILVASSA CAMPUS
Course: Comparative Public Law/Systems of Governance

LLM_Semester- I (Batch: 2025-26)

End Semester Examination: October – November 2025 (LL M)

Date: 25th Oct, 2025

Duration: 3 hours

Max. Marks: 50

Instructions:

- Read the questions properly and write the answers in the given answer book.
- Do not write anything on the question paper.
- The respective marks for each question are indicated in-line.
- Indicate the correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period; answer as it is, giving reason, if any.

	Write any five	Marks
Q.1	Discuss the concepts of federalism, federations, and federative systems, and critically analyse how these concepts and ideas have shaped the federal structures of Canada, the USA, and India. In addition to this, explain also how the differences in Constitutional design, distribution of powers, rigidity, and judicial oversight affect centre–state relations in these countries.	(10)
Q.2	<p><i>“In a just and democratic society, the principles of public law, such as the rule of law, separation of powers and natural justice, serve as indispensable safeguards against arbitrary governance”</i></p> <p>Critically examine this proposition.</p> <p>In your answer, analyse how these principles operate to ensure accountability, protect fundamental rights and uphold institutional legitimacy, drawing on both domestic jurisprudence and comparative perspectives.</p>	(10)
Q.3	<p><i>“Constitutionalism defines the structure and limits of State power, but its effectiveness depends on the normative guidance provided by Constitutional morality”</i></p> <p>Critically analyse how Constitutional morality reinforces Constitutionalism in safeguarding fundamental rights, guiding judicial reasoning, and ensuring adherence to Constitutional principles in governance.</p>	(10)
Q.4	Critically analyse the role of the Governor/Head of State in a Parliamentary form of government, especially in the context of the Judicial Review of their actions. Discuss relevant case law like <i>Shamsher Singh v State of Punjab</i> (1974) and explain how the political and legal constraints shape this position.	(10)

- Q.5 Examine the evolution of the 'Basic Structure Doctrine' in India. How has this doctrine fundamentally impacted the relationship between Fundamental Rights and Directive Principles of State Policy? Bring reference to the ratio from *Kesavananda Bharati v. State of Kerala* and *Minerva Mills Ltd v Union of India*. (1973) (10)
- Q.6 Explain the 'Doctrine of State Action' and its significance for the enforceability of 'Fundamental Rights' against private and public entities in India. Discuss the extent to which the judiciary has expanded the scope of 'the State' under Article 12 to ensure the protection of civil liberties. (10)
