

Total number of printed pages-11

19 (3-1) CNLW 1-1

2015

CONSTITUTIONAL LAW-I

(New Course)

Paper : 1-1

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

Q. No. 1 is compulsory and answer any five from the rest.

1. Fill in the blanks with appropriate answers given in the brackets or choose *True/ False*.
10×1=10

a. Territories of Indian States are specified in Schedule. (First/Second)

b. One of the salient features of the Indian Constitution is(Anti Religion State/Secular State)

Contd.

- c. Article 15 speaks about prohibition of discrimination on grounds of religion, race, caste, sex or (place of birth/mother tongue)
- d. Abolition of untouchability is mentioned under Article (17/18)
- e. Article provides protection against Ex-post facto laws. (20/22)
- f. The right to acquire, hold and dispose of property under Part-III of the Constitution was omitted by Constitution (..... Amendment) Act, 1978. (Forty- second/Forty-fourth)
- g. Article 25 of the Constitution of India deals with Freedom of Conscience and free profession, practice and propagation of (religion/ education)
- h. Article 31-B was added by the Constitution (.....) Act. (First Amendment/Forty-Second Amendment)

- i. The Constitution of India provides for separation of judiciary from legislatures under Article 50. (True/ False)
- j. The Fundamental duties were added by the Constitution Act. (Forty-second Amendment/Forty-fourth Amendment)

2. Write short answers on : 2x5=10

- a. Citizenship by domicile
- b. Concept of Law
- c. Right against exploitation
- d. Religious denomination
- e. Universal Civil Code

3. Discuss the various modes of acquiring and termination of Citizenship. under the Citizenship Act, 1955. 12

OR

Discuss the following : 6+6=12

- a. The Foreigners Act, 1946
 - b. Aims and objectives enshrined in the Preamble of the Constitution.
4. Explain the term "State" as defined under Article 12 of the Constitution of India. Whether "State" includes the "Judiciary" ?
9+3=12

OR

Discuss the concept of equality under Article 14 of the Constitution of India. State the exceptions to the general rule laid down in Clauses (1) and (2) of Article 15. 6+6=12

5. Write an explanatory note on : 6+6=12
- a. Double Jeopardy
 - b. Self-incrimination

OR

'The safeguards under Article 22 are provided with a view to avoid any miscarriage of justice.'

Explain the above in connection with safeguards against arrest or detention made under the ordinary law relating to commission of offences. 12

6. Write an exhaustive note on Cultural and Educational Rights under Part-III of the Constitution of India. 12

OR

"The Supreme Court shall have power to issue directions or orders or Writs for the enforcement of the rights conferred by Part-III of the Constitution of India".

Briefly discuss various types of Writs that can be issued by the Supreme Court of India. 12

7. Discuss the Principles of policy to be followed by the State under Article 39 of the Constitution of India. 12

OR

Discuss the Fundamental Duties of the Citizens of India that incorporated under the Constitution of India. Justify the incorporation of Fundamental duties under the Constitution. 9+3=12

CONSTITUTIONAL LAW OF INDIA-I

(Old Course)

Paper : 1-5

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. (a) Fill in the blanks with appropriate answer given in brackets : 10×1=10
- (i) The 42nd Amendment Act, 1976 has inserted the _____ in the Preamble. (Sovereign/Secular)
 - (ii) State is defined under Article _____. (12/13)
 - (iii) The Governors of the states are appointed by the _____ of India. (President/Prime Minister)
 - (iv) Right to equality is a _____ Right. (Fundamental/Legal)
 - (v) Parliament _____ amend Fundamental Right. (can/cannot)

(vi) Fundamental Right _____ be waived by the citizen. (can/cannot)

(vii) Article 19 of the Constitution guarantees to the citizens of India _____ fundamental freedom. (six/seven)

(viii) The provisions contained in Part IV shall _____ by the court. (be enforceable/not be enforceable)

(ix) Article 21 though couched in _____ language, confers on every person the fundamental right to life and personal liberty. (negative/positive)

(x) Directive principle of State policy of our Constitution is borrowed from _____ Constitution. (Irish/English)

(b) Write short notes on the following :
5×2=10

(i) Secular state

(ii) Rule of law

(iii) Doctrine of Eclipse

(iv) Fundamental Right

(v) Meaning of Minority.

2. What do you mean by Federal Constitution? Whether Indian Constitution can be regarded as Federal one? 12

Or

What are the aims and objectives enshrined in the Preamble. 12

3. Explain in brief six fundamental freedoms and their reasonable restrictions. 12

Or

Explain "personal liberty" and "procedure established by law" mentioned in Article 21 of the Constitution of India with the help of Supreme Court's decision.

4. Summarize the law relating to right to religion as mentioned in Indian Constitution.

12

Or

What do you mean by "Minority rights"? Discuss the right of minorities to "establish" and "administer" educational institution in India.

5. Discuss the freedom of speech and expression. Does it include freedom of press also?

12

Or

What is meant by "double jeopardy"? Explain. What are the safeguards provided by the Constitution of India to the accused persons?

6. Briefly discuss the difference between Fundamental rights and Directive principles of State policy.

12

Or

What are the fundamental duties provided under Indian Constitution? Discuss their importance vis-a-vis the Fundamental Rights.

7. "State is a legal entity having perpetual succession and common seal". Do you agree with the statement? Discuss in the light of Constitutional provisions in Article 12 of the Constitution of India and case laws.

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