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21 (5) CNLW-I

2017

**CONSTITUTIONAL LAW-I**

Paper : 5-2

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with appropriate options given in the brackets / Choose True or False. 1×10=10

(a) The objectives specified in the Preamble contain the basic structure of the Constitution. (True/False)

(b) According to Article 1 of the Constitution, \_\_\_\_\_ is the other name of India. (Hindustan/Bharat)

Contd.

(c) Article 15 speaks about prohibition of discrimination on grounds of religion, race, caste, sex or \_\_\_\_\_.

(place of birth/mother tongue)

(d) There shall be equality of opportunity for all \_\_\_\_\_ in matters relating to employment or appointment to any office under the State.

(people/citizens)

(e) Protection against double jeopardy is contained under \_\_\_\_\_.

[Article 20(2)/Article 20(3)]

(f) No Child below the age of \_\_\_\_\_ years shall be employed to work in any factory or mine or engaged in any other hazardous employment. (12/14)

(g) Right to freedom of religion is incorporated in Article \_\_\_\_\_.

(25-28/26-28)

(h) Article 31B regarding validation of certain Acts and Regulations was inserted by the Constitution (\_\_\_\_\_) Act. (First Amendment/Forty-Second Amendment)

(i) Provisions as to fundamental duties cannot be enforced by Writs.

(True/False)

(j) The provision of free legal aid was inserted by the Constitution (Forty-Second Amendment) Act under \_\_\_\_\_ of the Constitution of India.

(Part-III/Part-IV)

2. Write short notes on : 2×5=10

(a) Nature of Indian State

(b) Abolition of Untouchability

(c) Right against exploitation

(d) Judicial Review

(e) Effects of the Constitution (Eighty-sixth Amendment) Act on Part-IV and Part-IV-A.

3. "The Preamble of the Constitution of India constitutes the philosophy of the Constitution" —Elucidate. Can Preamble be amended under Article 368 of the Constitution of India ? 9+3=12

**Or**

Write the following as directed :

(i) What is Domicile ? Discuss the kinds of Domicile. 2+4=6

(ii) Discuss briefly the salient features of the Citizenship Act, 1955. 6

4. Write brief notes on : *(any two)* 6+6=12

(a) Doctrine of Severability

(b) Doctrine of Eclipse

(c) Doctrine of Waiver.

**Or**

"Article 14 permits reasonable classification but prohibits class legislation".

Discuss the above statement. 12

5. "No Person shall be deprived of his life and personal liberty except according to procedure established by law".

Explain the above with reference to important decisions of the Supreme Court of India. 12

**Or**

Write a detailed note on different kinds of freedom guaranteed by the Constitution of India. Are such freedoms absolute ? Elaborate. 6+6=12

6. Write an exhaustive note on Cultural and Educational Rights as enshrined under the Constitution of India. 12

Or

Briefly discuss the following : 4+4+2+2=12

- (a) Writ of Habeas Corpus
  - (b) Writ of Mandamus
  - (c) Difference between the Writ of Prohibition and Certiorari
  - (d) Difference between Article 32 and Article 226.
7. Articles 36 to 51 incorporate certain directive principles of state policy, which the State must keep in view while governing the nation.

Discuss in brief about those Directives.

12

Or

Write a brief note on Fundamental Duties incorporated under the Constitution of India. Trace its significance. 10+2=12