

Sub Code LUG104

Roll No.....

**SEMESTER EXAMINATION 2022-2023**

**(3<sup>rd</sup> Year Vth Sem - B.A., LL.B/B.B.A. LL.B)**

**CONSTITUTIONAL LAW OF INDIA**

**Duration: 3:00 hrs.**

**Max Marks: 70**

**Note: Attempt all questions. All questions carry equal marks. In case of any ambiguity or missing data, the same may be assumed and state the assumption made in the answer.**

Q 1.	<b>Answer any four parts of the following within 100 to 125 words.</b> a) "Preamble is the key to opening the mind of Constitution maker" Discuss with special reference the Importance of the Preamble to the Constitution. b) What is 'Judicial Activism'? Does it serve any useful purpose? c) "Reservation in promotion has always been in controversy". What guidelines have been given by the Supreme Court to make reservations in promotion? d) Briefly discuss the applicability of the Doctrine of Severability under Article 13(1) of the Constitution of India. e) President can only be removed from his post by impeachment. Discuss the process of impeachment. f) Ordinance issued by the President has the same force of law as a parliamentary Act. Discuss when the Ordinance can be issued and when it will cease to operate?	4x3.5=14
Q 2.	<b>Answer any four parts of the following within 100 to 125 words.</b> a) "Preamble is the part of the Constitution. Therefore, it can be amended by the Parliament" Discuss with the help of decided cases. b) "No one can be a witness against himself" Discuss c) Doctrine of Creamy layer has been a landmark principle given in the Indra Sawhney case. Discuss the nature and importance of the Doctrine of Creamy layer. d) What rights have been given to the person who has been detained under Preventive Law? e) After Maneka Gandhi case the concept of 'Procedure established by law' has been changed and now it is 'Due process of law'. Discuss with reference to Article 21 of the Constitution of India. f) How Council of Ministers is constituted and what are its function and powers?	4x3.5=14
Q 3.	<b>Answer any two parts of the following within 200 to 250 words</b> a) What are the provisions relating to religious freedom in the Indian Constitution? Does the Indian Constitution specifically bar the conversion of people to other religions? b) Discuss the position of the President with the help of constitutional provisions and decided cases.	2x7=14

	c) How many types of writs can be issued by the Supreme Court of India under Article 32?	
Q 4.	<p><b>Answer any two parts of the following within 200 to 250 words. The answer must be descriptive.</b></p> <p>a) What do you understand by Fundamental Rights? How do they differ from other rights? Are they amendable? Refer to important Supreme Court decisions on the subject.</p> <p>b) “Article 16 of the Constitution of India is a bundle of contradictions, as, on the one hand, it deals with equality of opportunity in matters of public employment, and, on the other, it enables the government to provide for reservation in public employment.” Comment.</p> <p>c) “The Directive Principles of State Policy constitute a comprehensive political, social and economic program for a modern democratic welfare State”. Examine.</p>	2x7=14
Q 5.	<p><b>Answer any two parts of the following within 200 to 250 words. The answer must be descriptive</b></p> <p>a) “The Indian Constitution is federal in form but unitary in substance”. Comment</p> <p>b) “Like should be treated alike is the meaning of equality, unlike should be treated alike is not the meaning of equality” Discuss Article 14 in reference to the statement and discuss also the new concept of the Right to Equality.</p> <p>c) What do understand by the concept of “freedom of speech and expression”? Does it cover hate speech also? Why do films in India stand on a slightly different plane from other forms of expression? Discuss.</p>	2x7=14

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