

## Second Semester LL.B. Three Years Course (CBS) Examination

## CONSTITUTION LAW–II

## Compulsory Paper—3

Time : Three Hours]

[Maximum Marks : 80

**N.B. :—** (1) Attempt all Sections. Section 'A' carries 10 marks, Section 'B' carries 30 marks and Section 'C' carries 40 marks.

(2) Follow the instructions given in each Section.

(3) Marks are indicated against each question.

**SECTION–A**

1. Choose the correct alternative (any **ten**) :

- (i) In which case it was held that the harmony and balance between fundamental and directive principles is an essential feature of the basic structure of Indian Constitution ?
  - (a) Minerva Mills Ltd. v/s Union of India
  - (b) Keshavanand Bharti v/s Union of India
  - (c) Bijay Cotton Mills v/s State of Ajmer
  - (d) M.M. Pathak v/s Union of India
- (ii) Fundamental Right enshrined under Article 19(1)(f) was abolished by :
  - (a) 44<sup>th</sup> Amendment
  - (b) 42<sup>nd</sup> Amendment
  - (c) 41<sup>st</sup> Amendment
  - (d) 43<sup>rd</sup> Amendment
- (iii) Fundamental Rights are available against :
  - (a) State
  - (b) Private person
  - (c) Non Government Organisation
  - (d) All of the above
- (iv) Which one of the following Articles talk about "Equal pay for Equal work" ?
  - (a) Article 14
  - (b) Article 16
  - (c) Article 39(c)
  - (d) Article 19(d)
- (v) Which of the following is essential to invoke principle of "double jeopardy" ?
  - (a) The person should be accused of an offence
  - (b) The proceeding or prosecution should take place before a Court or judicial tribunal
  - (c) The proceeding should have been taken before the judicial tribunal or Court
  - (d) All of the above
- (vi) Articles 29 and 30 deal with :
  - (a) Religious freedom
  - (b) Right to life and liberty
  - (c) Right against exploitation
  - (d) Cultural and educational rights.
- (vii) Clause 4 of the Article 22 provides that no law providing for preventive detention shall authorise the detention for a longer period than :
  - (a) Three months
  - (b) Two months
  - (c) Four months
  - (d) Six months
- (viii) Article 13 provides for judicial review of all :
  - (a) Past legislation
  - (b) Future legislation
  - (c) None of the above
  - (d) Both of the above
- (ix) Article 19 is available to :
  - (a) Natural person
  - (b) Juristic person
  - (c) Natural as well as juristic person
  - (d) None of the above
- (x) Which one of the following conditions is not necessary for acquiring citizenship by domicile under Article 5 of Constitution of India ?
  - (a) He was born in India
  - (b) He must have been ordinarily resident in the territory of India for not less than five years immediately before the commencement of the Constitution
  - (c) He must have been registered as a citizen by officer appointed for the purpose
  - (d) Either of his parents was born in India

- (xi) Which of the following statement is true about Article 21 of Constitution of India ?
- Article 21 is available to citizens as well as non citizens
  - Article 21 protects the right of life and personal liberty not only from executive action but also from legislative action as well
  - Personal liberty as used under Article 21 is liberty relating to or concerning the person or body of the individual
  - All of the above
- (xii) Which of the following does not constitute reasonable restriction on Article 19(2) of Constitution of India ?
- Security of the State
  - Friendly relations with the foreign State
  - Defamation
  - For good economic goal
- (xiii) Ex-post-facto are laws :
- Which nullified and punished what had been lawful when done
  - Which nullified and punished what had been unlawful when done
  - Which nullified and punished all invalid laws
  - None of the above
- (xiv) Which of the following writ is issued by the Supreme Court in case of illegal detention of a person ?
- Mandamus
  - Certiorari
  - Habeas
  - Quo Warranto
- (xv) In Public Interest Litigation the rules of \_\_\_\_\_ is relaxed.
- Locus standi
  - Procedure
  - Formalities
  - All of the above

1×10=10

### SECTION-B

**Note :—** Both the questions in this Section are compulsory.

2. Answer the following (any **three**) :
- Explain the meaning of 'Procedure established by law'.
  - What is Special Leave Petition ?
  - What is 'Equal pay for Equal work' ?
  - What are Fundamental Duties ?
- 5×3=15
3. Write short notes on (any **three**) :
- Uniform Civil Code.
  - Doctrine of Waiver.
  - Creamy Layer.
  - Protection against exploitation.
- 5×3=15

### SECTION-C

**Note :—** Answer any **five** questions :

- Define 'State'. Explain the judicial interpretation of 'other authorities'.
  - Explain the scope of Article 21 of the Constitution with the help of decided case laws.
  - 'The Constitution ensures protection against exploitation by prohibiting bonded labour and child labour'. Explain.
  - Give an explanatory account on different types of writs.
  - Summarize the law relating to religious freedom.
  - Discuss the scope of 'Freedom of speech and expression'. Comment on the limits of 'Freedom of Press'.
  - What is "judicial review" ? How is the power of judicial review exercised by the Supreme Court ?
  - Explain the relationship of Directive Principles of State Policy and Fundamental Duties with reference to relevant case laws.
- 8×5=40