

B.A. LL.B. 5 Years Course (C.B.S.) Fifth Semester Examination**CONSTITUTION—II****Compulsory Paper—1**

Time : Three Hours]

[Maximum Marks : 80

N.B. :— (1) Attempt **ALL** sections. Section A consists of **10** marks, Section B consists of **30** marks and Section C consists of **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**) : 1×10=10
- (i) In which of the cases, domiciliary visit by the police without authority of law, was held to be violative of Article 21 of the Indian Constitution assuming that a right of privacy was a fundamental right derived from the freedom of movement guaranteed by Article 19(1) (d) of the Indian Constitution as well as personal liberty guaranteed by Article 21 ?
 - (a) Dr. Sudesh Tale v/s State of Haryana
 - (b) Kharak Singh v/s State of U.P.
 - (c) Govind v/s State of M.P.
 - (d) Neera Mathur v/s LIC of India
 - (ii) Which of the following is included in the definition of “Law” as provided in Article 13 ?
 - (a) Bye-Laws
 - (b) Custom having the force of law
 - (c) Usage having the force of law
 - (d) All of the above
 - (iii) Respect for the National flag and the National anthem is :
 - (a) a fundamental right of every citizen
 - (b) a fundamental duty of every citizen
 - (c) a directive principle of state policy
 - (d) an ordinary duty of every citizen
 - (iv) The Hon’ble Supreme Court of India permitted passive euthanasia subject to certain guidelines in the case of :
 - (a) Aruna R. Shanbaugh v/s Union of India
 - (b) Gian Kaur v/s State of Punjab
 - (c) P. Rathinam v/s Union of India
 - (d) Marutishripati Dubal v/s State of Maharashtra
 - (v) Article 21-A was inserted in the Indian Constitution by :
 - (a) The Constitution [48th Amendment] Act
 - (b) The Constitution [92nd Amendment] Act
 - (c) The Constitution [86th Amendment] Act
 - (d) The Constitution [85th Amendment] Act

- (vi) Which of the following parts of the Indian Constitution is associated with citizenship ?
- Part I
 - Part II
 - Part III
 - Part IV
- (vii) Which one of the following writs can literally mean, “what is your authority” ?
- Habeas Corpus
 - Certiorari
 - Quo Warranto
 - Prohibition
- (viii) Right against exploitation is mentioned in which of the following articles of Indian Constitution ?
- Articles 23-24
 - Articles 25-28
 - Articles 29-30
 - Articles 31-32
- (ix) In which of the following cases the Hon’ble Supreme Court held that “right to life” does not include “right to die” ?
- Gian Kaur v/s State of Punjab
 - P. Rathinam v/s Union of India
 - State of Maharashtra v/s Maruti Shripati Dubal
 - Golak Nath v/s State of Punjab
- (x) Right to become or to continue being a member of a voluntary association or a co-operative society is a _____ right.
- Statutory
 - Non-statutory
 - Fundamental
 - Both (a) and (b)
- (xi) “Article 20(3) of the Indian Constitution is about the immunity of accused from being compelled to be a witness against himself.” This clause gives protection :
- to a person accused of an offence
 - to against compulsion to be a witness
 - against himself
 - All of the above
- (xii) The word life in Article 21 includes “right to livelihood” was decided by the Hon’ble Supreme Court in which of the following cases ?
- Chameli Singh v/s State of U.P.
 - Olga Tellis v/s Bombay Municipal Corporation
 - Peoples Union for Civil Liberties v/s Union of India
 - Neeraja Chaudhary v/s State of M.P.
- (xiii) Which one of the following is **NOT** a Directive Principle of State Policy ?
- Uniform Civil Code
 - Organisation of Village Panchayats
 - Right to Education
 - Free Legal Aid

(xiv) Which Fundamental Right is available to all persons ?

- (a) Right to form a union
- (b) Protection of life and personal liberty
- (c) Right to assemble peaceably
- (d) Right to move freely throughout the territory of India

(xv) The word “Secular” used in the preamble of the constitution of India means :

- (a) The State has no religion of its own
- (b) All religions are treated equally
- (c) The State has no common religion
- (d) Both (a) and (b) are correct

SECTION—B

Note :— Both the questions in this section are compulsory.

2. Answer the following (any **THREE**) : 5×3=15
 - (a) Discuss the importance of Right to Education.
 - (b) Explain the doctrine Waiver of Fundamental Rights.
 - (c) Explain citizenship by Domicile.
 - (d) Write a note on the Writ of Habeas Corpus.
3. Write short notes on the following (any **THREE**) : 5×3=15
 - (a) Protection against double jeopardy
 - (b) Preamble to the Constitution
 - (c) Freedom of Press
 - (d) Right to Privacy.

SECTION—C

Note :— Answer any **FIVE** questions of the following.

4. In the light of case of E.P. Royappa v/s State of Tamil Nadu AIR 1974 SC 555; explain the right to equality as enshrined under Article 14 of the Constitution. Explain the doctrine of reasonable classification.
5. “The State does not have a religion of its own.” Discuss the concept of Secularism. What is the reason behind incorporating it in the Preamble of the Constitution ?
6. Define the term “State” under Article 12 of the Constitution. Explain the judicial interpretation of “other authorities”.
7. Explain the relationship between fundamental rights and directive principles of State policy.
8. In light of T.M.A. Pai v/s State of Karnataka, explain how the rights of minorities are protected.
9. Explain how the interpretation of Article 21 has expanded from A.K. Gopalan’s case to Maneka Gandhi’s case.
10. Explain the right against exploitation in the light of Bandhana Mukti Morcha v/s Union of India, AIR 1984 SC 802.
11. State the various freedoms under Article 19 of the Constitution. Are these freedoms absolute ? Explain. 8×5=40