

First Semester LL.B. Three Years Course (C.B.S.) Examination**CONSTITUTION LAW—I****Compulsory Paper—3**

Time : Three Hours]

[Maximum Marks : 80

Note :—(1) Attempt **ALL** Sections. Section A carries **10** marks. Section B carries **30** marks and Section C carries **40** marks.

(2) Follow the instruction given in each Section.

(3) Marks are indicated against each question.

SECTION—A

1. Choose the correct alternative (any **TEN**) :— 1×10=10

(i) The Constitution of India came into force on :

- | | |
|--------------------------------|--------------------------------|
| (a) 26 th Jan. 1947 | (b) 15 th Aug. 1947 |
| (c) 26 th Jan. 1950 | (d) 26 th Nov. 1949 |

(ii) _____ was the Chairman of the Constituent Assembly.

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|-----------------------------|----------------------------|
| (a) Dr. Rajendra Prasad | (b) Dr. Babasaheb Ambedkar |
| (c) Sarvpalli Radhakrishnan | (d) Dr. Sachidanand Sinha |

(iii) In the preamble of the Constitution of India which of the following is the correct order of declaration ?

- (a) Sovereign, socialist, democratic, republic
 (b) Sovereign, secular, democratic, republic
 (c) Socialist, secular, republic
 (d) Sovereign, socialist, secular, democratic republic

(iv) Where the legislature has transgressed its legislative powers in a covert or indirect manner, it is known as _____.

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|------------------------------------|-----------------------------------|
| (a) Unwarranted exercise of powers | (b) Non-exercise of powers |
| (c) Valid exercise of powers | (d) Colourable exercise of powers |

(v) Two apparently conflicting provisions of Constitution must be so construed that _____.

- (a) Both remain operative
 (b) Both turn inoperative
 (c) The later statute remains operative
 (d) The earlier statute remains operative

(vi) Any amendment to the Constitution is permissible; provided that the basic structure of the Constitution and its framework are not _____.

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|----------------|------------------------|
| (a) Introduced | (b) Commenced |
| (c) Altered | (d) Brought into force |

- (vii) The Supreme Court has original jurisdiction under _____ of Constitution of India.
- (a) Article 32 (b) Article 226
(c) Article 131 (d) Article 142
- (viii) When a Bill passed by both the Houses of Parliament is sent to the President for assent, he may _____.
- (a) Give assent
(b) Withhold assent
(c) Return the Bill to the House for reconsideration
(d) Either of the above
- (ix) Holding an office of profit in a local authority under the control of Central or State Government is a _____ for election as president.
- (a) Qualification (b) Disqualification
(c) Precondition (d) Prerequisite
- (x) The Parliament of India consists of :
- (a) Three organs i.e. President, Rajya Sabha and Lok Sabha
(b) Two organs i.e. Lok Sabha and Rajya Sabha
(c) Two organs i.e. Lok Sabha and President
(d) Two organs i.e. Rajya Sabha and President
- (xi) The Vice-President is ex-officio chairman of Rajya Sabha.
- (a) Correct statement (b) Incorrect statement
(c) Partly correct statement (d) Partly incorrect statement
- (xii) Writ of Certiorari cannot be issued to _____.
- (a) a judicial body
(b) a quasi-judicial body
(c) an inferior court by a superior court i.e. SC & HCs.
(d) a private body
- (xiii) The power to decide the constitutionality of a law is vested only in :
- (a) Courts (b) Legislature
(c) President (d) Prime Minister
- (xiv) In order to determine the competence of Legislature, the court shall look into "Pith and Substance" of the law in question.
- (a) Correct (b) Incorrect
(c) Partly correct (d) Partly incorrect
- (xv) Which of the following acts amounts to contempt of courts ?
- (a) Innocent publication and its distribution
(b) Fair and accurate report of judicial proceeding
(c) Fair criticism of judicial act
(d) Non-compliance of any direction of the court within stipulated period

SECTION—B

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

2. Answer the following (any **THREE**) :— 5×3=15
- (a) Explain the nature and significance of the Preamble to the Indian Constitution.
 - (b) What is meant by Anti-Defection Law ?
 - (c) Explain the Doctrine of Colourable Legislation
 - (d) “A” arrested by police was not produced within 24 hours before the Magistrate. Advise A the right course of action.
3. Write short notes on (any **THREE**) :— 5×3=15
- (a) Writ of Mandamus
 - (b) Collective Responsibility
 - (c) Doctrine of Pleasure
 - (d) Powers of Governor.

SECTION—C

Note :— Answer any **FIVE** questions of the following. 8×5=40

- 4. Explain the salient features of the Indian Constitution.
- 5. Explain the powers and functions of the President of India. Is the President only a nominal head of the State ?
- 6. How are the Supreme Court and High Court Judges appointed ? Who among the Executive and Judiciary has primacy in it ? Refer Judge Transfer case.
- 7. Explain the scheme of distribution of legislative powers between the Union and States.
- 8. Explain the freedom of Trade and Commerce enshrined in Art. 301 of the Constitution of India.
- 9. Explain the procedure and power to amend the Constitution of India. Analyse the doctrine of Basic structure.
- 10. Discuss the constitutional safeguards to civil servants in India.
- 11. What are the different types of emergencies that can be proclaimed by the President of India under the Constitution ? Discuss the leading case laws.