

**Second Semester LL.B. Three Years Course (Credit Base System) Examination**

**CONSTITUTIONAL LAW-II**

**Compulsory Paper-3**

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 question.

(3) Marks are indicated against each question.

**SECTION – A**

1. Choose the correct alternative (Any **ten**): 1×10=10

(i) The person voluntarily acquiring citizenship of a foreign state does not remain a citizen, is provided under :

- |               |               |
|---------------|---------------|
| (a) Article 5 | (b) Article 8 |
| (c) Article 7 | (d) Article 9 |

(ii) Under Article 16, the word 'any employment' or 'office' applies :

- |   |                         |
|---|-------------------------|
| (a) only to public employments          | (b) private employments |
| (c) both public and private employments | (d) none of the above   |

(iii) Article 19(1) (a) guarantees freedom of speech and expression to :

- |  |  |
|--|--|
| (a) all citizens of India              | (b) all Indians and foreigners                     |
| (c) only persons above 21 years of age | (d) only persons who have attained 60 years of age |

(iv) Provision for the protection and improvement of environment and safeguarding of forests and wildlife has been provided in :

- |                 |                       |
|-----------------|-----------------------|
| (a) Article 47  | (b) Article 48        |
| (c) Article 48A | (d) None of the above |

(v) In Part IV A of the Constitution, every Indian citizen has how many Fundamental Duties ?

- |        |        |
|--------|--------|
| (a) 12 | (b) 13 |
| (c) 10 | (d) 11 |

- (vi) Which of the following is bulwark of Personal Freedom ?
- (a) Mandamus
  - (b) Habeas Corpus
  - (c) Quo Warranto
  - (d) Certiorari
- (vii) The right guaranteed under Article 32 can be suspended by :
- (a) The Parliament
  - (b) The State Legislature
  - (c) The Supreme Court of India
  - (d) The Proclamation of Emergency
- (viii) According to Article 22(3), Fundamental Rights guaranteed to arrested persons in Article 22(1) and (2) do not apply to :
- (a) Alien Enemy
  - (b) Persons arrested or detained under any law providing for preventive detention .
  - (c) None of the above
  - (d) Both (a) and (b)
- (ix) A law making classification on the basis of the place of residence is :
- (a) violative of Article 15
  - (b) non-violative of Article 15
  - (c) violative of Article 15, read with Article 18
  - (d) violative of Article 15, read with Article 14 and Article 16 (1).
- (x) From which of the following countries, the Constitution of India has adopted Fundamental Duties ?
- (a) USA
  - (b) Canada
  - (c) Erstwhile USSR
  - (d) UK
- (xi) The idea of socialism under Directive principles, aims to :
- (a) eliminate inequality in economic and political status
  - (b) eliminate inequality in political and religious affairs
  - (c) eliminate inequality in income, status and standard of life
  - (d) eliminate class based society
- (xii) The Fundamental Rights are :
- (a) Inalienable
  - (b) Restriction upon Parliaments power to legislate
  - (c) Both (a) and (b)
  - (d) Neither (a) nor (b)

- (xiii) According to Article 22(4), no detention of any person without permission of Advisory Board is valid for a period exceeding :
- (a) three months (b) two months  
(c) twelve months (d) less than two month
- (xiv) Under Article 30(1), the right to establish and administer educational institutions belongs to :
- (a) Religious and linguistic minorities (b) All people of India  
(c) Minorities as well as majorities (d) All citizens of India
- (xv) Untouchability is abolished under Article :
- (a) Article 15 (b) Article 16  
(c) Article 17 (d) Article 15(4).

## SECTION – B

### (Short Answer Questions)

2. Answer the following : (Any **THREE**) : 5×3=15
- (a) Write a note on "Guarantee against Double Jeopardy."  
(b) What are the Rights to an Arrested person under Article 22 ?  
(c) Write an elaborative note on Fundamental Duties.  
(d) Explain the concept of secularism in the Indian context, with the help of case laws.
3. Answer the following (Any **THREE**) : 5×3=15
- (a) Explain how the Constitution has guaranteed the protection of interest of Minorities.  
(b) Explain Writ of 'Habeas Corpus'.  
(c) Write a note on 'Doctrine of Eclipse'.  
(d) Discuss the reasons for the enunciation of Fundamental Rights in the Constitution of India.

## SECTION - C

### (Long Answer Questions)

Answer the following (any **FIVE**) : 8×5=40

4. Explain with the help of case laws, how the Supreme Court has extended the dimension of Article 21.  
5. Explain the 'Fundamental Freedoms' guaranteed under Article 19. Explain the importance of freedom of speech and expression in the democratic government.  
6. Explain the inter-relationship between Fundamental Rights and Directive Principles.

7. "What Article 14 prohibits is class legislation and not reasonable classification for the purpose of legislation"? Discuss the doctrine of reasonable classification in the light of decided cases.
8. "No person accused of any offence shall be compelled to be a witness against himself". (Art. 20(3) – Explain the nature and scope of this right.
9. What are the various tests evolved by the Supreme Court of India to determine whether 'other authorities' can be regarded as 'State' within the meaning of Article 12 ? Discuss with the help of case laws.
10. Write an elaborative note on Constitutional Provisions relating to 'Freedom of Religion.'
11. "Public Interest Litigation is an instrument for the administration of Justice to be used properly in appropriate cases." – Discuss the scope and extent in the light of decided cases.