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Total number of printed pages-7

19 (I) CNLW-I

2019

CONSTITUTIONAL LAW-I

Paper : 1-1

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate options given in the brackets / Choose *True or False*.

1×10=10

- (a) The words 'socialist' and 'secular' were added to the Preamble of the Constitution of India by _____ .

[the Constitution (Forty-second Amendment) Act, 1976 / the Constitution (Forty-fourth Amendment) Act, 1978]

Contd.

- (b) The enforcement of any disability arising out of Untouchability shall be an offence punishable in accordance with law.
(True/False)
- (c) Article _____ provides teeth to the Fundamental Rights and makes them justiciable. (13/18)
- (d) Article 20(1) provides protection against _____. (self-incrimination / *Ex post facto* laws)
- (e) Article _____ prohibits the employment of a child below the age of fourteen years to work in any factory or mine or in any other hazardous employment. (23/24)
- (f) Articles 25-28 of the Constitution of India confer certain rights relating to freedom of religion only on citizens.
(True/False)
- (g) Ninth Schedule to the Constitution of India was added by the Constitution (First Amendment) Act, 1951.
(True/False)

- (h) Article 29(1) is not subject to any reasonable restrictions. (True/False)
- (i) _____ under Part IV was not included in the Original Constitution, but was added by the Constitution (Forty-second Amendment) Act, 1976. (Promotion of Cooperative Societies/ To provide free legal aid)
- (j) It shall be the duty of the every citizen of India to develop the _____ temper, humanism and spirit of inquiry and reform. (artistic/ scientific)

2. Write short notes on : 2×5=10
- (a) Concept of Law
- (b) Reservation for Economically Weaker Sections
- (c) Double jeopardy
- (d) Judicial Review
- (e) Article 51A(k)

3. What is Secularism? How is the concept of Secularism envisaged under the Constitution of India? To what extent has the Constitution of India succeeded in promoting the concept of Secularism?

2+6+4=12

Or

Discuss the following :

6+6=12

- (a) Modes of Acquisition of Citizenship under the Citizenship Act, 1955
- (b) Relation between NRC updation in Assam and section 6(A) of the Citizenship Act, 1955.
4. Write an exhaustive note as to how judiciary is expanding the meaning and reach of the term 'State' under Article 12 of the Constitution of India. 12

Or

Answer the following as directed : 6+6=12

- (a) Discuss the concept of 'Right to Equality' as provided under Article 14 of the Constitution of India.
- (b) 'Article 14 prohibits class legislation but permits reasonable classification'. Elucidate.
5. State the various freedoms provided under Article 19(1) of the Constitution of India. What are the different grounds on which restrictions can be imposed on freedom of speech and expression? 12

Or

'Everyone has the right to life, liberty and the security of person. Right to 'live' is not merely confined to physical existence but it includes within its ambit the right to live with human dignity'. Discuss the statement with decided Supreme Court judgment. 12

6. Discuss in details about various types of Writs that can be issued by the Supreme Court of India. State the differences between the Writ of Prohibition and Writ of Certiorari.

8+4=12

Or

Write exhaustive notes on : 6+6=12

- (a) Cultural and Educational Rights as enshrined under the Constitution of India.
- (b) The rights of minorities to establish and administer educational institutions in India.

7. "The Directive Principles of State Policy constitute a comprehensive political, social and economic program for a modern democratic welfare State." Elucidate the statement with suitable illustrations.

12

Or

Write an elaborate note on the Fundamental Duties of the Citizens of India. Trace the impact of the Constitution (Eighty-sixth Amendment) Act, 2002 on Part-IV and IV-A of the Constitution of India.

7+5=12

Total number of printed pages-7

19 (I) CNLW-I

2018

CONSTITUTIONAL LAW-I

Paper : 1-1

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate answers given in the brackets. Choose *True or False* :
1×10=10
 - a. India is a union of _____.
(Provinces/States)
 - b. Parliament may by law alter the boundaries of any State. (*True/False*)
 - c. Article _____ refers to pre-constitutional laws. [13(1)/13(2)]
 - d. Article 14 is the genus while Article 16 is a species. (*True/False*)

Contd.

e. Article 23 protects the individual not only against the State but also against private citizens. (True/False)

f. Right to Education was inserted under part-III of the Constitution of India by the Constitution _____ Act.

(forty-second Amendment/
eighty-sixth Amendment)

g. Article 30 deals with right of minorities to establish and administer educational institutions. (True/False)

h. Article _____ is known as *Heart and Soul* of the Constitution. (14/32)

i. The provision of free legal aid was inserted by the _____ under Part IV of the Constitution of India.

[Constitution (Forty-second Amendment) Act/
Constitution (Forty-fourth Amendment) Act]

j. On the recommendation of Swaran Singh Committee, Fundamental Duties were incorporated in the Constitution. (True/False)

2. Write short notes on : 2×5=10

a. Secularism

b. Article 17 of the Constitution of India

c. Freedom of speech and expression

d. Ninth Schedule to the Constitution of India

e. The Constitution (eighty-sixth Amendment) Act on Part-IVA of the Constitution.

3. The Preamble to the Constitution is aimed to embody the fundamental values and the philosophy on which the Constitution is based. Elucidate the above statement with decided cases. 12

Or

The massive "Assam Movement" ended on August 15, 1985 with a tripartite agreement, known as the *Assam Accord*. The Assam accord fixed a separate cut off date for identification and expulsion of foreigners in Assam and thereby Special provisions as to

citizenship of persons covered by the Assam Accord was inserted in the Citizenship Act, 1955.

Elucidate the above statement and discuss the law of Citizenship as per the special provisions as inserted by the Citizenship (Amendment) Act, 1985. Mention the different facets of the Citizenship (Amendment) Bill, 2016. 12

4. Answer the following : 6+6=12

a. 'Article 13 is the key provision as it gives teeth to the Fundamental Rights and makes them justifiable.' In the light of the above statement, write a brief note on Article 13 of the Constitution of India.

b. "The Fundamental Rights are a necessary consequence of the declaration in the preamble to the Constitution". Elucidate.

Or

"The right of equality, guaranteed by Article 16(1) and Article 16(2) are subject to a few exceptions".

Discuss the exceptions with relevant case laws. 12

5. Answer the following as directed : 12

The right to privacy is protected as an intrinsic part of the right to life and personal liberty under Article 21 and as a part of the freedoms guaranteed by Part III of the Constitution. [Justice K.S. Puttaswamy (Retd.) v. Union of India].

Elucidate the scope and significance of Article 21 of the Constitution of India.

Or

Briefly discuss the following : 4×3=12

- a. Protection against *ex post facto* law
- b. Rule against Double Jeopardy
- c. Privilege against self-incrimination.

6. "The Constitution protects the equal entitlement of all persons to a freedom of conscience and to freely profess, protect and propagate religion. Inhering in the right to religious freedom, is the equal entitlement of all persons, without exception, to profess, practice and propagate religion." (*Indian Young Lawyers Association & Ors. v. The State of Kerala & Ors.*)

In the above context, discuss the fundamental Constitutional tenets bearing upon the right to freedom of religion as guaranteed under the Constitution. 12

Or

Write brief notes on : 6+6=12

- a. Right to Constitutional remedies
- b. Judicial Review.

7. Articles 36 to 51 incorporate certain Directive Principles of State policy which the State must keep in view while governing the nation. Discuss in brief those directives.

12

Or

Narrate the Fundamental Duties of the citizen of India as incorporated in the Constitution of India. Discuss its scope and significance. 12

Total number of printed pages—4

19 (I) CNLW 1-1

2017

CONSTITUTIONAL LAW-I

Paper : 1-1

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate answers given in the brackets / Choose True **or** False.
1×10=10
 - a. Parliament may by law admit into the Union, or establish new States on such terms and conditions as it thinks fit.
(True/False)
 - b. The Constitution of India was adopted in the year _____. (1947/1949)
 - c. Article 13(1) is prospective in nature.
(True/False)
 - d. _____ empowers the state to make special provision for women and children. (Article 15(3)/Article 15(4))
 - e. Freedom of Speech _____ freedom of silence. (includes/does not include)

Contd.

- f. No person shall be prosecuted and punished for the same offence more than once. (True / False)
- g. Article 25 of the Constitution of India deals with Freedom of conscience and free profession, practice and propagation of _____. (education/religion)
- h. Judicial review owes its origin to the famous case of _____. (Ashby v. White/ Marbury v. Madison)
- i. The Constitution of India provides for separation of Judiciary from legislatures under Article 50. (True/false)
- j. It shall be the duty of every citizen of India to develop the _____ temper, humanism and the spirit of inquiry and reform. (artistic/ scientific)
2. Write short notes on : $2 \times 5 = 10$
- Article 11 of the Constitution of India
 - Concept of Law as under Article 13
 - Right to Education
 - Religious denomination
 - Uniform Civil Code.
3. What are the different modes of acquisition and termination of Citizenship under the Citizenship Act, 1955? Trace the relationship of NRC upgradation in Assam with section 6A, of the Citizenship Act. $4+4+4=12$

Or

Write the following as directed : $5+3+2+2=12$

- What is the significance of the Preamble?
 - Is Preamble a part of the Constitution?
 - Can the Preamble be amended?
 - Whether the objectives specified in the Preamble contain the basic structure of the Constitution of India.
4. Explain the term 'State' as defined under Article 12 of the Constitution of India. Discuss how the Judiciary expanding the meaning, content of the term State. $6+6=12$

Or

Discuss about the concept of Right to Equality as provided under Article 14 of the Constitution of India. Explain the concept of Reasonable Classification with help of case laws. $6+6=12$

5. "The horizon of the right to life and personal liberty is expanding since the decision of Maneka Gandhi case".
Expound the above statement referring the important decisions of the Supreme Court of India. 12

Or

“The Safeguards under Article 22 are provided with a view to avoid any miscarriage of justice”.

Explain the above statement in connection with safeguards against arrest or detention made under the ordinary law relating to commission of offences. 12

6. Discuss in detail about the right to Constitutional remedies as enumerated under the Constitution of India. 12

Or

What do you mean by Minority? Discuss the rights of minorities to establish and administer educational institutions in India. 4+8=12

7. Discuss the fundamental duties that incorporated by the Constitution (Forty-Second Amendment) Act in the Constitution of India. What changes have been made in Part-IVA by the Constitution (Eighty Six Amendment) Act? 10+2=12

Or

Write a brief essay on Directive Principles of State Policy. State the differences between the Fundamental Rights and Directive Principles of State Policy. 8+4=12

Total number of printed pages-4

21 (Sem-I) CNLW-I 1.1

2016

CONSTITUTIONAL LAW - I

Paper : 1.1

(New Course)

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate answers given in the brackets/ Choose *True or False*.
1×10=10
 - a. Parliament may by law alter the name of any state. (true/false)
 - b. Section 6A was inserted into the Citizenship Act, 1955 in connection with the _____.(Passport Act/Assam Accord)
 - c. Article 13 provides teeth to the fundamental rights. (true/false)

Contd.

- d. Article _____ abolishes untouchability and forbids its practice in any form. (17/18)
- e. No person accused of any offence shall be compelled to be a witness against himself. (True / False)
- f. Fundamental freedoms under Article 19 are guaranteed to _____. (every citizen/ every person)
- g. The term '*Habeas corpus*' means _____ (order/you may have the body)
- h. Subject to public order, morality and _____ every religious denomination or any section thereof shall have the right to establish and maintain institutions for religious and charitable purposes. (security/health)
- i. The provision of free legal aid was inserted under Part-IV of the Constitution of India by the Constitution _____ ((Forty-Second Amendment) Act / (Forty-fourth Amendment) Act)
- j. The Constitution (Forty-second Amendment) Act added part IV-A in the Constitution. (True/false)

2. Write short notes on : 2×5=10
- Two salient features of the Foreigners Act, 1946
 - Concept of state
 - Right against Exploitation
 - Judicial review
 - Article 51A(a)
3. What is secularism ? How is the concept of secularism envisaged under the Constitution of India ? To what extent has the constitution of India succeeded in promoting the concept of secularism ? 2+6+4=12
- Or**
- Discuss the salient features of the Citizenship Act, 1955. 12
4. Summarize the law relating to reservation as provided under Article 16 of the Constitution of India. 12
- Or**
- Write short notes on : 6+6=12
- Doctrine of Severability
 - Doctrine of Eclipse
5. State the various freedoms provided under Article 19 (1). What are the different grounds on which restrictions can be imposed on freedom of speech and expression ? 6+6=12

Or

Write brief notes on :

6+6=12

- a. Protection against ex-post facto law
 - b. Right to life and personal liberty
6. Explain different kinds of Writs that can be issued for the enforcement of fundamental rights. 12

Or

What is religion? Briefly discuss the provisions relating to right to freedom of religion under Part-III of the Constitution of India. 2+10=12

7. "the idea of welfare state envisaged by our Constitution can be achieved if the states endeavour to implement the directive principles of state policy with a high sense of moral duty"

Discuss in brief about those Directives.

12

Or

Write short notes on :

8+4=12

- a. Fundamental Duties
- b. Effects of the Constitution (Eighty Sixth Amendment) Act on Part-IV and Part-IVA.

Total number of printed pages-11

19 (3-1) CNLW 1-1

2015

CONSTITUTIONAL LAW-I

(New Course)

Paper : 1-1

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

Q. No. 1 is **compulsory** and answer **any five** from the rest.

1. Fill in the blanks with appropriate answers given in the brackets or choose *True/ False*.

10×1=10

- a. Territories of Indian States are specified in Schedule. (First/Second)
- b. One of the salient features of the Indian Constitution is(Anti Religion State/Secular State)

Contd.

- c. Article 15 speaks about prohibition of discrimination on grounds of religion, race, caste, sex or (place of birth/mother tongue)
- d. Abolition of untouchability is mentioned under Article (17/18)
- e. Article provides protection against Ex-post facto laws. (20/22)
- f. The right to acquire, hold and dispose of property under Part-III of the Constitution was omitted by Constitution (..... Amendment) Act, 1978. (Forty- second/Forty-fourth)
- g. Article 25 of the Constitution of India deals with Freedom of Conscience and free profession, practice and propagation of (religion/ education)
- h. Article 31-B was added by the Constitution (.....) Act. (First Amendment/Forty-Second Amendment)

- i. The Constitution of India provides for separation of judiciary from legislatures under Article 50. (True/ False)
- j. The Fundamental duties were added by the Constitution Act. (Forty-second Amendment/Forty-fourth Amendment)

2. Write short answers on : 2×5=10

- a. Citizenship by domicile
- b. Concept of Law
- c. Right against exploitation
- d. Religious denomination
- e. Universal Civil Code

3. Discuss the various modes of acquiring and termination of Citizenship under the Citizenship Act, 1955. 12

OR

Discuss the following :

6+6=12

- a. The Foreigners Act, 1946
 - b. Aims and objectives enshrined in the Preamble of the Constitution.
4. Explain the term "State" as defined under Article 12 of the Constitution of India. Whether "State" includes the "Judiciary" ?

9+3=12

OR

Discuss the concept of equality under Article 14 of the Constitution of India. State the exceptions to the general rule laid down in Clauses (1) and (2) of Article 15. 6+6=12

5. Write an explanatory note on : 6+6=12
- a. Double Jeopardy
 - b. Self-Incrimination

OR

'The safeguards under Article 22 are provided with a view to avoid any miscarriage of justice'.

Explain the above in connection with safeguards against arrest or detention made under the ordinary law relating to commission of offences. 12

6. Write an exhaustive note on Cultural and Educational Rights under Part-III of the Constitution of India. 12

OR

"The Supreme Court shall have power to issue directions or orders or Writs for the enforcement of the rights conferred by Part-III of the Constitution of India".

Briefly discuss various types of Writs that can be issued by the Supreme Court of India. 12

7. Discuss the Principles of policy to be followed by the State under Article 39 of the Constitution of India. 12

OR

Discuss the Fundamental Duties of the Citizens of India that incorporated under the Constitution of India. Justify the incorporation of Fundamental duties under the Constitution. 9+3=12

CONSTITUTIONAL LAW OF INDIA-I

(Old Course)

Paper : 1.5

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. (a) Fill in the blanks with appropriate answer given in brackets : 10×1=10
- (i) The 42nd Amendment Act, 1976 has inserted the _____ in the Preamble. (Sovereign/Secular)
 - (ii) State is defined under Article _____. (12/13)
 - (iii) The Governors of the states are appointed by the _____ of India. (President/Prime Minister)
 - (iv) Right to equality is a _____ Right. (Fundamental/Legal)
 - (v) Parliament _____ amend Fundamental Right. (can/cannot)

- (vi) Fundamental Right _____ be waived by the citizen. (can/cannot)
- (vii) Article 19 of the Constitution guarantees to the citizens of India _____ fundamental freedom. (six/seven)
- (viii) The provisions contained in Part IV shall _____ by the court. (be enforceable/not be enforceable)
- (ix) Article 21 though couched in _____ language, confers on every person the fundamental right to life and personal liberty. (negative/positive)
- (x) Directive principle of State policy of our Constitution is borrowed from _____ Constitution. (Irish/English)

(b) Write short notes on the following :
5×2=10

- (i) Secular state
- (ii) Rule of law

- (iii) Doctrine of Eclipse
- (iv) Fundamental Right
- (v) Meaning of Minority.

2. What do you mean by Federal Constitution? Whether Indian Constitution can be regarded as Federal one? 12

Or

What are the aims and objectives enshrined in the Preamble. 12

3. Explain in brief six fundamental freedoms and their reasonable restrictions. 12

Or

Explain "personal liberty" and "procedure established by law" mentioned in Article 21 of the Constitution of India with the help of Supreme Court's decision.

4. Summarize the law relating to right to religion as mentioned in Indian Constitution.

12

Or

What do you mean by "Minority rights"? Discuss the right of minorities to "establish" and "administer" educational institution in India.

5. Discuss the freedom of speech and expression. Does it include freedom of press also?

12

Or

What is meant by "double jeopardy"? Explain. What are the safeguards provided by the Constitution of India to the accused persons?

6. Briefly discuss the difference between Fundamental rights and Directive principles of State policy.

12

Or

What are the fundamental duties provided under Indian Constitution? Discuss their importance vis-a-vis the Fundamental Rights.

7. "State is a legal entity having perpetual succession and common seal". Do you agree with the statement? Discuss in the light of Constitutional provisions in Article 12 of the Constitution of India and case laws. 12

Total number of printed pages - 4

19(1) CNLW (I) 1.5 (O)

2014

CONSTITUTIONAL LAW -I

(Old Course)

Paper : 1.5

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. (a) Fill in the blanks with appropriate answer given in brackets. 10×1=10
 - (i) Indian Constitution is basically a _____ Constitution with strong centralising tendency. (unitary / federal)
 - (ii) India is _____ state. (Secular / not secular)
 - (iii) There is _____ citizenship for whole India. (dual / single)

Contd.

- (iv) _____ operate as limitation upon the state action. (Directive principle / Fundamental right)
- (v) Freedom of speech is Subject to Initiations imposed under Article _____. [19(1) (a) / 19(2)].
- (vi) NU person _____ of any offence shall be compelled to be a witness against himself. (convicted / accused)
- (vii) Imposing on use of microphones and loud speaker at the Azan is _____ of right under Article 25. (violative / not violative)
- (viii) The right to admission into an educational institution conferred by Article 29(2) is a right of individual given to him as a _____ (citizen / citizen as well as non citizen)
- (ix) Directive principle of state policy of our Constitution in borrowed from _____ constitution. (Irish / English)
- (x) Fundamental Duties of a citizen of India has been added by the Constitution _____ Amendment Act, 1976. (42nd / 44th).

(b) Write short notes on the following : $5 \times 2 = 10$

- (i) Federal Constitution
- (ii) Define State
- (iii) Mention *two* salient features of Foreigners Act 1946
- (iv) Explain Article 21-A
- (v) Meaning of Minority

2. What is a state ? Is Judiciary a state ? $6+6=12$

Or

What are the various modes of acquisition and termination of citizenship under the Indian Constitution. $6+6=12$

3. Discuss in detail what is meant by "Equality before law" and "Equal protection of law". $6+6=12$

Or

Write short notes on : $6+6=12$

- (a) Doctrine of eclipse
- (b) Doctrine of waiver

4. What is meant by Double Jeopardy ? Explain the nature and scope of the "rule against double jeopardy" as incorporated in Article 20(2) of the Indian Constitution. $6+6=12$

Or

Examine the scope of personal liberty as guaranteed by Article 21 of the Constitution. "Right to life" whether includes "Right to die". $8+4=12$

5. Write a note on freedom of religion. Is a Uniform Civil Code practical in India ? explain. $8+4=12$

Or

Write an exhaustive note on different kinds of "Writ" under Constitution of India. 12

6. Justify the incorporation of Fundamental Duties under the Indian Constitution. Whether any changes have been made in the Fundamental Duties. $8+4=12$

Or

Compare and contrast the Directive Principle of State policy with the Fundamental Right. 12