

**BA LLB
FIRST SEMESTER
CONSTITUTIONAL LAW OF INDIA-I
BLB – 104**

Duration: 3Hrs.

Full Marks: 80

Part-A (Objective) =30
Part-B (Descriptive) =50

(PART-B: Descriptive)

Duration: 2 hrs. 30 mins.

Marks: 50

Answer the following questions:

1. What is the purpose of the Preamble of the Constitution of India? Can the Preamble be amended? Discuss two federal and two unitary features of the Constitution of India.

(3+2+5=10)

Or

Who can claim to be a citizen of India by birth under the Citizenship Act, 1955? How can citizenship be terminated?

(4+6=10)

2. Define “state” as provided under Article 12 of the Constitution of India. The term “other authorities” has been widely interpreted to include several authorities. Discuss with relevant case laws.

(4+6=10)

Or

Write short notes on: (*any two*)

(5+5=10)

(i) Doctrine of Severability.

(ii) Doctrine of Eclipse.

(iii) Doctrine of Waiver.

3. Match the following:

(i) Right to speedy trial

(a) Maneka Gandhi v. Union of India

(ii) Passive euthanasia

(b) Unni Krishnan v. State of A.P.

(iii) Right to education

(c) Hussainara Khatoon v. State of Bihar

(iv) Due process of law

(d) Aruna Shanbaug v. Union of India

How “due process of law” of the Constitution of USA has been reflected through Article 21 of the Constitution of India? Discuss with decided cases.

(2+8=10)

Or

What are the rights of a person when arrested? Is there any exception? Write note on "Preventive Detention" as provided under the Constitution of India. (4+2+4=10)

4. What are the rights to religion as provided under Article 25 of the Constitution of India? Is secularism a "basic feature" of the Constitution? Can citizens be forced to pay taxes to promote religion? Write about religious instructions in educational institutions. (3+2+1+4=10)

Or

Write short notes on: (5+5=10)

- (i) Cultural and educational rights of minorities in India.
(ii) Sixth schedule of the Constitution of India.
5. Which Part of the Constitution of India deals with Directive Principles? From which Constitution, the Directive Principles were derived? Are Directive Principles enforceable? Write five differences between Fundamental Rights and Directive Principles of State Policy. (1+1+2+6=10)

Or

How many Fundamental Duties are provided by the Constitution? Which Fundamental Duty was added by the 86th Amendment Act, 2002? Write a short note on the Fundamental Duties as provided by the Constitution of India. (1+2+7=10)

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Duration: 30 minutes

Marks – 30

(PART A- Objective Type)

I. Choose the correct answer:

1×10=10

- i) Which of the following Articles of the Indian Constitution describe India as a 'Union of States'?
- (a) Article 1 (b) Article 2 (c) Article 4 (d) Article 3
- ii) Which of the following is the correct order of the words as stated in the Preamble of the Constitution of India?
- I. Equality II. Fraternity III. Justice IV. Liberty
- Answer choices:**
- (a) IV, I, II, III (b) IV, III, II, I
(c) III, IV, I, II (d) III, IV, II, I
- iii) Fundamental rights are enjoyed against the:
- (a) State (b) Persons
(c) Citizens (d) Aliens
- iv) Which doctrine provides that "If inconsistent part can be separated from the consistent part, the law will be valid"?
- (a) Severability (b) Eclipse
(c) Waiver (d) Colourable legislation
- v) Which doctrine implies "No person can be punished more than once for the same offence"?
- (a) Self incrimination (b) Double jeopardy
(c) Territorial nexus (d) Pith and substance
- vi) Article 21A was added to the Constitution by
- (a) 86th Amendment Act, 2002 (b) 42nd Amendment Act, 1976
(c) 44th Amendment Act, 1978 (d) 1st Amendment Act, 1950
- vii) Right to religion is subject to:
- (a) Public order, health and morality.
(b) Security of the State.
(c) Sovereignty of the State.
(d) Friendly relation with other States.
- viii) District Council and regional council under Sixth Schedule can be constituted by:
- (a) The Governor of the state (b) The President of India
(c) The Parliament (d) The State legislature

- ix) Directive Principles of State Policy is provided under:
- (a) Part III of the Constitution (b) Part IV of the Constitution
(c) Part IVA of the Constitution (d) Part V of the Constitution
- x) Fundamental Duties under the Indian Constitution were inserted by:
- (a) 42nd Amendment Act, 1976 (b) 44th Amendment Act, 1978
(c) 25th Amendment Act, 1971 (d) 1st Amendment Act, 1950

II. Answer the following questions:

2×10=20

- i) Which terms were added to the Preamble of the Constitution of India by the 42nd Amendment Act, 1976?
- ii) Mention the different types of Passport issued under the Passport Act, 1967.
- iii) Is Article 13 retrospective in nature? Cite an example of pre-Constitutional law.
- iv) What is the implication of the term "Equal protection of the law"?
- v) Which Amendment abolished "Right to Property" as a Fundamental Right? What is the status of right to property now?

