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1 SEM LLB 3 CL

2006

(JULY)

CONSTITUTIONAL LAW

Paper-103

Full Marks – 80

Pass Marks – 32

Time : Three hours

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

Answer any five questions.

1. 'The Constitution of India is Federal in form, but unitary in spirit'.

Explain the statement critically with reference to the provisions of the Indian Constitution. 16

2. Describe in brief the right to freedom of religion as provided in the Constitution of India under the Articles 25 to 28 enshrined in the Constitution as the Fundamental rights. 10

Contd.

Whether it was necessary to insert the word 'Secular' in the 'Preamble' by the 42nd Amendment in the Constitution in the light of above and other related fundamental rights provisions of the Constitution? Give your comments. 6

3. Explain the following with illustrations : 8+8=16

(a) Reasonable Restrictions (Article 19)

(b) Reasonable classifications (Article 14)

4. Write short explanatory notes on *any four* of the following : 4×4=16

(a) Traffic in human beings.

(b) 'The Council of Ministers shall be collectively responsible to the House of the People'.

(c) Double Jeopardy

(d) Prime Minister is the 'Key-stone' of the Cabinet Arch.

(e) Welfare State

(f) The doctrine of Pleasure

5. What do you mean by Parliamentary Privileges? Explain the Freedom of Speech of Members of Parliament within the four walls of Parliament.

8+8=16

6. Discuss the Legislative relations between the Union and the States. 16

7. The Supreme Court of India is the highest Court to protect the Fundamental rights of the people. Explain in the light of the terms — 'Constitutional Remedy' under Art. 32 of the Constitution.

Can the Supreme Court of India change its previous decision? Explain with illustration. 12+4=16

8. Comment on the Sovereignty of Parliament in England. How far the Indian Parliament have the same powers and position as that of the British Parliament? 16

Or

Discuss the composition and powers of the Election Commission of India. How far the Election Commission of India can ensure free, fair and impartial elections? Comment in the light of recent performances of the Election of India in conducting elections in some States including the State of Bihar.

10+6=16

9. State the facts and principles of law laid down in *any one* of the following cases : 16

(a) Hussainara Vs. Home Secretary, State of Bihar
(AIR 1980 SC 1360)

(b) Keshavananda Bharathi Sripadagalvaru

Vs.

State of Kerala (AIR 1973 SC 1461)

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