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1 SEM LLB 3 CL

2007

(July)

CONSTITUTIONAL LAW

Paper : 103

Full Marks : 80

Time : 3 hours

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

Answer *any five* questions

1. Explain fully the theory of basic structure or framework of the Constitution of India. Refer to the relevant decisions of the Supreme Court in this regard. 8+8=16
2. Who are the citizens at the time of commencement of the Constitution? Discuss the provisions for acquisition of citizenship in India. 8+8=16
3. Discuss critically the provisions of the Constitution regarding alteration of boundaries of the existing States and creation of new States. 16

4. Discuss the Right to Equality as guaranteed in the Constitution of India. What are the tests of reasonable classification? $8+8=16$
5. Write short notes on : $8+8=16$
- (a) Colourable Legislation
- (b) Repugnancy
6. Discuss the provisions in the Constitution relating to powers to make laws of the District Councils and Regional Councils for administration of Tribal Areas in Assam. 16
7. Discuss the distribution of legislative powers between the Union and the States. How can the inconsistency between the laws made by Parliament and those made by State Legislatures on a subject be removed? $8+8=16$
8. Write short explanatory notes on any *four* of the following : $4 \times 4 = 16$
- (a) Judicial Review
- (b) Pith and Substance
- (c) Doctrine of Eclipse
- (d) Double Jeopardy
- (e) Expost facto Laws
- (f) The Doctrine of Pleasure

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

(a) *Hussainara Khatoon*

vs.

Home Secretary, State of Bihar

(AIR 1980, SC 1360)

(b) *Keshavananda Bharathi Sripadagalvaru*

vs.

State of Kerala

(AIR 1973, SC 1461)
