

Total number of printed pages-4

1 SEM LLB CLI 1 (N)

2017

(December)

LAW

Paper : 1.1

(Constitutional Law of India-I)

Full Marks : 80

Time : Three hours

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

1. What do you mean by Federal Constitution? Critically examine the federal and unitary features of Indian Constitution. 4+8=12

Or

What are the different ways of acquisition of Indian Citizenship subsequent to the commencement of the Constitution of India? Explain fully how citizenship can be acquired by birth. 4+8=12

2. Article 14 of Indian Constitution forbids class legislation but does not forbid reasonable classification. Explain. 12

Or

Discuss with exceptions the provisions for equality of opportunity in the matter of public employment. 12

3. What is meant by preventive detention ? Discuss the provisions in the Constitution dealing with preventive detention.

2+10=12

Or

What are the provisions against forced labour and employment of children in factories in Indian Constitution ? 12

4. Explain in brief the constitutional provisions regarding cultural and educational rights of minority. 12

Or

What are the different kinds of writs ? Compare and contrast writ jurisdiction of Supreme Court with that of High Court.

4+8=12

5. Discuss the relationship between Directive Principles of State Policy and Fundamental Rights. 12

Or

Explain in brief the special provisions made in the Constitution for Scheduled Castes and Scheduled Tribes for protecting their rights. 12

6. Answer the following in brief : 2×5=10
- (a) Can Preamble be amended under Article 368 of the Constitution of India.
 - (b) What do you mean by Doctrine of Eclipse ?
 - (c) Name the Freedoms guaranteed by Article 19 of the Indian Constitution.
 - (d) What is the meaning of Freedom of Religion as per Indian Constitution ?
 - (e) What is the need and importance of Fundamental Duties ?
7. State the following statements are 'right' **or** 'wrong' : 1×10=10
- (a) Article 3 of the Constitution of India empowers the Parliament to cede the Indian territory to any foreign state.

- (b) The definition of the word 'Person' under the Citizenship Act 1955 includes both natural and juristic persons.
- (c) All the Fundamental Rights in Part III of the Constitution of India are available against State only.
- (d) Article 13 makes provisions for judicial review of legislations.
- (e) Establishing educational institutions and imparting education is not a commercial activity.
- (f) Advocates Right to Practice is a Fundamental Right.
- (g) Freedom of religion guaranteed by Article 25 is subject to public order.
- (h) The State is liable to pay compensation for the death of a person in Police Custody.
- (i) The State shall endeavour to provide early childhood care and education for all children until they complete the age of 12 years.
- (j) Free legal aid to the poor and needy is a part of the guarantee of Article 21 of the Indian Constitution.
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