

(Please write your Exam Roll No.)

Exam Roll No.

END TERM EXAMINATION

THIRD SEMESTER [LLB] JANUARY 2024

Paper Code: LLB-205 Subject: Constitutional Law-II

Time: 3 Hours Maximum Marks: 75

Note: Attempt five questions in all including Q.No.1 of Part A which is compulsory. Select one question from each unit of Part B.

PART - A

- Q1 Write Short notes on the following: (5 x 5 = 25)
- Doctrine of Reasonable Classification
 - Freedom of Religion
 - Mandamus
 - Free Legal Aid
 - Right to Education

Part - B UNIT-I

- Q2 Explain "State" as provided under Article 12 of The Constitution of India with reference to decided cases. (12.5)
- Q3 "In India, the freedom of press stands on no higher footing than the freedom of speech of a citizen." comment. What are the constitutional limitations on the freedom of speech? (12.5)

UNIT-II

- Q4 Discuss the Constitutional protection available against arbitrary arrest and detention under Article 22 of the Indian Constitution. (12.5)
- Q5 Discuss in detail about the cultural and educational rights available to the minorities in India. Refer to Judicial Pronouncements. (12.5)

UNIT-III

- Q6 What are the Constitutional remedies provided under the Constitution for the enforcement of fundamental rights? Compare the writ jurisdiction of High Court and Supreme Court. (12.5)
- Q7 What is Public Interest Litigation? Explain the rule of Locus Standi? Elucidate the guidelines laid down by the Supreme Court to prevent the abuse of Public Interest Litigation. (12.5)

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UNIT-IV

- Q8 What are the Directive Principles of State Policy under Constitution? Explain the relation between Fundamental Rights and Directive Principles of State Policy. (12.5)
- Q9 What are the fundamental duties of an Indian citizen under part IV A of the Constitution? Are fundamental duties an aid for the interpretation of the provisions of the Constitution? (12.5)



LLB-205
P/2

LLB-205
P/2

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END TERM EXAMINATION

FOURTH SEMESTER [LLB] JULY-2023

Paper Code: LLB-204

Subject: Constitutional Law-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q.No.1 which is compulsory. Select one question from each unit.

- Q1 Write short notes on all of the following (5x5=25)
- (a) Doctrine of Eclipse
 - (b) Whether writ lies against a corporation
 - (c) Define Minority
 - (d) Article 21-A
 - (e) Fundamental duties

UNIT-I

- Q2 "Interpretation of State, 'ejusdem generis' has helped in keeping the definition of State in narrow confines and an expansion of definition of State in later cases has unleashed the energy of Article 12 in its full force". How far do you agree with the statement? Explain (12.5)
- Q3 "There is nothing as unequal as the equal treatment of unequals" How far do you agree with the Statement? Critically examine the provisions of article 14 in the light of the above statement citing relevant case law on the subject. (12.5)

UNIT-II

- Q4 The Right to life and personal liberty under article 21 has become the repository of all kinds of un-enumerated rights, which do not find any mention under part-III of Indian Constitution. Explain the interpretative strategies adopted by Supreme Court in expanding the scope of Article 21. (12.5)
- Q5 There is an elaborate mechanism of protecting the rights of minorities as a group within part-III of Indian Constitution, though, generally speaking the concept of fundamental rights is something that is available only to individuals, either as citizens or individuals per se. Highlight the rights that are available to the minorities under Indian Constitution, in the light of the above statement. (12.5)

UNIT-III

- Q6 If you ask me as to the most important provision of Indian Constitution, I shall put my finger on article 32, so said Dr. Ambedkar. Elucidate the importance of Article 32 in the scheme of things of Fundamental Rights, citing relevant cases on the subject. (12.5)
- Q7 Compare and contrast the ambit and scope of article 32 and 226. (12.5)

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LLB-204
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UNIT-IV

- Q8 "That fundamental rights under part-III of the Constitution are justiciable and Directive Principles of State policy are mere directives to the State, is stating the obvious, but the exact import of the differences between two types of provisions goes much beyond this obviousness." Explain the relationship of fundamental rights and directive principles of state policy in the light of the above statement. (12.5)
- Q9 Directive Principles provide comprehensive guidelines for good governance in the country. Critically examine as to how non-justiciable rights can help in promoting good governance. (12.5)



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END TERM EXAMINATION

FOURTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-206

Subject: Constitutional Law-II

(Upto 2013 Batch)

Time: 2 Hours

Maximum Marks: 75

Note: Attempt any three questions. All questions carry equal marks.

- Q1 Discuss the nature and scope of the definition of State as provided under Article 12 of the Constitution with the help of judicial interpretation.
- Q2 Article 14 of the Constitution prohibits the class legislation but permit the reasonable classification. Discuss. How the new concept of equality is articulated by the Indian Supreme Court?
- Q3 Critically analyze the scope of affirmative action as laid down by the Supreme Court in *Indira Sawhney v. Union of India* for reservation of backward class of citizen. Critically examine the concept of creamy layer whether applicable for Schedule castes and Schedule tribes?
- Q4 Critically examine the scope of freedom of speech and expression under Article 19(1)(a) of the Constitution and scope of reasonable restriction under Article 19(2) of the Constitution with help of case law.
- Q5 Write short notes:-
(a) Prohibition against self incrimination
(b) Protection against Double jeopardy
(c) Ex post facto law
- Q6 Evaluate critically the role of State in the matters of religion with the help of judicial interpretation.
- Q7 Explain the scope of writ jurisdiction of the High Court's under Article 226 of the Constitution with help of case law.
- Q8 Explain the nature and scope of the Directive principle of the Constitution and critically examine its relation with the fundamental rights.

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END TERM EXAMINATION

FOURTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-206

Subject: Constitutional Law-II

(Upto 2013 Batch)

Time: 2 Hours

Maximum Marks: 75

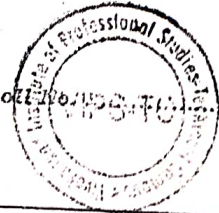
Note: Attempt any three questions. All questions carry equal marks.

- Q1 Discuss the nature and scope of the definition of State as provided under Article 12 of the Constitution with the help of judicial interpretation.
- Q2 Article 14 of the Constitution prohibits the class legislation but permit the reasonable classification. Discuss. How the new concept of equality is articulated by the Indian Supreme Court?
- Q3 Critically analyze the scope of affirmative action as laid down by the Supreme Court in *Indira Sawhney v. Union of India* for reservation of backward class of citizen. Critically examine the concept of creamy layer whether applicable for Schedule castes and Schedule tribes?
- Q4 Critically examine the scope of freedom of speech and expression under Article 19(1)(a) of the Constitution and scope of reasonable restriction under Article 19(2) of the Constitution with help of case law.
- Q5 Write short notes:-
(a) Prohibition against self incrimination
(b) Protection against Double jeopardy
(c) Ex post facto law
- Q6 Evaluate critically the role of State in the matters of religion with the help of judicial interpretation.
- Q7 Explain the scope of writ jurisdiction of the High Court's under Article 226 of the Constitution with help of case law.
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END TERM EXAMINATION

FOURTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-204

Subject: Constitutional Law-II

Time: 2 Hours

(Batch 2014 Onwards)

Maximum Marks: 75

Note: Note: Attempt any three questions. All questions carry equal marks.

- Q1 Write short notes on the following:-
a) Doctrine of Waiver
b) Distinguish between Writ of Prohibition and Certiorari
c) Doctrine of Severability
- Q2 Discuss the concept of State under Indian Constitution? Is Judiciary included in concept of 'State' under Article 12 of the Constitution. Discuss the concept with case laws.
- Q3 Critically examine the meaning and concept of the freedom of speech and expression with special reference to emerging threat to freedom of press with help of case law.
- Q4 Discuss the concept of secularism and Right to Religion under Constitution. Do people have the right to practice and profess any religion of their choice. Discuss the provisions with case laws.
- Q5 Discuss the concept of Equality before law and Equal protection of laws under Constitution with case laws.
- Q6 Explain the writ of Habeas Corpus under Constitution. Is there any difference between writ of Habeas corpus and Mandamus under Constitution? Discuss with case laws.
- Q7 Explain the concept of Right of life and personal liberty as incorporated under Article 4 of the constitution. How the concept of "procedure established by law" is equated with "Due Process Clause" and what are its implications? substantiate your answer with judicial decision.
- Q8 Write short notes on the following:-
a) *Ex post facto law*
b) Protection against self incrimination.
- Q9 Write short notes on:
a) Fundamental Duties
b) Right to Education under Article 21A of Constitution.



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END TERM EXAMINATION

FOURTH SEMESTER [LLB] APRIL - MAY 2019

Paper Code: LLB-204

Subject: Constitutional Law-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions in all including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

Q1 Write short notes on the following:-

(5x5=25)

- (a) Define 'State'
- (b) Doctrine of Eclipse *of Kikaji v. State*
- (c) Child Labour
- (d) Right to Die
- (e) Prohibition

PART-B

UNIT-I

Q2 Discuss the concept of reservation for backward classes in the light of Indra Sawhney judgement. Also discuss the implication of the concept in the light of recent demand of OBC reservation by some communities. (12.5)

Q3 "The fundamental right to freedom of speech and expression has in recent times seen expanding horizons". Discuss and point out the judicial approach in this regard. (12.5)

UNIT-II

Q4 Discuss the concept of Right to Education under Article 21A of the constitution. Also explain the problem in implementing RTE Act, 2009 for the purpose of Free and compulsory education to all children. (12.5)

Q5 "Right to Equality and protection to personal liberty are no longer mutually exclusive". Discuss. *Abu Umar* (12.5)

UNIT-III

Q6 Examine and elucidate the scope and significance of Article 32 of the Constitution for the purpose of protecting the liberty of citizens. (12.5)

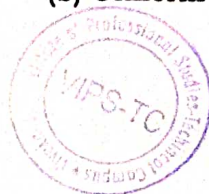
Q7 Explain the concept of judicial review in Indian context. Also explain the limitation of it with examples. (12.5)

UNIT-IV

Q8 Discuss the Inter-relationship between fundamental rights and directive principles of state policy with the help of decided cases. (12.5)

Q9 Write short notes on:- (12.5)

- (a) Fundamental Duties
- (b) Uniform Civil Code, Art. 44. of the constitution



Daryeo Singh
P Chhabra Sawar v State of UP
P Chhabra Sawar v State of Punjab

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END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY 2018

Subject: Constitutional Law-II

Paper Code: LLB 204

Maximum Marks : 75

Time : 3 Hours

Note: Attempt all questions from Part A and B as directed. Internal choice is indicated.

Part-A

(5x5=25)

- Q1. Write short notes on the following:
- Right to Education
 - Educational Rights of minorities
 - Right against Double Jeopardy
 - Doctrine of waiver
 - Right against Exploitation

Part-B

Unit-I

- Q2. Elucidate the development of law relating to the expression "Other Authorities" for the purpose of enforceability of Fundamental Rights under Article 12 of the Constitution? (12.5)

OR

- Q3. Discuss the scope and content of the 'freedom of speech and expression' with special reference to liberty of press and scope of restriction in exercise of these rights? (12.5)

Unit-II

- Q4. "A law depriving a citizen of personal liberty has not only to stand the test of Article 21 but it must also satisfy the requirement of Articles 19 and 14". Examine. (12.5)

OR

- Q5. Examine the nature and scope of freedom of conscience and the right to profess, practice and propagate religion. Elucidate your answer with help of judicial interpretation. (12.5)

Unit-III

- Q6. "Article 32 seeks to preserve the balance between the competing interests of 'personal liberty' and 'public safety' as reflected in the text of the Constitution and its subsequent interpretations". (12.5)

OR

- Q7. Write short notes on: (2x6.25=12.5)
- Writ of Certiorari
 - Writ of Prohibition

Unit-IV

- Q8. Distinguish between Fundamental Rights and Directive Principles. Explain the nature of social charter incorporated under the Directive Principles of State Policies with help of case law. (12.5)

OR

- Q9. Write short notes on: (2x6.25=12.5)
- Scope of Equal Justice and Free Legal Aid
 - Uniform Civil Code

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END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY 2017

Paper Code: LLB 204

Subject: Constitutional Law-II

Time : 3 Hours

Maximum Marks :75

Note: Attempt any five questions including Q no.1 of Part A which is compulsory. Select one question from each unit in Part B.

Part-A

Q1. Write short notes on the following:

- 'Other authorities' for the purpose of state.
- Doctrine the Waiver
- Double Jeopardy
- Right against exploitation
- Writ of Habeas Corpus

(5x5=25)



Part-B

Unit-I

Q2. Explain the scope of Right to Equality as contained in the Article 14 of the Constitution of India. (12.5)

Q3. Write a note on expansive interpretation of 'life' under Article 21 of the Constitution of India. (12.5)

Unit-II

Q4. It is the elixir of India that the devout, the agnostic and the atheist are all equal in a secular state. It, however, does not mean that the state has no say in the secular matters connected with religion'. Discuss. (12.5)

Q5. 'While the right of the religious and linguistic minorities to establish and administer educational institutions of their choice cannot be interfered with, restrictions by way of regulations for the purpose of ensuring educational standards and maintaining excellence thereof can be validly prescribed'. Explain. (12.5)

Unit-III

Q6. a) 'Mandamus is reserved for extraordinary emergencies, being supplementary means of obtaining substantial justice where there is a clear legal right and no other adequate legal remedy'. Explain.
b) What are the procedural technicalities which guide the courts in exercising Writ Jurisdiction? (12.5)

Q7. 'Certiorari applies to a decision which is *fait accompli*; Prohibition seeks to prevent the *fait* from becoming *accompli*'. Explain. (12.5)

Unit-IV

Q8. 'A restriction placed on any Fundamental Right aimed at securing the Directive Principles will be held as reasonable and hence *intra vires* subject to two limitations; firstly, that it does not run in clear conflict with the Fundamental Right, and secondly, that it has been enacted within the legislative competence of the enacting legislature'. Discuss; in the context of, the inter-relationship between Parts III and IV of the Constitution of India. (12.5)

Q9. 'Amendments made to the Constitution, in the last two decades, on the aspect of public employment have practically if not wholly nullified the law laid down in the Mandal Commission Case'. Comment. (12.5)



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END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY-2017

Paper Code: LLB-206

Subject: Constitutional Law-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q.No 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

- Q1 Write short notes on the following:- (5x5=25)
- Doctrines of Severability
 - Twin Tests for reasonable classification
 - Constitutional safeguards for a detenu under a law of Preventive Detention
 - Right against exploitation
 - Writ of Habeas Corpus

PART-B

UNIT-I

- Q2 Explain the tests laid down by the Supreme Court in regard to the expression 'other authorities' appearing in Article 12. (12.5)
- Q3 The framers of our Constitution recognized the importance of safeguarding the right to freedom of speech and expression since the free flow of opinions and ideas is essential to sustain the collective life of the citizenry. Elaborate, in the context of, freedom of speech and expression of the citizens and the media. (12.5)

UNIT-II

- Q4 Discuss the concept of secularism under the Constitution of India. (12.5)
- Q5 While the right of the religious and linguistic minorities to establish and administer educational institutions of their choice cannot be interfered with, restrictions by way of regulations for the purpose of ensuring educational standards and maintaining excellence thereof can be validly prescribed. Explain. (12.5)

UNIT-III

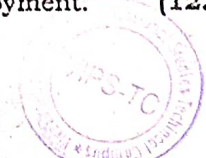
- Q6 (a) 'Mandamus is reserved' for extraordinary emergencies being supplementary means of obtaining substantial justice where there is a clear legal right and no other adequate legal remedy. Explain. (6.25)
- (b) Writ of Quo Warranto. (6.25)
- Q7 'Certiorari applies to a decision which is *fait accompli*; Prohibition seeks to prevent the *fait* from becoming *accompli*'. Explain. (12.5)

UNIT-IV

- Q8 Discuss the inter-relationship between Parts III and IV of the Constitution of India. (12.5)
- Q9 "Equality is not violated by mere conferment of power but is breached by arbitrary exercise of the power conferred". Explain, in the light of, reservation policy of the State in matters of public employment. (12.5)



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END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY-JUNE 2016

Paper Code: LLB-204

Subject: Constitutional Law-II

Time : 3 Hours

Maximum Marks : 75

Note: Attempt any five questions including Q no.1 which is compulsory. Select one question from each unit.

Q1 Write short notes on the following:-

(5x5=25)

- (a) Classificatory principle of equality
- (b) Doctrine of waiver
- (c) Rights of LGBT community
- (d) Monitoring power of High Courts
- (e) Justifiability of Fundamental Duties in the Constitution

UNIT-I

Q2 "Equality before law and equal protection of Laws" is the generic expression, inclusive of all kinds of protective discrimination. Explain and elaborate with the help of decided case law on the point. (12.5)

Q3 "Right to free speech and expression does not include the right to provoke". Critically examine the above statement in the light of the decided case law on the point. (12.5)

UNIT-II

Q4 Right to life and personal liberty has turned out to be the repository of variety of rights that make the life of a human worth living. Critically evaluate the evolution of article 21 into its present Avtar, quoting case law on the subject. (12.5)

Q5 Right of minorities to 'establish and administer' educational institutions of their choice has turned out to a hot potatoe and the most controversial fundamental right under part-III of Indian Constitution. Critically examine the above statement in the light of decided case law on the point. (12.5)

UNIT-III

Q6 Compare and contrast article 32 and 226 of the Constitution with the help of decided case law. (12.5)

Q7 Explain and elaborate the doctrine of Judicial Review under Indian Constitution citing constitutional provisions and the cases decided on the point. (12.5)

UNIT-IV

Q8 Directive principles represent everything that is good for good governance in a democratic system. Highlight the salient features of directive principles in the light of the above statement. (12.5)

Q9 The relationship of Fundamental Rights and Directive principles is not that of adversarial character, where one disappears from the scene when another enters, rather they are supplementary and complementary to each other. Explain with the help of decided cases. (12.5)

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END TERM EXAMINATION

FOURTH SEMESTER [LLB] MAY-JUNE 2014

Register Code: LLB-206

Subject: Constitutional Law-II

Time: 3 Hours

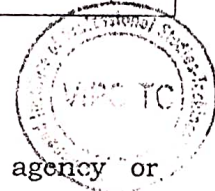
Maximum Marks: 75

Instruction: Attempt any five questions, including Part-A which is compulsory.

Attempt one questions in each Unit from Part-B.

Part-A

- (a) Ex-post facto law.
- (b) Fundamental Duty.
- (c) How is it determined whether an authority is an agency or instrumentality of state or not?
- (d) "Arbitrariness is the very antithesis of Equality." Explain.
- (e) The constitution of India guarantees not only 'Freedom of religion' but 'Freedom from religion'. Explain. (5x5=25)



Part-B

Unit-I

Freedom of speech & Expression include right to commercially exploit the event. The IPL organizer claim a right to use agency of their choice based in South-Africa for telecast of T-20 match in India. The Doordarshan (DD) Challenged that the right under Article 19(1)(a) was to be exercised in manner which would make it device for non-citizen to exert this right. Decide. (12.5)

Explain the doctrine of Severability and Doctrine of Eclipse. Does the doctrine of Eclipse apply to post-constitutional laws? (12.5)

Unit-II

Critically examine the decision of the Supreme Court from Gopalan to Menka Gandhi cases with special reference to "procedure established by law?" (12.5)

Are provision relating to preventive detention "Undemocratic and harsh"? Discuss the safeguard available to a person determined under law of preventive Detention. (12.5)

Unit-III

The SC of India has been assigned the role of a sentinel on the qui-vive for the protection of the Fundamental Rights. Elucidate your answer with the help of case law. (12.5)

Critically examine the nature and scope of Article 226 of Constitution. Distinguish between the writ of Certiorari and Prohibition? (12.5)

Unit-IV

Directive Principles of State Policy are not enforceable in the court of law but nevertheless they are fundamental in the Governance of the Country. Discuss with the help of decided cases. (12.5)

The reservation policy has failed to promote social justice but it has led to social friction conflict & disharmony. It has been called a case of right goal wrong strategy. Critically examine & suggest measures to protect the interest of Backward classes of people? (12.5)



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END TERM EXAMINATION

FOURTH SEMESTER [LLB(H)/BALLB/BBALLB] MAY 2010

Paper Code: LLB 206

Subject: Constitutional Law-II
(Batch 2008) (Batch 2005-07)

Paper ID: 38206

Maximum Marks :75

Time : 3 Hours

Note: Part-A is compulsory. In part B attempt one question from each Unit.

PART-A

(5x5=25)

- Q1. (a) Explain the Doctrine of eclipse
(b) What is doctrine of laches?
(c) Define "existing law"
(d) Expansive interpretation of Right to Life and Personal Liberty
(e) Distinguish between Certiorari and Prohibition

PART-B

Unit-I

(12.5x4=50)

Q2. All entities falling within the meaning of State as defined in Article 12 are amenable to the writ jurisdiction of High Courts under Article 226 and 227 of the Constitution. Thus the definition of state in Article 12 is meaningful. Why the same definition has been carried to Article 36? Explain the significance of Article 36 in part IV of the Constitution.

Q3. Article 14 on equality before law and equal protection of laws is embodiment of rule of law and arbitrary state action is prohibited. Discuss by referring to relevant case law.

Unit-II

Q4. Critically comment on supreme Court judgement in Ashok Kumar Thakur case on reservation in favour of SC, STC and OBC upholding the constitutional validity of 93rd Amendment and show if exclusion of creamy layer is effective in implementation.

Q5. Examine the judgement of Delhi High Court in Naz Foundation case from the angle of Right to Privacy and Personal liberty under Article 21. Argue the appeal pending in the Supreme Court.

Unit-III

Q6. Any and every petition under Article 32 is not entertained by the Supreme Court and the petitioner is directed to go to High Court under Article 226. Comment on this practice.

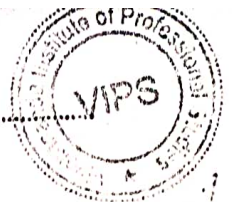
Q7. State the philosophy behind the statement in the prayer clause of a petition that the court may be pleased to issue a writ in the nature of ... or any other order, direction etc.

Unit-IV

Q8. Fundamental rights are justiciable, directive principles are though not justiciable but never the less fundamental in the governance of the country. Refer to the cases in which the Supreme Court has struck a right balance between rights and principles.

Q9. A host of legislation have been enacted to promote and further the cause of social justice. The progress of implementation of such legislation and scheme is reported in the annual report of ministry of social justice. Assess the progress and comment upon the scope for improvement.





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END TERM EXAMINATION

FOURTH SEMESTER [LLB(H)] MAY-2008

Subject: Constitutional Law-II
(Batch: 2005-2000)

Paper Code: LLB206

Paper Id: 38206

Time : 3 Hours

Maximum Marks :75

Note: Part-A is compulsory. Attempt one question from each unit in Part-B.

PART-A

(5x5=25)

- Q1 (a) Discuss with reference to relevant entries in the Union List and Concurrent List in Seventh Schedule to the Constitution the subjects on which Centre and State are empowered to legislate preventive detention laws.
- (b) What are necessary requirements of a 'religious denomination'?
- (c) Under what conditions pre-Constitutional laws continue in force after commencement of the Constitution? Refer to Constitutional provisions also.
- (d) Which provision of the Constitution provides:-
- (i) That Directive Principles contained in part-IV are not enforceable.
 - (ii) Safeguards in case of preventive detention?
 - (iii) Freedom to manage religious affairs to every religious denomination?
 - (iv) Power of superintendence on every High Court?
 - (v) For appointment of a Commission to investigate the conditions of backward classes?
- (e) What is social justice? Refer to some of the statutes.

PART-B

(12.5x4=50)

UNIT-I

Q2 Commercial speech is part of freedom of speech and expression guaranteed by Article 19(1)(a). Highlight reasons in support of the view.

Q3 "Equality is a dynamic concept with many aspects and dimensions and it cannot be cribbed, cabined and confined within traditional doctrinaire limits. From a positivistic point of view, equality is antithetic to 'arbitrariness'. Explain and elaborate with the help of decided cases.

UNIT-II

Q4 Discuss whether Article 19, 21 and 22 are mutually exclusive. Support your answer with the help of decided cases.

Q5 In the State of Manipur *Khasi* Tribe is Scheduled Tribe. From times immemorial there exists a custom amongst them that each of the householder offers one day's free labour to the Headman of the tribe. Simeil, one of the *Khasi* tribals rises in revolt and refused to offer free work to the Headman. He challenged the custom on the ground that it amounts to forced labour prohibited by Constitution of India. Decide in the light of Constitutional provisions and decided cases.

UNIT-III

Q6 "The Rule requiring exhaustion of alternative remedy before writ is granted is a convenience and discretion rather than a rule of law". Discuss what exceptions to exhaustion are of alternative remedy.

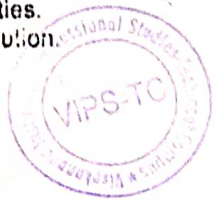
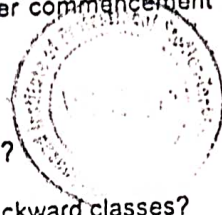
Q7 Shiksha a trust registered under Delhi Public Trusts Act, 1972 was running a law college. The college had permanent affiliation to a State University constituted under an Act of Delhi Legislature. The trust retrenched some of its employees and also refused to pay them their provident fund, gratuity and salary legitimately due. The retrenched employees moved Delhi High Court under Article 226 of the Constitution. The respondent-trust contests the petition on the ground that the trust being a private body was not amenable to the writ jurisdiction. Decide.

UNIT-IV

Q8 Discuss whether fundamental duties enshrined in Part-IV A of the Constitution are enforceable in a Court of Law? By Constitutional (Eighty-Sixth Amendment) Act, 2002 which fundamental duty was inserted in Article 51-A?

Write short notes on any two of the following:-

- (a) Test to determine reasonableness of restriction on fundamental liberties.
- (b) Expression "Procedure established by law" in Article 21 of the Constitution.
- (c) Writ of Mandamus
- (d) *M.R.F. Ltd. v. Inspector Kerala* / I.R. 1999 S.C. 188.





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END-TERM EXAMINATION

FOURTH SEMESTER [LLB] - MAY-JUNE 2006

Subject: Constitutional Law-II

Roller Code: LLB(H)-208

Roller ID: 38208

Maximum Marks : 75

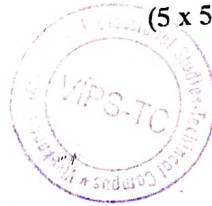
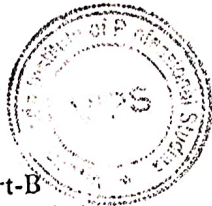
Time : 3 Hours

Note: Part A is compulsory and carries 25 marks. Attempt any five questions from part B and in Part B all questions carry 10 marks each.

Part - A

(5 x 5 = 25)

- (a) Doctrine of severability.
- (b) Double jeopardy.
- (c) Fundamental Duties
- (d) Rights of Minorities.
- (e) Ex-post-facto laws.



Part-B

(5 x 10 = 50)

Q2. Discuss the development of the scope of right to equality under the Indian Constitution.

Q3. "Right to administer educational institutions can be claimed by a minority community only when it has been established by them." Discuss this statement. 29-30

Q4. Discuss the scope of freedom of speech and expression under the Constitution of India. 19(1)(a)

Q5. What meaning has been given to 'Life and personal liberty', and 'procedure established by law' by the Supreme Court of India in the context of Article 21 of the Constitution. Discuss and refer cases. 36-51 DPSP

Q6. What is the importance of Directive Principles of State Policy? What is the relationship between fundamental Rights and Directive Principles of State Policy. 25-28

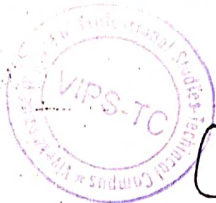
Q7. Examine the scope of fundamental right of freedom of religion. What are the various limitations mentioned in Article 25 on the freedom of religion.

Q8. Discuss the "Doctrine of Pleasure". State the Constitutional safeguards available to civil servants in India.

Q9. Write short notes on any two of the following:

- (a) What are the constitutional remedies available to a citizen under Article 32 of the Constitution?
- (b) Discuss the difference between pre-Constitutional and post-Constitutional laws.
- (c) Right to Education as a fundamental Right under the Constitution of India





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(Please write your Roll No. immediately)

Roll No.

END-TERM EXAMINATION

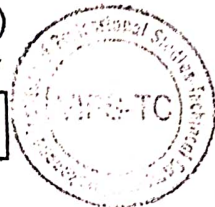
FOURTH SEMESTER [LLB(H)] - MAY 2005

Paper Code: LLB 208 Subject: Constitutional Law-II

Time : 3 Hours

Maximum Marks : 75

Note: Part A is compulsory. Attempt Five questions from Part B. Part A is of 25 marks. Questions in Part B carries 10 marks each.



Part-A

Q.1 Discuss the constitutional validity of the following:-

- (a) Mr.S a teacher in the government school, was refused salary for non-satisfactory work.
- (b) Mr.A is expelled from school for refusing to sing the National Anthem sung during the morning assembly, since he genuinely and conscientiously believed that his religion did not permit his to joining any rituals except it be in his prayer to his God. — *Rel to Religion*
- (c) The government has by law, provided that no government employee would joining any union or association of employees unless it is recognized by the government. — *Art 16, Employment Act & Art 19*
- (d) Mr.S was restrained, by show of force, from taking water from a newly dug up borewell, on the ground that he was untouchable. — *Art 14*
- (e) The government has issued a circular putting a total ban on holding of demonstrations by government employees within government premises. — *Art 14 & 16, Kamalakar Das v. State of Bihar*



Part-B

- Q.2 Article the prohibits "class legislation" but permits reasonable classification". Discuss and illustrate with the help of decided cases.
- Q.3 What do you understand by freedom of press? Explain.
- Q.4 Article 22 of the Indian Constitution provides for protection against arrest and detention in certain cases. Explain the scope and limitations to this protection.
- Q.5 Discuss the nature and purpose behind the Directive Principles. Also describe the role of judiciary in the enforcement of directive principles.
- Q.6 Examine the scope of fundamental right of freedom of religion. What are the various limitations mentioned in Article 25 on the freedom of religion.
- Q.7 Write an essay on Fundamental Duties.
- Q.8 "A Civil Servant hold a office at the pleasure of the President, but not at his mercy." Discuss with help of decided cases.
- Q.9 Discuss the judicial interpretation of the expression "Socially and educationally backward classes", as used in Article 15(4).
- Q.10 Write short notes on Any Two of the following
 - (a) Doctrine of eclipse. (3)
 - (b) Doctrine of waiver. (3)
 - (c) Double jeopardy.





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(Please write your Roll No. immediately)

Roll No.

END-TERM EXAMINATION

FORURTH SEMESTER [LLB(H)] - MAY 2004

Paper Code:LLB-208 Subject: Constitution Law-II

Time : 3 Hours

Maximum Marks : 75

Note : Part A is compulsory. Attempt Any Five questions from Part B. Part A is of 25 marks. Questions in Part B carries 10 marks each.

PART-A

- Q.1 (a) Do you think Judiciary is a state under Art-12 of the Constitution?
(b) What do you mean by the rule of severability?
(c) Can a fundamental right guaranteed by Part-III of the constitution be waived by a citizen?
(d) What are the tests of valid classification for the purpose of Art.14 of the Constitution?
(e) Discuss the difference between pre-constitutional and post constitutional law.

PART-B

- Q.2 What are the constitutional remedies available to a citizen under Art-32 of the constitution?
Q.3 Discuss the relationship and the distinction between Fundamental Rights and Directive Principles of the State Policy. Refer to case law.
Q.4 Discuss the fundamental freedoms as enshrined in Art-19 of the constitution. With the help of judicial decision discuss any one of the rights.
Q.5 Discuss the scope of the expression "Life and personal liberty" as enshrined in Art-21 of the Constitution in the light of judicial pronouncements.
Q.6 What are the various fundamental duties enshrined in Part-IV-a of the Constitution? Are these duties enforceable in a court of law?
Q.7 Critically examine the role of judiciary in the area of gender justice.
Q.8 Discuss secularism in the light of the Constitution of India.
Q.9 Write short notes on ANY THREE:-
(a) Social Justice (b) Maneka Gandhi V. Union of India
(c) Preventive Detention (d) Doctrine of Pleasure
(e) Whether the expression "law" includes "Amendment".

