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21 (SEM-5) CNLW(I) 5-2

2024

CONSTITUTIONAL LAW-I

Paper : 5-2

Full Marks : 80

Time : Three hours

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

1. Choose the correct option : $1 \times 10 = 10$

(a) In the case of *Golak Nath v. State of Panjab* it was remarked that our 'Preamble contains in a nutshell its ideals and aspirations.' Who was the Judge ?

(*Krishna Iyer J./Subba Rao. J*)

(b) The Chairman of the Constituent Assembly was

(*Jawaharlal Nehru/Dr. Rajendra Prasad/
C. Rajagopalachari*)

(c) The term "law in force" in clause (3) of Article 13 means

(*Only statutory Law/Customs and usages only/Both statutory law and customs and usages*)

Contd.

- (d) Untouchability is abolished and its practice is punishable according to
(Article 17/Article 18/Article 23)
- (e) Right to life under Article 21 does not include
(Right to die/Right to healthy environment)
- (f) Right to vote And To Be Elected in India is a
(Legal Right/Constitutional Right/
Fundamental Right)
- (g) In explanation 11, in sub-clause (b) of clauses (2) of Article 25, the term Hindus does not include
(converted Muslim/Jaina/Buddhist)
- (h) The Right to Property (Article 31) was deleted from the list of Fundamental Rights by the
(42nd Amendment Act, 1976/43rd Amendment Act, 1977/44th Amendment Act, 1978)
- (i) Which Part of the Constitution is called the Conscience of the Indian Constitution?
(Directive principles of state policy/
Fundamental duties/Fundamental Rights)
- (j) How many duties are conferred on the citizens in Article 51A? (10/11)

2. Write short notes on the following: $2 \times 5 = 10$
- (a) Preamble of the Constitution.
- (b) Doctrine of Severability.
- (c) What is 'Double Jeopardy'?
- (d) What is the constitutional concept of 'Minority'?
- (e) Writ of Mandamus.

3. "The Preamble of the Constitution of India constitutes the philosophy of the Constitution." Explain whether the Preamble of the constitution can be amended or not? 12

Or

"Secularism is neither anti-God nor pro-God. It eliminates God from the matters of State and ensures that no one shall be discriminated on the grounds of religion." In the light of the above observation, discuss the true impart of freedom of religion guaranteed under the Constitution.

4. "Arbitrariness is antithesis to Article 14 of the Constitution of India" Elaborate. 12

Or

Answer **any two** of the following : $6+6=12$

- (i) Doctrine of Waiver
- (ii) Doctrine of Eclipse

(iii) Define 'State' under Article 12 of the Constitution of India with decided case laws.

5. Discuss the scope and ambit of Article 21 of the Constitution of India. 12

Or

What kinds of freedom are guaranteed under Article 19 of the Constitution of India as Fundamental Rights ? What are the limitations that may be imposed thereon ? 6+6=12

6. Write short notes on : 6+6=12
(i) Judicial Review
(ii) Cultural and Educational Rights of Minority

Or

Briefly discuss the following: 4×3=12
(i) Article 32 of the Constitution of India.
(ii) Differences between Article 32 and Article 226 of the Constitution of India.
(iii) Writ.

7. Write an essay on Directive Principles of State policy. 12

Or

"Fundamental duties do not destroy Fundamental Rights but balance them." Elaborate.