

JUNE/JULY 2014

CONSTITUTIONAL LAW

Time: 3 Hours

Max. Marks: 100

UNIT – I

1. a) Explain the objectives enshrined in the Preamble. Can the Preamble be amended? **(Refer Page No.43)**

(OR)

Analyse the definition of the term 'state' as provided in Act 12 of the constitution. **(Refer Page No.70)**

- b) Write a note on 'Doctrine of Eclipse'. **(Refer Page No.82)**

(OR)

'A' an accused in a criminal case is asked by the court to produce a document in his possession, which is in his handwriting, for the purpose of comparison of his handwriting.

'A' refuses to produce the same on the ground that he can not be compelled to be a witness against himself. Advise him. **(Refer Constitutional Law, Volume-II Separate Book)**

UNIT – II

2. a) Explain the powers of the President of India. **(Refer Page No.273)**

(OR)

Examine the relation between Fundamental Rights and Directive Principles of State Policy. **(Refer Page No.246)**

- (b) Write a note on 'Fundamental Duties'. **(Refer Page No.264)**

(OR)

What are the characteristics of a 'Parliamentary form of Government'? **(Refer Page No.287)**

UNIT – III

3. a) Explain the original and appellate jurisdiction of the Supreme Court. **(Refer Page No.332)**

(OR)

Critically evaluate the procedure for appointment of the Chief Justice of Supreme Court. **(Refer Page No.320)**

- b) What are the grounds for the issue of writ of mandamus? **(Refer Page No.221)**

(OR)

Write a note on 'Judicial Restraint'. **(Refer Page No.244)**

UNIT – IV

4. a) Discuss the 'legislative relations' between the center and states. **(Refer Page No.368)**

(OR)

"Power of the Parliament to amend the Constitution is not unlimited". Explain. **(Refer Page No.475)**

- b) Write a note on 'Federalism'. **(Refer Page No.25)**

(OR)

'A' grows tea and transport it to Kolkata via Assam. Assam state legislature has passed a law imposing taxes on goods carried by road and Inland waterways is A liable to pay tax? **(Refer Constitutional Law, Volume-II - Separate Book)**

UNIT – V

5. a) What is national emergency? What are the consequences of its proclamation? **(Refer Page No.467)**

(OR)

Discuss the contractual liability of the Government under Art. 299(1) of the Constitution. **(Refer Page No.397)**

- (b) 'K' a government servant was appointed to officiate on a higher post. After one year, he was reverted to his original post on the ground of unsatisfactory work. 'K' challenges this under Art.311 of the constitution. Decide. **(Refer Constitutional Law, Volume-II - Separate Book)**

(OR)

The driver of a military truck while carrying a hockey team of jawans caused an accident to 'X' a pedestrian, 'X' died by the said accident. 'Y' the wife of deceased 'X' sued the central government for compensation. Will she succeed? **(Refer Constitutional Law, Volume-II - Separate Book)**

DECEMBER - 2014

CONSTITUTIONAL LAW

Time: 3 Hours

Max. Marks: 100

Instructions:

1. Answer Q.No.9 and any five of the remaining questions
 2. Q.No.9 carries 20 marks and the remaining questions carry 16 marks each
 3. Answers should be written either in English or Kannada completely.
1. Discuss the rights of minorities to establish and manage the educational institutions. **Marks 16 (Refer Page No.197)**
 2. Explain the concept of equality as enshrined under Article 14 of the Constitution. **Marks 16 (Refer Page No.93)**
 3. Explain the powers of the President. **Marks 16 (Refer Page No.273)**
 4. Explain the various kinds of emergencies contemplated under the Constitution. **Marks 16 (Refer Page No.466, 470)**
 5. Explain the procedure to amend the Indian Constitution and write a note on doctrine of basic structure. **Marks 16 (Refer Page No.483)**
 6. Explain with relevant cases the various types of writs contemplated under the Constitution of India. **Marks 16 (Refer Page No.215)**
 7. 'Freedom of trade, commerce and intercourse throughout the territory of India shall be free' – Discuss. **Marks 16 (Refer Page No.420)**
 8. Write short notes on any two of the following:
Marks 2 x 8 = 16
 - a) Doctrine of Eclipse. **(Refer Page No.82)**
 - b) Fundamental Duties **(Refer Page No.264)**
 - c) Public Interest Litigation **(Refer Page No.240)**
 9. Solve any two of the following problems: Marks 2 x 10 = 20

- a) Haryana Panchayat Raj Act, 1994, provided that a person having more than two children is not eligible to contest election for the post of Sarpanch or Panch in Gram Panchayats.

However, this provision is not applicable to other institutions of local governance or for those contesting to the State Legislature. This was challenged by one Mr. Javed as discriminatory and violative of Article 14 of the Constitution. Decide. **(Refer Constitutional Law, Volume-II Separate Book)**

- b) Srikanth is working as the first division clerk at RTO Bangalore. An allegation was made that he had misappropriated lots of money in the department. After departmental inquiry he was removed from the service.

In the meantime a criminal prosecution was initiated against him under the Prevention of Corruption Act. In the trial Srikanth pleaded that removal from the job is the first punishment and the criminal prosecution amounts for double jeopardy. Decide. **(Refer Constitutional Law, Volume-II Separate Book)**

- c) Bhavani Rao was selected as the Prime Ministerial candidate by PPP Party after the General Elections of 1991. Bhavani Rao's PPP had won only 251 seats in Lok Sabha and falls short of simple majority PPP negotiated behind screen with the members of LMM Party who had the strength of 17 members in Lok Sabha promising each of LMM members money of 1 crore for casting vote in favour of PPP during the process of proving majority.

According PPP won confidence vote in the Parliament. A NGO 'Aradhana' suspecting foul play filed a case with CBI and the matter came before the Supreme Court. PPP contended before the court privileges under Article 105. Decide. **(Refer Constitutional Law, Volume-II Separate Book)**

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