Reg. No. : ...........................

Name : .................................

## Fourth Semester B.A. LL.B./B.Com. LL.B/B.B.A. LL.B. (Five Year Integrated) Degree Examination, April 2024

### Paper IV : CONSTITUTIONAL LAW – I

### (2011 – 2019 Admission)

Time : 3 Hours

Max. Marks : 80

## SECTION – A

1. Answer any **five** of the following. Each question carries **2** marks. Answer should not exceed **50** words each.

   (a)  Nature of Indian Constitution.

   (b)  Doctrine of eclipse.

   (c)  Meaning of Citizenship.

   (d)  Doctrine of waiver.

   (e)  Distinction between Articles 32 and 226.

   (f)  Due process of law.

   (g)  *Expost facto law.*

(5 × 2 = 10 Marks)

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SECTION – B

2. Answer any **four** of the following not exceeding 120 words each. Each question carries **4** marks.

(a) Write short note on preamble and interpretation of Constitution.

(b) Give a brief description on the scope of public interest litigation.

(c) Explain the doctrine of colourable legislation.

(d) Give a brief account on right to privacy in Indian Constitution.

(e) Discuss about the constitutional protection for reservation to backward classes.

(f) Explain about the need for fundamental duties.

(**4 × 4 = 16 Marks**)

SECTION – C

3. Answer any **four** of the following. Each question carries **6** marks.

(a) Teachers from an unaided minority school allege that they are not paid salary equal to that of teachers of government schools and it is violative of the principle of equality. But the defence was that unaided minority schools are not "States" and so need not pay salary equal to that of teachers at government schools. Discuss whether unaided minority schools are 'states' under Article 12 of the Constitution.

(b) As per the Rules for selection of students to the medical colleges of the state the minimum qualifying marks for the General Category was 50% and that of the SC and ST candidates was 40%. But seats for SCs and STs could not be filled because the required minimum marks could not be secured. So, the state government by an executive order had completely relaxed minimum qualifying marks for these two categories. Decide whether this executive order is violative of Article 15(4).

(c) The petitioner was a printer, editor and publisher of a weekly journal which is printed and published from Mumbai. Government of Tamil Nadu by exercising the powers under the Maintenance of Public Order Act issued an order prohibiting circulation of the journal within the state. Examine whether the order has infringed the freedom of speech and expression of the petitioner.

(d) As per section 51 (c) of Civil Procedure Code, A, a judgment debtor, was arrested and detained in civil prison for non-payment of debt. Here A contended that there was no malafide and dishonesty on his part but had no means to pay the debt. Decide whether a person can be imprisoned on the sole ground of nonpayment of debt? Would this amount to deprivation of his personal liberty enshrined in Article 21 of the Constitution?

(e) University of Punjab by a circular declared that Punjabi would be the sole medium of instruction in the affiliated colleges. An affiliated college being a minority educational institution challenged this circular on the ground that the circular would infringe their right to have their own choice of medium of instruction because this right is part of the right to establish and administer educational institution of their choice under Article 30(1) of the Constitution. Decide.

(4 × 6 = 24 Marks)

SECTION – D

4. Answer any **three** of the following. Each question carries **10** marks.

(a) Explain the underlying principles behind Directive Principles of State Policy.

(b) Detail about the right to freedoms under Article 19 and the scope of the test of reasonable in relation to those freedoms.

(c) Discuss the nature and scope of Article 21 of the Constitution.

(d) Write an essay on constitutional protection against arbitrary arrest and detention.

(e) Critically examine judicial pronouncements on Article 29 and 30 regarding right to establish and administer educational institutions by minorities.

(3 × 10 = 30 Marks)

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