

May 2017

3rd Year

Constitutional Law

Sem - VI

2017-18

Q. P. Code: 13107

Constitutional Law

Q.I. Answer in short. (Not more than two sentences)

20 Marks

1. What were the major changes introduced by the Regulating Act of 1773?
2. What is Doctrine of Severability?
3. In which landmark judgment the doctrine of Post decisional hearing was propounded by the Apex Court?
4. Why is the State entitled to enact special provision for Women and children?
5. How many times and when has financial emergency been declared in India?
6. When can a person be considered under "creamy Layer" category?
7. What is a curative Petition?
8. State any two principles of State Policy under Article 39 for securing economic justice?
9. What is the object of having Fundamental Duties in the Indian Constitution?
10. Which person can fall in the category of Anglo- Indian?

Q. II. Write short notes. (Any four)

20 Marks

1. Preamble of the Indian Constitution
2. Test of reasonable classification and class legislation
3. Protection to civil servants under the Constitution
4. Community Welfare Charter
5. Three categories of Amendment
6. Constitutional safeguards against arbitrary arrest and detention

Q. III. Solve (Any two).

12 Marks

1. Mr. Mukesh filed a Writ petition in the High Court under Article 226 praying for Writ of Mandamus but did not succeed so wanted to file a Writ petition in the Supreme Court for the same matter under Article 32 of the Constitution.
(i). Can Mr. Mukesh file the writ petition under Article 32 of the constitution?
Explain with legal provisions
(ii). Is there any exception for a similar situation in the Constitutional law ?
2. Due to long standing dispute between Shias and Sunnis in a Mohalla in Paranasi, the Supreme Court appointed a committee of equal number of

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representatives of both sects to find a solution. The committee recommended shifting of two graves of Sunnis so as to separate the place of worship for both the Shias and Sunnis. The Sunnis challenged the recommendation of the Committee.

- (i) On what grounds can the Sunnis challenge the said recommendation?
- (ii) Will the Sunnis succeed in the above matter? Explain.

3. Shabana, a transgender, had filled up the form as an aspiring candidate for contesting elections of Municipal Corporation, Bombay. Her form was rejected being a transgender.

- (i). Can a transgender contest elections in India? Explain with legal provisions
- (ii). Can transgender claim the benefit of fundamental rights in India? Explain in light of the recent developments.

Q.IV. Answer the following. (Any four)

48 Marks

1. Explain the importance of cordial administration between Centre & State for co-operative Federalism.
2. Enumerate the privileges of the legislature with few landmark judgments
3. Explain the Writ Jurisdiction of High Court under Article 226 of the Constitution.
4. Highlight the importance of right to freedom of speech & expression in a democratic State with relevant judgments of the Apex court.
5. Has the practice of untouchability been abolished in India? Discuss with relevant legal provisions in light of the Protection of Civil Rights Act, 1955.
6. "Noise pollution in the name of religion not permissible"- Discuss with reference to the right to freedom of Religion and its reasonable restrictions by citing relevant cases.

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