

2022

CP 03—CONSTITUTIONAL LAW—I

Part A Answer any five questions. Each question carries 6 marks.

- a) Explain the doctrine of colourable legislation.
- b) The Indian Constitution has sought to combine the presidential form with the parliamentary form of Government' Comment.
- c) Elaborate upon the ideals contained in the preamble with the help of case laws.
- d) Discuss with reference to case law the term 'other authority' under the definition of State.
- e) Write a note on Ex post Facto Law and Double Jeopardy.
- f) Discuss the scope of freedom of trade, profession or occupation with the help of decided cases.
- g) Examine the protective discrimination under Art 15 of Indian Constitution.
- h) Discuss the scope of writ jurisdiction of Supreme Court and High Court.

Part B Answer any two questions. Each question carries 10 marks.

- a) An Engineering College made admissions of candidates on the bases of oral interview after a written test. High marks were allocated for oral test and candidates were interviewed only for 2 to 3 minutes. 'A' got high marks in written test but low marks in oral test. He wants to challenge this. Decide.
- b) Association of Democratic reforms, an NGO, filed a PIL to disclose the educational qualifications, assets, criminal antecedents etc the contesting candidate in election for the benefit of voters. The Election Commission was directed by the Supreme court to make it compulsory about the disclosure of aforesaid information. After the election the parliament amended the Sec.33 of R.P Act and negated the order of the Supreme Court. The NGO moved the Supreme Court Challenging the validity of Electoral reforms as being violative of Art 19(1) a of the Constitution as the voters have the right to know about their candidate's. Decide.
- c) A challenges the validity of certain appointment order of Council of scientific and Industrial Research before the Supreme Court that the appointment is in violation of Art 14 and Art 16(4) of the Constitution. The respondent raised the contention that Council of scientific and Industrial Research does not comes under the purview of State. Decide whether the Council of scientific and Industrial Research comes under the purview of State.

Part C Answer any two questions. Each question carries 12½ marks.

- a) "No person shall be deprived of his life or personal liberty except according the procedure established by Law". Discuss with reference to decided cases.
- b) Explain the safeguards available again the arbitrary arrest and detention under Article 22 of the Indian Constitution.
- c) Discuss the various jurisdictions of Supreme Court.