

- ii. Discuss the significance of Article 13 in ensuring the justiciability of fundamental rights. How do doctrines like Eclipse and Waiver contribute to this purpose? **6** 2 1 2
- OR iii. Explain the "Basic Structure" doctrine. How does it limit the powers of the Parliament under Article 368, particularly in relation to fundamental rights? **6** 3 3 2
- Q.6** Attempt any two:
- i. Explain the writ of *habeas corpus* and its significance in protecting individual freedom. Under what circumstances can it be issued? **5** 4 2 2
 - ii. Discuss the various freedoms guaranteed under Article 19(1)(a) and the reasonable restrictions that can be imposed under Article 19(2). How do these restrictions balance individual freedom with state security? **5** 3 3 2
 - iii. Explain the concept of Public Interest Litigation (PIL) and its significance in judicial activism. How has PIL broadened access to justice in India? **5** 3 3 2

*Total No. of Questions: 6**Total No. of Printed Pages: 4***Enrollment No.....****Faculty of Law****End Sem Examination Dec 2024****LW3CO36 Constitutional Law -I**

Programme: LL.B. (Hons.)

Branch/Specialisation: Law

Maximum Marks: 60**Duration: 3 Hrs.**

Note: All questions are compulsory. Internal choices, if any, are indicated. Answers of Q.1 (MCQs) should be written in full instead of only a, b, c or d. Assume suitable data if necessary. Notations and symbols have their usual meaning.

- | | Marks | BL | PO | CO | PSO |
|--|---------------|----|----|----|-----|
| Q.1 i. The term "constitutionalism" primarily refers to: | 1 | 2 | 1 | 1 | |
| (a) The implementation of democracy | | | | | |
| (b) The limitation of government powers | | | | | |
| (c) The amendment of constitutional provisions | | | | | |
| (d) The centralization of authority | | | | | |
| ii. Which part of the Indian Constitution primarily reflects the federal principle? | 1 | 1 | 1 | 3 | |
| (a) Part III (Fundamental Rights) | | | | | |
| (b) Part IV (Directive Principles of State Policy) | | | | | |
| (c) Part XI (Relations between the Union and the States) | | | | | |
| (d) Part XX (Amendment of the Constitution) | | | | | |
| iii. According to Article 1 of the Indian Constitution, India is: | 1 | 1 | 2 | 2 | |
| (a) A Confederation of States | | | | | |
| (b) A Federation of States | | | | | |
| (c) A Union of States | | | | | |
| (d) A Commonwealth of States | | | | | |
| iv. Under which Article of the Indian Constitution can the Parliament alter the boundaries of a state? | 1 | 1 | 2 | 1 | |
| (a) Article 1 | (b) Article 2 | | | | |
| (c) Article 3 | (d) Article 4 | | | | |



		[2]		[3]
v.	Under Article 6 of the Indian Constitution, which group of people is eligible for Indian citizenship?	1	1 3 1	iii. Discuss the salient features of cooperative and competitive federalism. How do these forms of federalism operate within the Indian context? OR iv. Discuss the term constitution and constitutionalism.
	(a) Persons of Indian origin residing in foreign countries (b) Migrants to Pakistan (c) Migrants from Pakistan (d) Citizens of foreign states			5 2 3 2
vi.	Which article of the Indian Constitution discusses the citizenship status of persons who voluntarily acquire foreign citizenship?	1	2 1 2	Q.3 i. Explain the power of the Parliament under Article 2 of the Indian Constitution regarding the admission or establishment of new states. ii. Discuss the process outlined in Article 3 for the formation of new states or alteration of existing state boundaries. How does this process balance the interests of both Parliament and the states? OR iii. Analyze the significance of defining India as a "Union of States" under Article 1. How does this terminology reflect the nature of the relationship between the central government and the states?
	(a) Article 5 (b) Article 7 (c) Article 8 (d) Article 9			2 2 3 3 8 3 2 3
vii.	Which Article of the Indian Constitution defines "State" for the purpose of Fundamental Rights?	1	1 2 1	
	(a) Article 10 (b) Article 11 (c) Article 12 (d) Article 13			
viii.	The doctrine of "basic structure" primarily restricts which power of the Parliament?	1	2 3 1	Q.4 i. Discuss the eligibility criteria for citizenship under Article 8 for persons of Indian origin residing outside India. ii. Discuss the distinction between Articles 6 and 7 of the Indian Constitution. How do these articles address the citizenship of people affected by migration during partition? OR iii. Explain the conditions under Article 9 regarding the loss of Indian citizenship. How does this provision reflect India's policy on dual citizenship?
	(a) Legislative power (b) Executive power (c) Judicial power (d) Amendment power			3 2 3 2 7 3 2 1
ix.	Which Article of the Indian Constitution guarantees the right to constitutional remedies?	1	1 2 2	
	(a) Article 19 (b) Article 21 (c) Article 29 (d) Article 32			
x.	Which of the following writs is issued to restrain a person from holding a public office they are not entitled to?	1	2 2 1	
	(a) Habeas Corpus (b) Mandamus (c) Quo Warranto (d) Certiorari			
Q.2	i. Describe the concept of "quasi-federalism" in the context of the Indian Constitution. Provide one example to illustrate your answer. ii. Explain the significance of the Preamble in the Indian Constitution. How does it represent the basic philosophy of the Constitution?	2	2 2 2	Q.5 i. Define the concept of "State" as per Article 12 of the Indian Constitution. How has the judiciary expanded the interpretation of "Other authorities" within this article?
		3	3 2 1	4 3 2 3

Scheme of Marking
Constitutional Law (LW3CO36)

Q.1	i) The term "constitutionalism" primarily refers to: (B) The limitation of government powers	1	ii.	Preamble Significance Philosophy	1 Mark 1 Mark 1 Mark	3
	ii) Which part of the Indian Constitution primarily reflects the federal principle? (C) Part XI (Relations between the Union and the States)		1	iii. Cooperative federalism Competitive Federalism	2 Marks 2 Marks	5
	iii) According to Article 1 of the Indian Constitution, India is: (C) A Union of States		1	OR iv. Indian context Constitution Concept. Constitution	1 Marks 2 Marks 3 Marks	
	iv) Under which Article of the Indian Constitution can the Parliament alter the boundaries of a state? (C) Article 3		1			
	v) Under Article 6 of the Indian Constitution, which group of people is eligible for Indian citizenship? (C) Migrants from Pakistan		1	Q.3 i. Article 2 Admission or establishment of new states.	1 Mark 1 Mark	2
	vi) Which article of the Indian Constitution discusses the citizenship status of persons who voluntarily acquire foreign citizenship? (D) Article 9		1	ii. Discuss the process outlined in Article 3 for the formation of new states or alteration of existing state boundaries.	2 Marks 2 Marks	
	vii) Which Article of the Indian Constitution defines "State" for the purpose of Fundamental Rights? (C) Article 12		1	How does this process balance the interests of both Parliament and the states?	4 Marks	
	viii) The doctrine of "basic structure" primarily restricts which power of the Parliament? (A) Legislative Power		1	OR iii. Analyze the significance of defining India as a "Union of States" under Article 1.	4 Marks 4 Marks	8
	ix) Which article of the Indian Constitution guarantees the Right to Constitutional Remedies? (D) Article 32		1	How does this terminology reflect the nature of the relationship between the central government and the states?	4 Marks	
	x) Which of the following writs is issued to restrain a person from holding a public office they are not entitled to? (C) Quo Warranto		1	Q.4 i. Discuss the eligibility criteria for citizenship under Article 8 for persons of Indian origin residing outside India.	2 Marks 1 Mark	3
Q.2	i. Concept of "quasi-federalism" example to illustrate your answer.	1 Mark 1 Mark	2	ii. Discuss the distinction between Articles 6 and 7 of the Indian Constitution. How do these articles address the citizenship of people affected by migration during partition?	3 Marks 4 Marks	7
			OR iii. Explain the conditions under Article 9 regarding the loss of Indian citizenship. How does this provision reflect India's policy on dual citizenship?	3 Marks 4 Marks		7

Q.5	i.	Define the concept of "State Judiciary expanded the interpretation	2 Marks	4
	ii.	Article 13 Rights. How do doctrines like Eclipse Waiver contribute to this purpose?	2 Marks 2 Marks	6
OR	iii.	Explain the "Basic Structure" doctrine. How does it limit the powers of the Parliament under Article 368, Particularly in relation to Fundamental Rights?	2 Marks 3 Marks 1 Mark	6

Q.6	Attempt any two			
i.	Explain the writ of <i>habeas corpus</i> its significance in protecting individual freedom.	2 Marks 3 Marks	5	
ii.	Article 19 reasonable nesmition Security of state	2 Marks 2 Marks 1 Mark	5	
iii.	Concept of Public Interest Litigation (PIL) and its significance in Judicial Activism. How has PIL broadened access to justice in India	2 Marks 1 Mark 2 Marks	5	
