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**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

MID TERM EXAMINATION

Even Semester: 2018-19

Course Code: LAW 112

Course Name: Constitution Law-I

Programme & Sem: B.Com./BBA/BA LL.B.(Hons) & II Sem.

Date: 02 April 2019

Time: 2 Hours

Max Marks: 60

Weightage: 30%

Instructions:

- (i) *All questions are compulsory.*

Part A

Answer **both** the Questions. **Each** question carries **ten** marks. (2Qx10M=20)

1. What are salient features of Indian Constitution?
2. Examine with the help of cases, the scope of grounds of Non Discrimination as mentioned under Article 15 and 16. Also examine how the same provisions provides protection to backward classes without contravening the non-discriminatory clause.

Part B

Answer **both** the Questions. **Each** question carries **ten** marks. (2Qx10M=20)

3. Explain 'Rule of law' by A. V Dicey. Is it applicable in Indian constitution and are there any exception to it?
4. Right to Equality means equality among equals. In case of those who are not equal, State can make reasonable classification. What are conditions before making such reasonable classification? Support your answer with case laws.

Part C

Answer **both** the Questions. **Each** question carries **ten** marks. (2Qx10M=20)

5. Equality cannot be 'confined, cribbed or cabined'. In light of this statement explain new concept of equality developed in E. P Royyapa v. Union of India 1974 AIR 555, 1974 SCR (2) 348
6. Explain Doctrine of Eclipse with relevant case law.



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**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

END TERM FINAL EXAMINATION

Even Semester: 2018-19

Course Code: LAW 112

Course Name: Constitutional Law

Program & Sem: BBA/BCom/BA LL.B.(Hons.) & II Sem

Date: 23 May 2019

Time: 3 Hours

Max Marks: 80

Weightage: 40%

Instructions:

(i) All questions are compulsory

Part A

Answer all the Questions. Each question carries ten marks.

(2Qx10=20M)

1. Match the following

A

- A) Abolition of untouchability
- B) Right to Education
- C) Judicial review
- D) Fundamental rights
- E) Definition of State

B

- 1. Article 12
- 2. Article 13
- 3. Article 21 A
- 4. Article 17
- 5. Part III

2. Fill in the blanks -:

- i. No child below the age of _____ years shall be employed to work in any factory or miner or engaged in any other hazardous employment.
- ii. No person shall be prosecuted and punished for the same offence more than _____.
- iii. No person accused of any offence shall deprived of his _____ and personal liberty except according to procedure established by law.
- iv. The state shall be provided free and compulsory education to all children of the age _____ to 14 years in such manners as the State may by law determine.
- v. No title, not being a _____ or academic distinction, shall be conferred by the State.

Part B

Answer **both** the Questions. **Each** question carries **fifteen** marks. (2Qx15M=30)

3. In *Indian Express v. Union of India*, it has been held that the press plays a very significant role in the democratic machinery. The courts have duty to uphold the freedom of press and invalidate all laws and administrative actions that abridge that freedom. In light of this case discuss freedom of speech exercised by press under Article 19(1) (a) of Indian constitution, 1950.
4. According to Dr. B.R Ambedkar Right to constitutional remedies under Article 32 of Indian Constitution, 1950 is the heart and soul of Indian constitution as it confers power on Supreme court to give remedy in case of infringement of fundamental rights in form of writs. In its earliest form a writ was simply a written order made by the English monarch to a specified person to undertake a specified action. In Indian constitution under Article 32 and Article 226 writ jurisdiction is conferred on the Supreme court and High Court. Discuss kinds of writs and analyze difference between writ jurisdiction exercised by Supreme Court and High Court.

Part C

Answer **all** the Questions. **Each** question carries **ten** marks. (3Qx10M=30)

5. Define State under Article 12 of Indian constitution. Scope of 'other authorities' has been extended by judgments of the Hon'ble Supreme court, in light of this fact discuss relevant case laws.
6. There was person named Yusuf Hussain, a citizen of India, brought from a foreign country some gold without making a declaration. The Customs Authorities took action against him under Sec. 167 of the Sea Customs Act, 1878 and confiscated the gold. Subsequently, he was charged under Sec. 8 of the Foreign Exchange Regulation Act, 1947 and prosecution started against him under the said Act. Yusuf sought protection from prosecution stating that this amounts to double jeopardy under Article 20(2) of Indian constitution, 1950. Is Yusuf entitled to get protection, if no support your answer with relevant arguments.
7. 'Justice delayed is justice denied' hence free and fair trial is an integral part of justice dispensation. The Hon'ble Supreme court has held that right to free legal aid is a fundamental right under Article 21. Explain with relevant case law.