


Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2022			
Course: Constitutional Law I Program: BALLB(H), BBALLB(H), B.COM LLB(H) Course Code: CLCC2001		Semester: III Time : 03 hrs. Max. Marks: 100	
Instructions:			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Meaning of Preventive Detention	2	CO1
Q2	Write a short note on Doctrine of Eclipse.	2	CO1
Q3	Discuss briefly about the rule of “Carry Forward” under the Indian Constitution.	2	CO1
Q4	Write a short note on the Fundamental Duties?	2	CO1
Q5	Define Writ of Mandamus	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q6	Differentiate between Art 32 and Art 226 of the Constitution of India.	5	CO2
Q7	What do you mean by Double Jeopardy? Which is relevant article of Indian Constitution about Double Jeopardy? Provide the examples.	5	CO2
Q8	Right to administration of Educational Institutions by Minorities doesn't include right to maladministration. Explain the statement with the help of case laws	5	CO2
Q9	Religious tolerance, equal treatment of all groups and protection of their life, property and places of their worship are an essential part of secularism enshrined in Indian Constitution- Explain	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q10	Parliament passes the 103 rd Amendment by which 10 percent reservation in public employment was provided to Economically Weaker Sections.	10	CO3

	<p>Mr. A who is and advocate challenges the constitutional validity of this amendment on the following grounds-</p> <ol style="list-style-type: none"> 1. Reservation cannot be solely given on the basis of economic criteria 2. It breaches the 50 percent limit on reservation. <p>Examine the Constitutionality of the grounds in the light of the decided case laws.</p>		
Q11	<p>"Whether or not a particular mandate of the Constitution is enforceable by court, has no bearing on the importance of that mandate. The Constitution contains many important mandates which may not be enforceable by the courts of law. That does not mean that those Articles must render subsidiary to the Chapter on Fundamental Rights it would be wrong to say that those positive mandates", that is the positive mandates contained in the Directive Principles, "are of lesser significance than the mandates under Part III." Discuss the comparative value of part III i.e. fundamental rights and part IV i.e. Directive Principles of State Policy under the Indian Constitution vis-à-vis the mandate for the state while developing legal system. Substantiate your answer with the help of leading case laws.</p>	10	CO3
<p>SECTION-D (2Qx25M=50 Marks)</p>			
Q12	<p>The Law of the Land i.e. Indian Constitution has recognized the secularism and freedom of religion for professing, practicing and propagating the religion. Freedom of religion is also subject to public order, morality, health and Part III of Indian Constitution. Many practices which are not the essential or integral part of the religions can be regulated by the State. Recently in Shayara Bano case Supreme Court has stated that triple talaq, oral divorce practice in Muslims is constitutionally not valid. In further judgment of Justice K.S. Puttaswamy (Retd.) vs. Union of India Supreme Court of India has also emphatically stated that privacy is a part of Art 21 but can be regulated based on the provisions stated in the Part III of Indian Constitution.</p> <p>In the above facts and background solve the following questions:</p> <ol style="list-style-type: none"> 1. Whether biometric information and personal data collection through Aadhar card come within the purview of right to privacy? Can citizens deny linking Aadhar Card with their bank account, SIM cards and other services? Whether right to privacy recognized by the Supreme Court under Article 21 is absolute right without any limitation? 2. Whether the religious customary practices like sabrimala practices and triple talaq are covered under the freedom of religion guaranteed in Indian Constitution? 	25	CO4

	Discuss based on the suitable cases and provisions of Indian Constitution.		
Q 13	<p>Discuss the Constitutional validity of government action in the following two issues:</p> <p>(a) Government of State F places a ban on television channels broadcasting news scenes and stories of communal riots in the state. ‘C’ challenges the ban on the ground that it violates his right to information. Decide.</p> <p>(b) Government of state G imposes a limit of 10 pages on all newspapers published in the state in order to conserve newsprint and reduce the number of trees cut down to make newsprint. A newspaper company challenges this order of the government for violating their rights under Articles 19(1)(a) and 19(1)(g). Decide.</p>	25	CO4