

**FIRST SEMESTER LL.B. (3 YEAR) AND FIFTH SEMESTER LL.B. (5 YEAR)
DEGREE EXAMINATION, MARCH 2016**

CONSTITUTIONAL LAW—I

(Regular/Supplementary)

Time : Three Hours

Maximum : 80 Marks

Part A

*Answer any five questions.
Each question carries 4 marks.*

1. (a) Discuss the nature, object and importance of the Preamble of the Constitution. What is its place in the interpretation of the constitution ?
- (b) Examine the constitutional provisions regarding the acquisition of citizenship and discuss the importance of the citizenship Act, 1955.
- (c) Discuss the meaning of Article 12 of the constitution and its scope in understanding the Fundamental Rights.
- (d) Discuss the scope of Article 21 of the constitution in regulating protection of life and personal liberty.
- (e) Discuss the right of constitutional remedies regulated by Articles 32 and 226, examining the ambit of the writ jurisdiction of the Supreme Court and the High Court.
- (f) What is the power of Parliament to legislate on the subjects allowed in the State List ? Examine the implications of the Doctrine of Colourable Legislation and the Pith and Substance Rule.

(5 × 4 = 20 marks)

Part B

*Answer any three problems.
Each problem carries 10 marks.*

2. (a) The accused a boy of 16 years, was found guilty of committing house trespass and attempting to outrage the modesty of a girl of 7 years. The trial court punished him with rigorous imprisonment for six months. The accused appealed to the sessions court and then in revision approached the High Court which the High Court had dismissed. The probation of Offender's Act 1958 came into force only after the trial court has punished the accused the probation of Offender's Act was a reformatory legislation in Penology which provided that a person below 21 years of age should not be sentenced to imprisonment. After the High Court dismissed the revision, the accused in a petition urged the High Court to apply the Probation of offender's Act in his case which the High Court refused. The accused approached the Supreme Court through special leave. The question for determination was whether an appellate court could invoke the beneficial provisions of the Act in respect of an accused who was convicted by the trial court before the Act had come into force. Discuss, examining the scope of the application of expost facto laws, and decide whether the accused could get the benefit of the Act.

Turn over

- (b) The Daily Newspapers (Price and Page) order 1960, which fixed the number of pages and size which a newspaper could publish at a price was challenged by the petitioners on the ground that it infringed the liberty of the press implicit in Article 19 (1) (a). The petitioners contended that the adoption of the order would mean either the reduction of the existing number of pages or raising the price. In either case, there would be reduction of the volume or circulation of the paper and therefore direct violation of liberty of the press. Decide.
- (c) The respondents were arrested on a complaint of criminal trespass. The arrest was effected under the provisions of the code of criminal procedure. But the trial was not held in the ordinary court. It was held in the special court functioning under the State Panchayat Act which provided that no lawyer could plead a case before the court. The respondents were punished. The appealed against the conviction on the ground that it violated their rights under Article 22 (1) of Constitution. Decide.
- (d) A question that came up for consideration before the Supreme Court was whether a judicial order passed by a single judge of the High Court prohibiting the publication of the evidence of witness in a newspaper violated the fundamental rights under Article 19 (1) (a) of the petitioners who were strangers to the proceedings. Examine the nature of the issue before the court and decide.

(3 × 10 = 30 marks)

Part C

*Answer any two questions.
Each question carries 15 marks.*

3. (a) "Equality before the law means that among equals the law should be equal and should be equally administered and that like should be treated alike. Hence, what it forbids is discrimination between persons who are substantially in similar circumstances or conditions...The rule rather is that like should be treated alike and that unlike should be treated differently." Comment, examining the scope and implications of the expression "Equality" under Article 14 of the Constitution.
- (b) "Clauses (1) and (2) of Article 22 confer four rights upon a person who has been arrested." Discuss, explaining the four rights.
- (c) Discuss, explaining the nature, scope, classification, importance and enforceability of the Directive Principles of State Policy and their relation with the Fundamental Rights.

(2 × 15 = 30 marks)

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Reg. No.....

Name.....

B.A., LL.B. (HONOURS)/B.B.A., LL.B. (HONOURS)/B.Com., LL.B. (HONOURS)
DEGREE EXAMINATION, JULY 2019

First Semester

FL 2—CONSTITUTIONAL LAW—I

(2018 Admissions—Regular)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any five of the following.
Each question carries 3 marks.*

1. Explain the meaning of Constitution and discuss the different kinds of Constitution.
2. Discuss the nature and features of the Indian Constitution.
3. What is Election Commission ? Discuss the functions and the independence of the Election Commission.
4. Discuss the constitutional provisions regarding the amendment of the Constitution.
5. Discuss the need and explain the concept of the Independence of the Judiciary.
6. What are the different kinds of jurisdiction of the supreme court and the High Courts.

(5 × 3 = 15 marks)

Part B

*Answer any three questions.
Each question carries 10 marks.*

7. A question for consideration by the court was whether a member of the subordinate judiciary could be dismissed by the Governor, whose position is similar to that of the President, on his personal satisfaction. It was urged before the court, that it could be done only in accordance with the rules for the conduct of government business made with the aid and advice of the Council of Ministers and not arbitrarily on the personal satisfaction of the Governor. Decide.
8. The Representation of Peoples Act, 1951, disqualifies a person sentenced to imprisonment for not less than two years from being a candidate at an election. The appellant was sentenced to three years imprisonment but the Government remitted the punishment to that already undergone by him which came to sixteen months. The question for determination was whether the appellant was disqualified from being a candidate at the election. Decide.

Turn over

9. The appellant was a partner of a firm, who were auditors for two government companies. The appellant fought and won an election to the Lok Sabha which was challenged on the ground that the appellant was holding an office of profit under the government and was disqualified for being a member of parliament. It was found that his appointment was made by the government, his remuneration was fixed by the government and he was also removable or dismissible at the instance of government. Decide.
10. A question for consideration was whether parliamentary privileges extended to members of parliament and whether they enjoy any special status as compared to ordinary citizen in respect of valid orders of detention when arrested and detained on criminal charges or detained under the Preventive Detention Act. Decide.

(3 × 10 = 30 marks)

Part C

Answer any two questions.

Each question carries 15 marks.

11. Discuss the nature and characteristic features of the Parliamentary form of government vis-a-vis the Presidential system which was forgone by India in favour of the Parliamentary form of government.
12. Discuss the powers, privileges and immunities of the Houses and Members of the Legislatures.
13. Discuss the Centre State Relations, examining the legislative relations, administrative relations, residuary powers and judicially developed doctrines.

(2 × 15 = 30 marks)

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Reg. No.....

Name.....

**FIVE YEAR INTEGRATED B.A., LL.B. (HONOURS)/B.B.A., LL.B., (HONOURS)
B.Com., LL.B., (HONOURS) DEGREE EXAMINATION, MARCH 2022**

First Semester

FL 2—CONSTITUTIONAL LAW—I

(2020 Admissions—Regular)

Time : Three Hours

Maximum : 75 Marks

Part A

Answer any five of the following questions.

Each question carries 3 marks.

1. Examine the concept of basic structure doctrine.
2. Analyse the difference between Certiorari and Prohibition.
3. Analyse the concept of 'arbitrariness' under Art. 14 of Indian Constitution.
4. Discuss the relevance of secularism in our preamble.
5. Write a short note on Uniform Civil Code.
6. Discuss the relevance of Art 31 B and the concept of right to property.

(5 × 3 = 15 marks)

Part B

Answer any three of the following questions.

Each question carries 10 marks.

7. 'A', a journalist is detained in police custody, without filing a case against him, for writing a remarks about a political party. His wife approached the court for illegal detention. Will she succeed.
8. The state government exacted a new law providing 80 % reservation to those people living in hilly areas ; in public employment. This was challenged by some candidates. Will they succeed.
9. A, a road side vendor, was illegally prevented from carrying out his business by the state authorities without showing sufficient reason. He approached the court. Whether he will succeed.

Turn over

10. A film magazine published a half nude photo of a popular actress without getting her permission. She approached the court stating that her right to privacy is violated. Whether she will succeed.

(3 × 10 = 30 marks)

Part C

Answers any two of the following.

Each question carries 15 marks.

11. Analyse the role played by Indian judiciary in interpreting Art 14 of Indian Constitution.
12. Discuss the procedure followed by Indian Parliament in Amending the Indian Constitution ?
13. Discuss the basic features of the Indian Constitution.

(2 × 15 = 30 marks)

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Reg. No.....

Name.....

THREE YEAR LL.B. DEGREE (UNITARY) EXAMINATION, MARCH 2022

First Semester

UL 2—CONSTITUTIONAL LAW – I

(2020 Admissions—Regular/Prior to 2020 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any five following.
Each question carries 3 marks.*

1. Discuss the scope and significance of Preamble of Indian Constitution.
2. Write a note on Right to Education in India.
3. Explain the scope of Doctrine of Severability.
4. What do you mean by Writ of Prohibition ? Distinguish it with Writ of Certiorari.
5. Discuss the scope of Right against *Ex Post Facto* Laws.
6. Write a note on the Doctrine of Basic Structure.

(5 × 3 = 15 marks)

Part B

*Answer any three questions.
Each question carries 10 marks.*

7. Mr. B is an accused of a crime arrested by police. The investigation officer compelled him to undergo Narco Analysis test. Whether Mr. B can question this action based on any Constitutional provisions?
8. Government of Kerala introduced a legislation for the protection of LGBTQ Community and provided 1% reservation in government jobs for persons belongs to such community -Does this Act is unconstitutional?
9. Mr. G was sentenced to death by the trial court and said judgment was confirmed by Higher Courts in appeal also. However, due to some or other reasons his death sentence was not executed for a period of 10 years. Mr. G filed an application for quashing his death sentence -Decide on the basis of Constitutional jurisprudence in India
10. Mr. K published certain statements against a particular religion through a twitter post. On receiving a complaint, twitter suspended the account of Mr. K. Whether it amounts to a violation of any right of Mr. K.—Explain.

(3 × 10 = 30 marks)

Turn over

Part C

*Answer any **two** of the following questions.
Each question carries 15 marks.*

11. What do you mean by Constitution and explain in detail the silent features of Indian Constitution ?
12. Discuss in detail the various rights available to an accused as per the Constitution of India and its judicial interpretations.
13. Discuss the nature and scope of freedom of movement and freedom of Assembly guaranteed under the Indian Constitution.

(2 × 15 = 30 marks)

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(Pages : 2)

Reg. No.....

Name.....

**FIRST SEMESTER LL.B. (3-YEAR) AND FIFTH SEMESTER
LL.B. (5-YEAR) DEGREE EXAMINATION, MARCH 2020**

CONSTITUTIONAL LAW-I

(Three Year LL.B.—Regular/Supplementary)

(Five Year LL.B.—Supplementary/Mercy Chance)

Time : Three Hours

Maximum : 80 Marks

Part A

- I. Answer any *five* of the following questions. Each question carries 4 marks :
- (a) "Preamble is a key to open the minds of the makers of the Constitution". Discuss in light of decided cases.
 - (b) Explain the rule of double jeopardy.
 - (c) Write a short note on the secular character of Indian Constitution.
 - (d) Write a note on the doctrine of colourable legislation.
 - (e) Explain the power of the Parliament to legislate on subject matters contained in the State list.
 - (f) Analyse the doctrine of eclipse with the help of decided cases.

(5 × 4 = 20 marks)

Part B

- II. Answer any *three* of the following problems. Each problem carries 10 marks :
- (a) 'X', a film maker challenged the validity of censorship of films including pre-censorship as violative of Art-19 (1) (a) – Decide.
 - (b) 'X', a construction company employs labourers without paying minimum wages. 'Y' a public spirited organization moves the Supreme Court on the ground of forced labour. The company argues that there is no compulsion on labourers to continue in work – Decide.
 - (c) 'B', a student of School 'A' upholds the belief of Jehovah's witnesses. 'B' refused to sing the National Anthem in the school assembly. School authorities took disciplinary action against 'B'. 'B's parents challenges the action taken against 'B' as violative of Article 25 of the Constitution – Decide.
 - (d) 'X' challenges reservation of seats for women in an educational institution as discriminatory and violative of Art. 14. Decide.

(3 × 10 = 30 marks)

Turn over

Part C

III. Answer any *two* questions. Each question carries 15 marks :

- (a) "Without Article 32, the Constitution of India would be a nullity. It is the very soul of the Consitution and the very heart of it." Explain.
- (b) Explain the distribution of legislative power between the centre and the states under the Constitution of India.
- (c) Write an essay on the history, evolution and demise of Article 31 and its impact on right to property.

(2 × 15 = 30 marks)

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(Pages : 2)

Reg. No.....

Name.....

**FIVE YEAR INTEGRATED B.A. / B.B.A. / B.Com., LL.B., (HONOURS)
DEGREE EXAMINATION, JUNE 2022**

First Semester

FL 2—CONSITUTIONAL LAW—I

(2021 Admissions—Regular)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any **five** of the following questions.*

Each question carries 3 marks.

1. Doctrine of expost facto law.
2. Preamble.
3. Freedom to form association.
4. Fundamental duties.
5. Reasonable Classification.
6. Private body as agency of state.

(5 × 3 = 15 marks)

Part B

*Answer any **three** of the following questions.*

Each question carries 10 marks.

7. 'A' was prosecuted under Section 309 IPC for an attempt to commit suicide. He filed a petition before the Supreme Court against this action contending the right to life including the right to die. Decide.
8. An NGO working for the protection of labour rights of unorganised workers approached the High Court under Article 226 disclosing the miserable life of workers working for less than minimum wages and leading an unhuman life. Decide.
9. Dr. X, a Brahmin lady who is married to a person belonging to Scheduled Caste community claims reservation for scheduled caste. Decide.
10. A state enacted cattle protection laws prohibiting slaughter of cows and calves 'X', a proprietor of a slaughter house challenged this law as violative of Act 19 (1) (g). Decide.

(3 × 10 = 30 marks)

Turn over

Part C

*Answer any **two** of the following questions.*

Each question carries 15 marks.

11. Definition of state under Article 12 of the Indian Constitution with decided case laws.
12. Analyse in detail the balance between fundamental rights and social interest maintained in the Constitution of India.
13. Analyse the principle of equality of opportunity in matters of public appointment.

(2 × 15 = 30 marks)

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Reg. No.....

Name.....

UNITARY LL.B. (THREE YEAR) DEGREE EXAMINATION, OCTOBER 2022

First Semester

UL-2—CONSTITUTIONAL LAW-I

(2021 Admissions-Regular/2018-2020 Admissions-Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any five of the following questions.
Each question carries 3 marks.*

1. Explain the Preamble of Indian Constitution.
2. Explain the doctrine of reasonable classification.
3. What is the difference between Article 32 and Article 226 of Indian Constitution.
4. Write a note on public interest litigation.
5. What are the views of the Supreme Court with regard to provisions rights ?
6. What are the criteria for defining the body as state ?

(5 × 3 = 15 marks)

Part B

*Answer any three of the following questions.
Each question carries 10 marks.*

7. 'X' a person belonging to open category secures more marks than 'Y' a person belonging to backward class. But 'X' was denied admission to M.B.B.S. 'X' challenges 'Y' admission. Decide.
8. The Government of Kerala passes an order whereby a minority run educational institution was directed to constitute the governing body for the institution where its members are nominated by the Government of its choice. Is this order constitutionally valid ? Decide.
9. The State Government detained large number of persons under Narcotic Drugs Act for along period without trial. The under trial prisoners wants to challenge on the ground of violation of Article 21. Advice them.
10. The Governor-General of India promulgated the Sholapur spinning and weaving company ordinance, 1950 empowering the Central Government to take over the management and administration of the company, which was closed down due to disputes between the management and the employees. Discuss the constitutional validity of the Act under Article 14.

(3 × 10 = 30 marks)

Turn over

Part C

*Answer any two of the following questions.
Each question carries 15 marks.*

11. Critically examine the Indian Judiciary's attempt to recognize right to education as a fundamental right.
12. "Article 368 does not enable Parliament to alter the basic structure or framework of the Constitution". Explain the scope of amending power of the Parliament under the Indian Constitution.
13. "In matters of larger public interest the requirement of locus-standi was been liberally construed". Comment.

(2 × 15 = 30 marks)

F 2520



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Reg. No.....

Name.....

**B.A., LL.B. (HONOURS)/B.B.A., LL.B. (HONOURS)/B.Com. LL.B. (HONOURS)
DEGREE EXAMINATION, NOVEMBER 2022**

First Semester

FL 2—CONSTITUTIONAL LAW—I

(2018 and 2019 Admissions—Supplementary)

Time : Three Hours

Maximum Marks : 75

Part A

*Answer any five of the following questions.
Each question carries 3 marks.*

1. Arbitrary arrest and detention.
2. Double Jeopardy.
3. Doctrine of waiver.
4. Right against handcuffing.
5. Freedom of assembly.
6. Uniform Civil Code.

(5 × 3 = 15)

Part B

*Answer any three of the following questions.
Each question carries 10 marks.*

7. Mr. X runs an hazardous industry in a residential area, which resulted on the safety and health of the people living in that area. A registered association working for the protection of environment wants to approach the court. Advice.
8. Mr. Y is an undertrial prisoner and he is in jail for last 3 years and has no means to engage a lawyer for himself. What are the constitutional rights available for him ?
9. Ms. A sought information regarding the health condition of Mr. B from the hospital authorities on apprehension that her prospective spouse is suffering from AIDS and hospital authorities revealed the information. Discuss the liability of hospital authorities if any.
10. Mrs. X, an air hostess is being terminated from her Air India Service, because she became pregnant. Mrs. X challenged the termination on the ground that it violated Art. 14 and 21 of Indian Constitution. Discuss.

(3 × 10 = 30)

Turn over





F 2520

Part C

*Answer any two questions.
Each question carries 15 marks.*

11. Discuss difference between fundamental rights and directive principles of state policy.
12. Explain the due process clause Art. 21 of the Indian Constitution with relevant case laws.
13. Analysis the relevance of freedom of press under the Constitution of India.

(2 × 15 = 30)

