

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, DEC 2021

Course: CONSTITUTIONAL LAW-I

Program: BBA.LL.B(H),B.COM LL.B(H), BA LL.B(H),BTECH LL.B

Course Code: CLCC 2001

Instructions:

Semester: III

Time: 03 hrs.

Max. Marks: 100

S. No.	SECTION-A	Marks	CO
	1. Each Question will carry 2 Marks 2. Instruction: Write answers within 100 words		
Q1	Discuss the doctrine of severability.	2	CO1
Q2	Discuss whether the corporation is a Citizen under Indian Constitution and can it invoke fundamental rights	2	CO1
Q3	Whether Judiciary is a State for the purpose of Article 12. Discuss	2	CO1
Q4	Discuss the nature of the writ of 'Habeas Corpus'.	2	CO1
Q5	Mr. refuses to sing National Anthem, can he be compelled to sing it. Discuss	2	CO1
	SECTION-B		
	1. Each question will carry 5 marks 2. Instruction: Write short / brief notes		
Q6	A Legislative Classification to be valid must be reasonable. It must always rest upon some real and substantial distinction bearing reasonable and just relation to the needs or purpose in respect of which the classification is made. .Explain the important conditions required to be fulfilled to pass the test for permissible classification with the help of Landmark cases.	5	CO2
Q7	Examine the scope and ambit of Freedom of Speech and Expression provided in Art.19(1)(a) of the Constitution of India in context with the defamation	5	CO2
Q8	Examine the scope of Right to Education as a fundamental right. Discuss the judicial pronouncements	5	CO2
Q9	Dr. B.R. Ambedkar stated Article 32 as the heart and soul of the Indian Constitution. Comment by bringing out the importance and relevance of Article 32 of the Indian Constitution.	5	CO2
	SECTION-C		
	1. Each question will carry 10 marks 2. Instruction: Write short / brief notes		

Q 10	<p>A University was established and administered by a minority in a particular State. In India, University Grants Commission(U.G.C) regulates higher education and their Regulation requires that Vice Chancellor of the University should be an academician having minimum 10 years of experience as Professor. However, the minority University appointed a non-academician as its Vice-Chancellor. A petition was filed in the High Court challenging the appointment of non-academician. University contended that being a minority institute, they have a right to administer and they are not bound by UGC regulations.</p> <p>In the light of the above-mentioned problem, discuss the cultural and educational rights of the minorities' vis-à-vis power of the state to regulate the educational institutions. Refer to constitutional provisions and judicial pronouncements.</p>	10	CO3
Q11	<p>“It is said that the due process clause of American Legal System entered through back door in Indian Legal System by way of judicial creativity”.— In light of the above statement examine, how due process clause rejected in interpretation of Article 21 in A.K. Gopalan vs. State of Madras and was adopted later by Apex Court in Maneka Gandhi vs. Union of India ?</p>	10	CO3
	<p>SECTION-D</p> <p>1.Each Questions carries 25 Marks 2.Write Long Answers</p>		
Q12	<p>Mr. C was convicted for the offence of Acid Attack on 24 November 2021. At the time of commission of offence, the mandated penalty for acid attack was 10 years imprisonment. However, due to the increasing spate of acid attack in the country, an ordinance was introduced which changed the penalty to life imprisonment. The Court convicted Mr. C to the life imprisonment.</p> <p>(a)Decide the validity of C’s conviction under the new ordinance 5 Marks</p> <p>(b) Explain double jeopardy under article 20 with relevant case laws 10 Marks</p> <p>(c) Explain the principal of self-incrimination .Whether a person can refuse to give his handwriting samples and fingerprints on the ground that it is protected under Art 20(3). 10 Marks</p>	25	CO4

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Q13	<p>A law was made prohibiting sale, manufacturing and storage of liquor in a State; anyone found violating the law should be punished. This law was in news and in political discussions and it was challenged in the Supreme Court as being unconstitutional. The petitioner contended that this law violates the fundamental right to freedom of trade and profession, as provided by Article 19(1)(g), of the Constitution of India. The State defended the law and contended that it's a law made in furtherance of the Directive contained under Article 47. Therefore, it is constitutional. Refer to relevant constitutional provisions and explain the relation between fundamental rights and Directive Principles</p>	25	CO4