


Name:			
Enrolment No:			
UPES End Semester Examination, December 2023			
Course: Constitutional law I Semester: I Program: LLB (H) Course Code: CLCC1016		Time : 03 hrs. Max. Marks: 100	
Instructions:			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1.	Manish Bhatt is a producer of a film and has applied to the Censor Board for 'U' Certificate but has got 'A' certificate as per the Cinematograph Act. He challenges the Act for violation of his fundamental right. Defend the Board.	2 marks	CO2
Q 2.	Summarize the scope of Fundamental Duties under the Constitution.	2 marks	CO4
Q 3.	Define the Writ of Mandamus.	2 marks	CO2
Q 4.	Elucidate the safeguards available against arbitrary arrest and detention.	2 marks	CO3
Q 5.	Can the Fundamental Rights be waived?	2 marks	CO2
SECTION B (4Qx5M= 20 Marks)			
Q 6.	Write a short note on the Doctrine of Prospective Overruling with relevant case laws.	5 marks	CO2
Q 7.	An accused was compelled by the police authorities to accept that he committed an offence under a law. Does it amount to violation of his fundamental right? Decide.	5 marks	CO3

Q 8.	Explain the concept of Horizontal and vertical reservations with constitutional provisions and judgments.	5 marks	CO2
Q 9.	State the nature and scope of the rights of minorities to establish and administer educational institutions.	5 marks	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10.	Assess the constitutional validity of an order restricting the number of pages and the area devoted to advertisement in all the newspapers published in India with case laws.	10 marks	CO2
Q 11.	Describe the judicial creation of the golden trilogy of Article-14, 19 and 21 and how it serves as a test of power and entitlement for the 'state', Court, and the individual.	10 marks	CO3
SECTION-D (2Qx25M=50 Marks)			
Q 12.	Keshav lives in Kasturba Apartment managed by the city's Municipal corporation. The Apartment does not have a proper sewage system which often results in open flow of sewage wastes making it miserable for him to peacefully enjoy his stay in the house. The road which leads to his Apartment is not properly constructed, thereby causing further inconvenience to him, and has led to severe back pain to him. Considering the mentioned facts, advise Keshav of further course of action that he can take. Also, critically examine the meaning of right to life and personal liberty under Article-21.	25 marks	CO3
Q 13.	The residents of Narmada Apartment have complained about the high intensity and frequent noises from the ringing of Church bells during prayer meetings. The Church authorities have defended themselves by stating that the ringing of bells is necessary during prayers in their religion. Also, all secular activities which may be associated with religion but which do not relate or constitute an essential part of it may be amendable to state regulations but what constitutes the essential part of religion may be ascertained primarily from the doctrines of that religion itself.	25 marks	CO2

	Considering the facts mentioned herein and the paragraph mentioned, outline the extent and nature of freedom of conscience and right to freely profess, practice and propagate religion with the help of case laws.		
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