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UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, December 2017

Program: B. Tech.(CS+L) & B. Tech(ET+L)

Subject (Course): Constitutional Law 1

Course Code: LLBL 221

No. of page/s: 2

Semester: V

Max. Marks : 100

Duration : 3 Hrs

SECTION A: (10 Marks)

1. Uniform civil code is defined under which Article:.....
2. Equal justice & free Legal Aid under which Article:.....
3. Constitution of India does not talk about international peace and security. (True/False)
4. DPSPs are negative rights. (True/False)
5. Which article talks about free and compulsory education up to 14years:.....
6. Clause 4 to Art. 15 was added by which amendment:.....
7. Sovereign, Democratic & Republic were added by 41st amendment. (True/False)
8. Principle of Natural Justice is the essence of Art. 21. (True/False)
9. Curative petition is defined under Art. 142. (True/False)
10. Which article talks about prohibition of employment of children:.....

SECTION B: (20 Marks) (Attempt any 4)

1. Describe the nature of restrictions which can be imposed on the freedom of speech and expression.
2. Explain the doctrine of eclipse.
3. Explain the theory of *ex post facto* law.
4. Describe the constitutional provisions relating to “self-incrimination”
5. Explain the doctrine of “double jeopardy”.

SECTION C: (20 Marks) (Attempt any 2)

1. State X bans bursting fire-crackers between 10.00 p.m. and 6.00 a.m. on Diwali Night. Discuss the constitutional validity of the policy.
2. Examine the interrelation between Articles 14, 19 & 21 of the constitution. Explain with relevant case laws.
3. What are the constitutional safeguards against custodial violence and torture? Explain with relevant case laws.

SECTION D: (50 Marks)

1. A) A person is arrested on the suspicion of having committed theft and kept by the police in the lock up for three days.
B) A citizen is refused license for selling liquor on the ground of law and order problem.
Are the following actions valid? (10 Marks)

2. Elaborate on the constitutional validity of the following: (20 Marks)
 - a) A law that abolishes the hereditary rights of archakas (Priest) and that provides for the appointment of archakas irrespective of their caste or gender.
 - b) The extent to which freedom to profess, practice and propagate religion includes the freedom of religious conversion.
3. Answer the following citing relevant case laws: (20 Marks)
 - a) Government of state F places a ban on television channels broadcasting news scenes and stories of communal riots in the state. "Keshav" challenges the ban on the ground that it violates his right to information. Decide.
 - 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. "Gagan" who is the owner of Newspaper Company challenges this order of the government for violating their rights under Art. 19(1)(a) and 19(1)(g). Decide.

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SECTION A: (10 Marks)

11. Separation of judiciary from executive is defined under which Article:.....
12. Organization of village panchayats under which Article:.....
13. Constitution of India does not talk about international peace and security. (True/False)
14. Fundamental Rights are positive rights. (True/False)
15. Which article talks about fundamental duties:.....
16. Clause 4 to Art. 15 was added by which amendment:.....
17. Unity and integrity of the Nation was added by 41st amendment. (True/False)
18. Principle of Natural Justice is the essence of Art. 21. (True/False)
19. Curative petition is defined under Art. 135. (True/False)
20. Which article talks about prohibition of traffic in human beings and forced labor:
.....

SECTION B: (20 Marks) (Attempt any 4)

6. Explain the doctrine of eclipse.
7. Explain the theory of *ex post facto* law.
8. Explain the doctrine of “double jeopardy”.
9. Describe the constitutional provisions relating to “self-incrimination”
10. Describe the nature of restrictions which can be imposed on the freedom of speech and expression.

SECTION C: (20 Marks) (Attempt any 2)

4. “A law establishing procedure for curtailing personal liberty of a citizen must be in consonance with the rule of justice, fairness and reasonableness. Critically examine this view. What would be your answer if such a law also violates equality clause?
5. Explain the concept of “minority” under Article 30 of the constitution of India. What is the extent of right of minorities of administer their institutions?
6. What are the constitutional safeguards against custodial violence and torture? Explain with relevant case laws.

SECTION D: (50 Marks)

4. A) State X bans bursting fire-crackers between 10.00 p.m. and 6.00 a.m. on Diwali Night. Discuss the constitutional validity of the policy. (5 Marks)

B) A person is arrested on the suspicion of having committed theft and kept by the police in the lock up for three days. (5 Marks)

5. Elaborate on the constitutional validity of the following: (20 Marks)
- c) The extent to which freedom to profess, practice and propagate religion includes the freedom of religious conversion.
 - d) What protection is available to an arrested person? Can a detainee under preventive detention law claim same protection? Besides constitutional provisions, discuss relevant decided cases
6. Answer the following citing relevant case laws: (20 Marks)
- c) A law that abolishes the hereditary rights of archakas (Priest) and that provides for the appointment of archakas irrespective of their caste or gender.
 - d) 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. Gagan who is the owner of Newspaper Company challenges this order of the government for violating their rights under Art. 19(1) (a) and 19(1) (g). Decide.