

Name:			
Enrolment No:			
UPES End Semester Examination, December 2025 Course: Constitutional Law I Program: BA LLB (H)/BBA LLB (H) Course Code: CLCC 2001 Semester: III Time : 03 hrs. Max. Marks: 100			
Instructions:			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	What does Article 1 of the Indian Constitution declare about India’s political identity?	2	CO1
Q 2	Explain the meaning of the term “Right to Constitutional Remedies.”	2	CO1
Q 3	In which Part of the Constitution are the Directive Principles of State Policy included?	2	CO1
Q 4	State any one Fundamental Duty mentioned under Article 51A.	2	CO1
Q 5	Name any one Fundamental Right that is available only to citizens and not to foreigners.	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	A private university is created under a state statute and receives 95% government funding. A student challenges expulsion, claiming violation of Article 14 and argues the university is “State” under Article 12. Apply the Article 12 tests to determine whether the university qualifies as “State.”	5	CO2
Q 7	A state law grants free public transport only to women above 60 years of age. A 58-year-old disabled woman challenges the law as discriminatory. In light of the doctrine of reasonable classification under Article 14 determine whether the law is likely valid.	5	CO2
Q 8	A school established by speakers of a minority language prohibits admission of students who do not speak that language. Some parents challenge the rule as discriminatory. Apply Article 29(1) to determine whether the school’s restriction is legally permissible.	5	CO2
Q 9	A journalist claims her Article 19(1)(a) rights are violated by a state ban and directly approaches the Supreme Court under Article 32. The state argues she must approach the High Court first.	5	CO2

	Implement Article 32 to decide whether the Supreme Court must entertain her petition.		
SECTION-C (2Qx10M=20 Marks)			
Q 10	Examine the protections granted under Article 20 of the Indian Constitution against conviction for offences. Analyze how these protections are fundamentally linked to the right to life and personal liberty under Article 21.	10	CO3
Q 11	In interpreting Article 25, the Supreme Court has drawn a distinction between ‘religious faith and belief’ and ‘secular activities associated with religious practice.’ Critically examine this distinction. To what extent has the Essential Religious Practices (ERP) doctrine clarified or complicated the scope of protection under Article 25? Use relevant case law including Commissioner, H.R.E. v. Lakshmindra Swami (Shirur Mutt), Durgah Committee v. Syed Hussain Ali, Sabarimala Review, and Kantara Temple Entry Cases to support your analysis	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q 12	In 2026, Parliament enacts the National Harmony and Digital Accountability Act (NHDAA), 2026, to curb “online misinformation and threats to national unity.” Key provisions include: Section 3: Makes it an offence to spread digitally transmitted content that “undermines national harmony”, punishable by 10 years imprisonment. The phrase is undefined. Section 4: Applies the Act retrospectively from 2022, stating that “individuals who circulated harmful content online before the enactment of this law may be prosecuted.” Section 6: Authorises police to collect voice samples, facial recognition data, and passwords of digital devices from suspects without requiring judicial warrants. Section 8: Creates “Preventive Digital Detention Orders” (PDDO) allowing police to detain individuals for 180 days without trial, renewable indefinitely upon approval by the Home Department (not a court). Section 10: Provides that individuals acquitted in any proceeding under NHDAA may still be tried under State security laws, stating that such trials “shall not be barred by previous acquittal under Article 20(2).”	25	CO4

	Section 12: Permits censoring or suspending access to the Internet “as a measure of administrative policy,” without issuing public reasons. Police arrest Aditi Sharma, a journalist, alleging she shared a social media post in 2023 questioning certain governmental decisions relating to public health. Her home is searched without warrant; her devices are seized; she is compelled to unlock them and to provide biometric and voice samples. She is placed under preventive digital detention for 180 days, during which she has no access to legal counsel for the first 15 days and is interrogated daily. Aditi challenges the constitutionality of the NHDA, arguing against violations of Articles 20 and 21. 1. Evaluate whether compelling Aditi to provide passwords, biometric identification, and voice samples violates Article 20(3)’s guarantee against self-incrimination. Evaluate in light of State of Bombay v. Kathi Kalu Oghad, Selvi v. State of Karnataka, and Puttaswamy. (8 marks) 2. Assess whether the provisions authorising preventive digital detention without hearings, warrantless seizure, and extended interrogation violate Article 21. Consider Maneka Gandhi, Hussainara Khatoon, D.K. Basu, and Joginder Kumar v. State of U.P. (7 marks) 3. Section 12 allows internet shutdowns and digital censorship without procedural safeguards. Analyze whether restricting access to the Internet affects the right to dignity, livelihood, free speech and personal liberty under Article 21. Consider Anuradha Bhasin v. Union of India, Olga Tellis, and Puttaswamy. (10 marks)		
Q13.	The government of a Cheranad, coastal Indian state passes an order restricting the entry and residence of individuals from other states in certain districts, citing concerns over “local employment protection” and “preservation of cultural identity.” Simultaneously, a newly formed citizen group, ‘Voice for Unity,’ organizes peaceful rallies and online campaigns against the order, arguing that it violates the spirit of national integration and constitutional equality. Within weeks, the state administration bans the group under the grounds of “potential disturbance to public order” and restricts its social media activity, arresting its members under preventive detention laws. The parties aggrieved file a writ petition under Article 32 before the Supreme Court, challenging the constitutionality of the state’s actions. As a constitutional law expert, analyze the following issues: 1. Whether the restrictions imposed by the state on residence and employment violate the freedom of movement and residence guaranteed under Article 19(1)(d) and (e). (10 marks)	25	CO4

	2. Whether the ban on “Voice for Unity” and the arrest of its members infringe upon the right to freedom of speech and expression under Article 19(1)(a) and the right to form associations under Article 19(1)(c). (10 marks) 3. To what extent can the state justify its actions under the reasonable restrictions permitted by Article 19(2) to (6). (5 marks) Support your answer with relevant constitutional provisions, judicial precedents, and principles of constitutional governance in India.		
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