


Name:			
Enrolment No:			
UPES End Semester Examination, December 2024			
Course: Constitutional Law I			
Semester: III			
Program: B.A.LL.B./B.Com.LL.B/B.B.A.LL.B.			
Time : 03 hrs.			
Course Code: CLCC2001		Max.	
Marks: 100			
Instructions:			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Explain how Directive Principles of State Policy and Fundamental Rights differ in their legal enforceability and purpose within the Indian Constitution.	2	CO2
Q.2.	What is the doctrine of eclipse as entailed under Article 13.	2	CO1
Q.3.	Define citizenship as per Article 5 of the Indian Constitution. Who qualified as a citizen of India at the commencement of the Constitution?	2	CO1
Q.4.	Differentiate between the concepts Equality before Law and Equal Protection of Law.	2	CO2
Q.5.	What is the difference between federalism and cooperative federalism?	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q .6.	Discuss the 'Doctrine of Reasonable Classification' under Article 14. What are the tests to determine reasonable classification?	5	CO3
Q.7.	Comment on the constitutional safeguards under Article 19(1)(g) for freedom of trade and occupation? Are there any restrictions on this right?	5	CO2
Q.8.	Explain the types of writs available under Article 32. How do these writs ensure the enforcement of fundamental rights?	5	CO2
Q.9.	Explain the doctrine of judicial review and its significance in the context of Indian constitutional law.	5	CO2
SECTION-C (2Qx10M=20 Marks)			

Q 10	Analyse how Article 20 of the Indian Constitution complements the Fundamental Rights, particularly the right to personal liberty. Rely on judgments of the Supreme Court while examining the principles contained in Article 20.	10	CO3
Q.11.	Analyse the relationship between the freedom to practice one's religion and the state's power to regulate religious activities for public order, health, and morality. How does this balance impact individual religious freedoms and the collective societal interest in a secular state?	10	CO3
SECTION-D (2Qx25M=50 Marks)			
Q 12	<p>In the wake of rising social and political unrest, the government of State X has introduced a new law granting expanded powers to law enforcement agencies. This law permits detention of individuals suspected of involvement in protests, without presenting formal charges, for a period extending up to 180 days. Under this provision, several individuals, including a well-known social activist, Maya, have been detained. Maya's family files a petition in the High Court, seeking a writ of <i>habeas corpus</i> for her release, claiming that her detention is arbitrary, unconstitutional, and a violation of her right to personal liberty under Article 21 of the Constitution.</p> <p>In response, the government argues that the law is essential to maintain public order and national security, and that procedural due process has been followed in Maya's detention. They argue that <i>habeas corpus</i> is not applicable, as the detention is sanctioned under the newly enacted law.</p> <p>Discuss:</p> <ol style="list-style-type: none"> 1. The legal grounds on which Maya's family could argue that the writ of <i>habeas corpus</i> should be granted, referencing relevant constitutional provisions, case laws, and principles of judicial review. 2. The government's potential arguments for limiting the applicability of <i>habeas corpus</i> under the given circumstances, including any permissible restrictions on the right to personal liberty. 3. The role of the judiciary in balancing individual rights against the interests of national security, particularly in cases involving preventive detention laws. 	25	CO3

Q 13	<p>A significant number of individuals in rural India, particularly women and children, face severe health issues due to lack of access to clean drinking water. This issue leads to various health problems, including waterborne diseases, malnutrition, and increased mortality rates. Keshav, a native of Pichhri village, is experiencing health problems caused by the contaminated drinking water supplied by the municipal corporation.</p> <p>Discuss</p> <ol style="list-style-type: none"> 1. How can the concept of the "Right to Life" under Article 21 of the Indian Constitution be used to address this issue and ensure that the government takes steps to provide clean drinking water to all citizens? 2. How far does the right to life and personal liberty under Article 21 of the Indian Constitution extend to impose a positive obligation on the state to create conditions that enable even the most vulnerable citizens to exercise these rights? 	25	CO3
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