

Con. 5595-11.

Constitutional Law - Nov. 2011

FR-1009

(3 Hours)

[ Total Marks : 100

**Q. I. Answer in short. (Not more than two sentences)****20 Marks**

1. State any two shortcomings of the Government of India Act, 1919.
2. State any two functions of Attorney general of India.
3. What is a 'Court of record'?
4. Can a private party file an appeal under article 136 of the Constitution?
5. State the grounds to apply for writ of Quo-warranto.
6. How is each State divided for Territorial constituency for the Loksabha elections?
7. How many languages under article 344 (1) and article 351 are constitutionally recognised in India?
8. State the difference between the mode of election for the President of India and the President of United States of America.
9. What is amendment by ratification by States?
10. Under what circumstances does an assembly become unlawful?

**Q. II. Write short notes. (Any Four)****20 Marks**

1. Secularism in India.
2. Advisory jurisdiction of the Supreme Court.
3. Inter-State Council.
4. Objectives of Gram Panchayat.
5. Joint session of Houses.
6. Effects of National Emergency.

**Q. III. Solve (Any Two)****12 Marks**

1. A notification was issued by the State of Maharashtra under Section 7 (iv) of the Prevention of Food and Adulteration Act prohibiting manufacture, sale, storage and distribution of Pan Masala and Gutkha for a period of five years on the ground that these products were injurious to health. The manufacturers had been issued licence to manufacture the banned products by the Central Government.
  - (i) Explain whether the State of Maharashtra has the power to issue the above mentioned notification?
  - (ii) On what grounds can the manufactures challenge the notification of State of Maharashtra? Explain with the Constitutional provisions.
2. Karuna met with an accident. She had severe brain injury as a result of which she lapsed in a state of coma. As she is in coma, she cannot walk, talk, move or speak. Karuna is in this state for last 38 years of her life. Her friend filed a writ petition in the Supreme Court of India to allow her to die a dignified death instead of keeping her alive in a mere animal existence.
  - (i) Is right to die with dignity guaranteed under the Indian Constitution? Explain with legal provisions.
  - (ii) Is right to die with dignity available in any other countries? State the opinion of the Indian Supreme Court on death with dignity in case of terminally ill patients.

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3. In the State of Punjab, the University issued a circular stating that only Punjabi would be the sole medium of instruction in all the institutions affiliated to the University. This circular of the University was challenged by the minority institutions.

(i) Can the minority institutions challenge the circular of the university? Explain with legal provisions.

(ii) Do the minority institutions have the right to have a choice of medium of instructions?

**Q. IV. Answer the following. (Any Four)**

**48 Marks**

1. Discuss the drawbacks of parliamentary form of government of India.
2. What is impeachment of President? Explain the President's powers in India.
3. Explain the protection in respect of conviction for offences provided under article 20 of the Constitution.
4. Has the Protection of Civil Rights Act, 1955, achieved its object in India?
5. Discuss the provisions incorporated in the Constitution for the welfare and progress of children in India.
6. What is freedom of speech and expression? State the reasonable restrictions and explain with the relevant case laws.