

PAPER-III

Total Marks: 100

Time: 2 hours

SECTION-I
JURISPRUDENCE AND LEGAL THEORY [20 Marks]

Answer any two of the following questions: [2 X 10 Marks]

1. Explain in brief any one of the following legal theories –
 - (i) American Legal Realism
 - (ii) Analytical Legal Positivism
 - (iii) Sociological Theory
2. Explain the essential characteristics of legal rights? Are rights and duties always correlated? Discuss.
3. Discuss the doctrines of stare decisis, ratio decidendi and obiter dicta.
4. What is legal personality? Discuss the legal personality of:
 - (i) An unborn person
 - (ii) An idol
 - (iii) Animals

SECTION-II
CONSTITUTION OF INDIA [40 Marks]

Answer any two of the following questions: [2 X 10 Marks]

5. What are the provisions in the Constitution of India in relation to inconsistency between the laws made by Parliament and laws made by State Legislatures?
6. "Right to life under Article 21 of the Constitution does not imply mere animal existence but right to live with human dignity." Elucidate with the help of important Supreme Court decisions.
7. Discuss the various Emergency provisions under the Constitution of India.
8. Discuss the powers of the Parliament to amend the Constitution. Are there any limitations on the amending powers? Discuss.

9. Answer the following questions:

[20 Marks]

[20 X 1 Mark]

9.1 The Constitution of India empowers the Supreme Court of India to adjudicate disputes between the Centre and the States through:

- (a) Appellate Jurisdiction
- (b) Original Jurisdiction
- (c) Advisory Jurisdiction
- (d) Writ Jurisdiction

9.2 Which of the following Schedules of the Constitution of India has to be amended to provide for the formation of a new State?

- (a) First Schedule
- (b) Sixth Schedule
- (c) Seventh Schedule
- (d) Tenth Schedule

9.3 Article 20 of the Indian Constitution provides for protection in respect of conviction for offences. The safeguard which is not provided to the persons accused of crime under Article 20 is :

- (a) Ex-Post facto law
- (b) Double jeopardy
- (c) Prohibition against self-incrimination
- (d) Production before Magistrate within 24 hours of arrest

9.4 Article 123 of the Indian Constitution provides for:

- (a) The Ordinance Making power of the President
- (b) Advisory Jurisdiction of the Supreme Court
- (c) Special Status of Jammu and Kashmir
- (d) An Election Commission to hold free and fair elections in the country.

9.5 Which one of the following is not a constitutional body?

- (a) Election Commission
- (b) Union Public Service Commission
- (c) NITI Aayog
- (d) Finance Commission

- 9.6 Legislature of the Union which is called 'Parliament' consists of?
- Lok Sabha
 - Rajya Sabha
 - Lok Sabha and Rajya Sabha
 - President, Lok Sabha and Rajya Sabha
- 9.7 The Higher court issued a writ to a lower court preventing it from exceeding its jurisdiction. This is referred to as _____?
- Mandamus
 - Certiorari
 - Prohibition
 - Quo Warranto
- 9.8 The Sixth Schedule of the Indian Constitution deals with the administration and control of Scheduled Areas and Scheduled Tribes in the four states of
- Manipur, Mizoram, Tripura and Nagaland
 - Assam, Meghalaya, Tripura and Mizoram
 - Assam, Meghalaya, Arunachal Pradesh and Nagaland
 - Assam, Meghalaya, Mizoram and Nagaland
- 9.9 Which Article is related with "Abolition of Untouchability"?
- Article 20
 - Article 19
 - Article 18
 - Article 17
- 9.10 The Tenth Schedule to the Constitution pertains to:
- Anti-defection law
 - Concurrent List
 - Administration of Scheduled Areas
 - None of the above
- 9.11 Which one among the following is not included in the Fundamental Rights embodied in the Constitution of India?
- Right to Equality
 - Right to Freedom
 - Right against Exploitation
 - Right to Information

- 9.12 Which of the following liberties is sought to be secured to the citizens of India in the Preamble?
- (a) thought, expression, belief, faith and worship
 - (b) thought, expression, belief and faith
 - (c) expression, belief, faith and worship
 - (d) thought, expression, faith and worship
- 9.13 Which article of the Indian Constitution includes the Fundamental Duties of the Indian citizens?
- (a) Article 50A
 - (b) Article 50B
 - (c) Article 51A
 - (d) Article 51B
- 9.14 The Wednesbury Principle is referable to
- (a) Banking Law
 - (b) Property Law
 - (c) Administrative Law
 - (d) Criminal Law
- 9.15 Which Article of the Constitution deals with the Financial Emergency?
- (a) Article 335
 - (b) Article 360
 - (c) Article 352
 - (d) Article 280
- 9.16 The Government of India established the NITI Aayog to replace?
- (a) Finance Commission
 - (b) Planning Commission
 - (c) Law Commission of India
 - (d) National Human Rights Commission
- 9.17 Choose the incorrect combination
- (a) Keshavananda Bharati – Doctrine of Basic Structure
 - (b) M.C. Mehta – Right to Clean Environment
 - (c) Sunil Batra – Right to Education
 - (d) Rudul Sah – Right to monetary compensation
- 9.18 Choose the incorrect combination
- (a) Article 352 – Power to amend the Constitution
 - (b) Article 360 – Financial emergency
 - (c) Article 356 – Breakdown of constitutional machinery in a State
 - (d) Article 254 – Repugnancy between Central and State law

- 9.19 Freedom of speech and expression is subject to reasonable restrictions on the ground of
- (a) Sovereignty and integrity of the country
 - (b) Friendly relations with foreign countries
 - (c) Contempt of court
 - (d) All of the above.
- 9.20 Anti Defection law is applicable to
- (a) Members of Garo Hills Autonomous District Council
 - (b) Members of Khasi Hills Autonomous District Council
 - (c) Members of Jaintia Hills Autonomous District Council
 - (d) None of the above.

SECTION-III
JUDGMENT WRITING [40 Marks]

10. Write a judgment on the basis of material available in the enclosed paperbook.
- [40 Marks]