

8(LL.B)H

5 Yr. B.A.LL.B(H)4th Sem/402/25

2025

LAW

Constitutional Law-I

Paper : 402

Full Marks : 80

Time : 3 Hours

The figures in the right-hand margin indicate full marks.

Candidates are required to give answers in their own words as far as practicable.

Answer Question No. 1 and any five from the rest.

1. Answer any **ten** questions: 2×10=20
- a) How did the Indian Councils Act, 1861 introduce the concept of legislative councils in British India?
 - b) What is the meaning of dyarchy as introduced in the 1919 Act, and which subjects fell under its scope?
 - c) What is meant by saying that the Indian Constitution is a living document?
 - d) Does the Preamble have any enforceable legal value in the courts of law?
 - e) What is meant by freedom of conscience under Article 25?

[Turn Over]

- f) Is Parliament bound by the opinion of the State Legislature under Article 3?
 - g) How does the creation of new states affect federal balance in India?
 - h) What is the primary purpose of Article 12 in the context of Fundamental Rights?
 - i) Does Article 13 make a distinction between substantive law and procedural law?
 - j) Is Article 17 self-executory, or does it require legislation for enforcement?
 - k) What is the difference between due process and procedure established by law?
 - l) Can preventive detention be justified under Article 21?
2. What safeguards exist, if any, for ethnic and linguistic minorities during state reorganisation? 12
3. What is the procedure for naturalisation as a mode of acquiring Indian citizenship? 12
4. What was the role of the judiciary in the Sarbananda Sonowal v. Union of India (2005) case on illegal migration? 12
5. What were the key features of the Government of India Act, 1935, and how did it propose an All-India Federation? 8+4=12

6. How has the Court linked Article 14, 19, and 21 in the "golden triangle" doctrine? 12
 7. Can manual scavenging and caste-based occupations be challenged under Article 17? Write your answer with the help of decided cases. 12
 8. Discuss how judicial activism has contributed to the implementation of socio-economic rights envisaged under the Directive Principles of State Policy. Write your answer with reference to landmark judgments. 12
 9. Is the power of the Supreme Court under Article 32 subject to any limitations? Discuss with reference to the principle of judicial self-restraint, and whether Article 32 can be invoked for matters outside fundamental rights. 5+7=12
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