



‘समानो मन्त्रः समितिः समानी’

**UNIVERSITY OF NORTH BENGAL**

LL.M. 1st Semester Non-Specialisation Examination, 2023

**CONSTITUTIONAL LAW**

**CORE: LLM0CCT0103N**

Time Allotted: 4 Hours

Full Marks: 100

*The questions are of equal value.  
The figures in the margin indicate full marks.*

**Answer any four questions from the following**

1. “The Spirit or the ideology behind the Constitution is sufficiently crystallized in the Preamble.” In this light discuss in detail the contents of the Preamble with suitable cases. Whether Preamble is a part of the Constitution? Support your answer with suitable cases. 25
2. Article 14 provides ‘equality before law’ and ‘equal protection of law’. Discuss in detail whether there is difference between these two. Support your answer with suitable cases. Is there any exception to the Rule of equality? 25
3. ‘Freedom of Speech and expression has been held to be basic and indivisible for a democratic polity, the citizen’s most cherished and sacred right.’ In this light discuss this fundamental right with suitable cases with special reference to freedom of Press. 25
4. Write an explanatory and analytical note on Reservation Policy in India. Specifically mention about the guidelines of the Supreme Court regarding the ‘Creamy Layer’ criteria. 17+8
5. There are a number of tests formulated by the Supreme Court to identify whether an institute is a ‘state’. Further several judicial decisions have given a wide scope to the expression “Other authorities” in Article 12 of the constitution. — Elucidate the above in terms of important judicial decisions of the Supreme Court of India. 25
6. ‘The relationship between the Directive Principles and Fundamental rights is a questionable matter and prompt certain difficult situation to decide the validity of laws and rules’ — In this light comment on the validity of a law enacted to enforce a Directive Principle of State Policy, but on the other hand infringes a Fundamental Right. Explain the answer specifically mentioning about Basic Structure doctrine and relevant case laws. 25
7. “Right to life is not limited to mere animal existence, rather it claims that a person has all the opportunities to live with dignity” — Elucidate the nature and scope of Article 21 of the Indian Constitution, highlighting the landmark judgements of the Supreme Court. 25
8. Write notes on any *two* of the following:  $12\frac{1}{2} \times 2 = 25$ 
  - (a) Citizenship by Migration
  - (b) Right to clean Environment
  - (c) Constitutional Validity of Triple Talaq.

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