



Bar Council of India 20th Qualifying Examination for Indian Nationals Holding Foreign Law Degrees

Paper-1-Constitutional Law

(Date: 03.06.2024)

PART - A

Answer any 5 of the following:

(5 x 5 = 25)

1. What is Preamble? Is it a Part of the Constitution? Can it be used for interpretation of the Constitution? Explain.
2. Elucidate the cultural and educational rights as guaranteed to linguistic and religious minorities under the Constitution of India.
3. Explain the causes of Inter-State Water Disputes in India and also state the reasons for delay in resolving river water disputes.
4. Under what circumstances can the Parliament make laws on matters contained in the State List of the Seventh Schedule? How long such laws can continue to be in force? Explain.
5. "All citizens shall have the right to practice any profession or to carry on any occupation, trade or business". Comment.
6. Explain original jurisdiction of the supreme court of India.

PART - B

Answer any 3 of the following:

(3 x 15 = 45)

7. The Air India Regulations provide the conditions of retirement of an Air hostess from the service of Air India either upon attaining the age of 35 years or on marriage if it takes place within four years of service or on first pregnancy whichever occurred earlier. Mrs. "X" an air hostess challenges this in the Supreme Court. Decide with the help of relevant provisions and case law.
8. Does the right to clean environment entail legal regulations on burning crackers during Diwali? Discuss in the light of Article 21 of the Indian Constitution and Judgement(s) of the Supreme Court of India in this regard.
9. The Governor of a state dissolved the state assembly on the advice of the then Chief Minister retaining him as the Chief Minister till fresh election was held. The Governor acted without consulting the centre. The Central Government did not approve Governor's action and imposed President's rule. The justifiability of President's rule is challenged. Decide.
10. Discuss the conditions for proclamation of national emergency and its effect with the help of relevant provisions and case law.

PART - C

Answer any 1 of the following:

(1 x 30 = 30)

11. "The fundamental right to freedom of speech and expression has in recent times seen expanding horizons." Discuss and point out the judicial approach in this regard. Also explain 'Freedom of Press' in this new scientific era.
12. Examine the scope of protection offered to persons belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes under Articles 15 and 16 of the Constitution of India with the help of decided cases.