West Bengal Judicial Service (Mains) 2018

The Indian Constitution and Constitutional Law · optional paper

Time: 3 hours · Full marks: 100

Group A: answer any two of the following questions

1. Explain the concept of equal opportunity and elaborate the doctrine of "protective discrimination" with special reference to Articles 15 and 16 of the Constitution of India. (20)

2. "The judicial review of a proclamation under Article 356 of the Constitution of India would lie on any of the grounds upon which any executive determination which is founded on subjective satisfaction can be questioned." - D. D. Basu. In the light of the above statement discuss the scope and ambit of the power of judicial review under Article 356 of the Constitution. (20)

3. Write a critical note on the right to freedom of religion under Articles 25 to 28 of the Constitution of India. (20)

Group B: answer all the questions

4. (a) Discuss the concept of "minorities" under the Constitution of India.
(b) What rights of minorities have been recognised under Article 30 of the Constitution of India? Citing judicial decisions, discuss the nature and ambit of minorities' rights. (5+10)

5. (a) Discuss the President's election procedure.
(b) Discuss the powers and functions of the President. (5+10)

6. Discuss the circumstances under which various types of writs can be issued under Article 226 of the Constitution of India. (15)

7. Write notes on any three of the following:
(a) Secularism;
(b) Utility of the preamble to the Constitution of India;
(c) Right to property;
(d) Government liability in tort under Article 300 of the Constitution. (5×3)