

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

Course: Constitutional Law-I
Semester- III (Batch: 2021-26)

End Semester Examination: November 2022

Date: 02nd Nov, 2022

Duration: 3 hours

Max. Marks: 50

Instructions:

- Read the questions properly and write the answers in the given answer book.
- Do not write anything on the question paper.
- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.
- Word Limit: 10 Marks:700-800 words, 5 Marks: 350-400 words, 2.5 Marks: 200-250 words.

	(Answer Any Five)	Marks
Q.1	Explain, with the help of Constitutional provisions and Supreme Court judgments, the power of the Government of India to acquire foreign territory and its process thereof.	(10)
Q.2	“PK Biswas formally overruled <i>Sabbajit Tewary</i> , but more importantly, further narrowed the ‘agency or instrumentality test’”. Explain.	(10)
Q.3	“Wherever therefore there is arbitrariness in State action whether it be of the legislature or of the executive or of an ‘authority’ under Article 12, Article 14 immediately springs into action and strikes down such State action. In fact, the concept of reasonableness and non- arbitrariness pervades the entire Constitutional scheme and is a golden thread which runs through the whole of the fabric of the Constitution.” In view of the above statement, discuss critically the evaluation and the scope of both the doctrines.	(10)
Q.4	“The Supreme Court of India has been sceptical about reservation in promotion since the State began making promotion policies in employment”. Do you agree with this statement? Answer your question with the help of Constitutional provisions and Supreme Court judgments.	(10)
Q.5	What do you understand by the expression “minority” used in Article 30 of the Indian Constitution? To what extent State can make special provisions with regard to admission to educational institutions in minority and non-minorities educational institutions.	
Q.6	Write short notes on the following (ANY TWO) : a) Doctrine of Eclipse b) The Constitution (One Hundred and Second Amendment) Act, 2018 c) Freedom of Press	(10)
Q.7	Explain the following: a) All retrospective laws are <i>ex post facto</i> but all <i>ex post facto</i> laws are not retrospective in nature.	(2.5+2.5+5)=10

- b) Ambit of Article 20(2) is narrower than English or the American rule against *Double Jeopardy*.
- c) Constitutional validity of Narco-analysis and Polygraph test.
