



Bar Council of India
19th Qualifying Examination for Indian
Nationals Holding Foreign law Degrees

Paper-1-Constitutional Law

PART - A

Answer any 5 of the following:

(5 x 5 = 25)

1. Briefly discuss the ratio of *Kesavananda Bharati v. State of Kerala* AIR 1973 SC 1461.
2. Describe the circumstances under which a national emergency can be declared in India according to the Constitution. What constitutional rights are suspended or altered during such emergencies?
3. What do you understand by 'legislative competence'? Which provisions of the Constitution deal with legislative competence.
4. Discuss the significance of Directive Principles of State Policy in the Indian Constitution. How are they different from Fundamental Rights, and what role do they play in governance?
5. How many writs are recognised under the constitution of India, and under which provision, name the writs and summarize them.
6. What are the restrictions placed by the Indian Constitution on the right to freedom of religion?

PART - B

Answer any 3 of the following:

(3x 15 = 45)

7. Outline the procedure for amending the Constitution of India. Discuss any significant limitations or safeguards in place to prevent arbitrary or hasty changes to the Constitution.
8. Discuss the federal structure of the Indian Constitution. Provide an overview of the distribution of powers between the Union and the States. Evaluate the challenges and dynamics of center-state relations in India, citing specific examples and constitutional provisions. Critically assess the effectiveness of the current federal structure in addressing regional aspirations and promoting unity.



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9. Discuss the concept of judicial review in the context of the Indian Constitution. Analyze the role of the judiciary in interpreting the Constitution, with a focus on landmark cases where the judiciary has played a crucial role in shaping constitutional principles. Additionally, examine the challenges and advantages of a judiciary-centric approach to constitutional interpretation in India.
10. How has the concept of 'procedure established by law' in the Indian constitution undergone transformations? Discuss.

PART - C

Answer any 1 of the following:

(1 x 30 = 30)

11. (a) Discuss the fundamental rights guaranteed under Part III of the Indian Constitution. Explain the scope and limitations of any five fundamental rights with relevant case examples. (15 marks)
- (b) Discuss the role and independence and reforms brought in by the Election Commission of India. (15 marks)

Or

12. (a) Explain the composition and powers of the Executive under the Indian Constitution. Analyze two key Supreme Court judgments related to the powers of the Executive. (15 marks)
- (b) Analyze the significance of the fundamental rights in realizing the goals of the Preamble of the Indian Constitution. (15 marks)
