

Main Examination (2012)
for Direct Recruitment to Grade-I of Assam Judicial Service

Total Marks : 100
Time : 3(Three) hours.

PAPER – III

CONSTITUTIONAL LAW

Answer any 6(six) questions. (5 x 6 = 30 marks)

1. 'The right to life means not merely right to live, but right to live with all limbs and faculties through which life is enjoyed and lived and without which life has no meaning'.
Explain with reference to the Apex Court's pronouncements.
2. Why Article 32 of the Constitution of India has been said to be the 'cornerstone of the democratic edifice'?
3. Write short note. (Any two)
(a) Why **Keshvananda Bharti v. State of Kerala** is celebrated for?
(b) The doctrine of double jeopardy.
(c) The doctrine of prospective over-ruling.
(d) Advisory jurisdiction of the Supreme Court.
4. What are the rights of the arrested person?
Illustrate your answer with constitutional provisions.
5. What are circumstances in which a person can be deprived of his property under the Constitution of India?
6. Is the power of the Parliament to amend the Constitution unlimited?
Illustrate your answer with the decided case of the Supreme Court.
7. 'Constitutional amendment should not destroy Constitutional identity'.- Discuss in the light of **M. Nagaraj v. Union of India : (2006) 8 SCC 212**.
8. Is the Supreme Court bound by its own previous decisions? Explain with reference to the doctrine of Stare Decisis.

JURISPRUDENCE

Answer any 2(two) questions. (5 x 2 = 10 marks)

1. Distinguish between *Ratio Decidendi* and *Obiter Dicta*.
2. Write short notes. (Any two)
(a) Legal fiction.
(b) Equity.
(c) Concept of sovereignty.
3. Discuss distinction between supreme and subordinate legislations. What are the chief forms of subordinate legislation?

JUDGMENT WRITING

1. Write a judgment (Paper Book enclosed.) 60 marks.

