

**HIGH COURT OF KERALA  
JUDICIAL TEST (HIGHER) 2020  
PART-I, PAPER-II**

**CONSTITUTIONAL LAW**

Total Marks 100  
Time: 3 hrs

**PART A**

**Answer any SEVEN questions. Each carries 5 marks.**

[7x5=35]

1. Write a short note regarding election of Lok Sabha Speaker and his duties.
2. Right to get pollution free water and air.
3. Scope of Amendment of the Preamble
4. Deliver a short note on the concept of writ of mandamus in the Constitution of India?
5. Parliamentary form of Government
6. Secular State
7. How is the Rajya Sabha constituted?
8. Brief on the doctrine of Prospective overruling
9. Fundamental duties enshrined in the fabric of Constitution of India – give a short note.
10. Who can apply for a writ of certiorari? Mention the class of persons to whom the writ is not available?

**PART B**

**Answer any TWO questions. Give reasons. Each carries 10 marks.**

[2x10=20]

1. A writ petition was filed before the High Court which sought for a direction to stop the media from publishing the call for hartal and to direct the State to totally ban calling for hartal. The State has not passed any law imposing ban on hartal etc. Decide.
  - (a) Whether the court would be justified in banning call for hartal?
  - (b) Whether court can issue any direction restraining media from publishing/broadcasting information regarding call of hartal?
  - (c) Whether the Court can direct the State Government to take effective steps for finalization of cases registered during hartal/agitation

2. A Government servant was suspended from State Govt.service upon his conviction in a case. Against this his appeal is pending. As per the State Government Service Rules, only a nominal amount of Subsistence Allowance of ₹50/- per month was provided to the suspended Government servant. He approaches the lawyer for seeking relief. Do you think that the Provision can be challenged so as to get him a reasonable subsistence allowance under the provisions of the Constitution of India?
3. Mr.X, a member of the legislative assembly makes a statement in the floor of the assembly. The statement was objected to by some members of the House. The speaker rules, the statement to be removed from the record of proceedings of the House. Later, it is found that the statement made by the member in the floor of the assembly is per se false. Can Mr.X be prosecuted for making false statement, knowing the same to be false, in a Court of Law? Discuss.
4. Smt.Nargis was an employee of an Airline Company. She was terminated from service, on she conceiving her first baby, as the employment Rules insist so. She challenges the vires of the Rule. Decide.

### **PART C**

**Answer any THREE questions. Each carries 15 marks.**

[3x15=45]

1. Examine the provisions of the Indian Constitution providing independence of the judiciary and analyze how far the judiciary succeeded in securing the goal?
2. Evaluate the role of the doctrine of "Basic Structure" in maintaining and enhancing the democratic structure of the Indian Constitution.
3. Discuss in detail, the qualifications required for appointment as a Judge of the High Court and that of the Supreme Court, with the procedure regarding the same.
4. Article 21 of the Constitution is the life line of the citizen, ensuring protection for his life and personal liberty. Elaborate in detail.
5. Discuss in detail regarding amendment of the Constitution.