

**Roll No.**  
**SAP ID**



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, July 2020**  
**Open Book – Through Blackboard Learning Management System**

**Course: Constitutional Law I**  
**Programme: B.Tech.,L.L.b., (Cyber Laws) & (IPR)**  
**Course Code: CLCC 2001**  
**Time: 03 hrs.**

**Semester: IV**

**Max. Marks: 100**

**Instructions:**

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

**All Questions are Compulsory**  
**Answer each question in not more than 500 words**

S. No.		Marks	CO
1	<p>In order to secure an equitable distribution of the imported newsprint and to curb the monopolistic tendency in newspaper industry, the Central Government issues the Newsprint Control Order under the Essential Commodities Act. The order provides as follows:</p> <p>(a) No person other than the Central Government shall import Newsprint. (b) No person shall use newsprint except under a license given by the Government. (c) No Newspaper establishment will publish more than 16 pages. (d) Not more than 1/5th of the space shall be used for commercial advertisement. (e) Newspapers containing 12 to 16 pages will be priced at Rs. 1.50. (f) No new edition or adjustments between different publications will be resorted to . (g) A certain percentage of news space will be allocated to pressing socio-economic issues facing the country.</p> <p>Z &amp; Co., publishers of a national daily ‘The Times’, its editor and a reader challenge the validity of the above conditions as violative of Art 19(1) (a). How will you decide? What would be the status of an ordinance which restricts the number of advertisements by television per episode?</p> <p>What can be the arguments by the Government to defend their measure?</p>	20	CO 1, 2 & 4
Ans.			
2	<p>It is fallacious to think that Directive Principles and Fundamental Rights are opposed to each other in their objectives. They are, in fact, “complementary and supplementary to each other, both striving to secure socio-economic welfare by ensuring a social order in which justice and individual liberty are safeguarded.”</p>	20	CO 1 & 3

	Analyse the relationship between the Fundamental Rights and the Directive Principles in the context of judicial decisions and constitutional amendments.		
Ans.			
3	What the various tests are as laid down by the judiciary to determine whether a body is an agent or instrumentality of the government, and therefore, a state. Whether state includes, judiciary. Analyse with the help of case laws.	20	CO 2
Ans.			
4	“Right to life does not merely mean the continuance of animal existence; rather it means the right to live with human dignity”. In the backdrop of this statement, explain briefly, the different facets of the right to life.	20	CO3
Ans.			
5	“Procedure established by law under Art. 21 should be just, fair and reasonable”. Explain referring to inter relationship between Arts. 14, 19 and 21 of the Constitution.	20	CO4
Ans.			

I, ....., understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.

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