

**Departmental Examination
For Himachal Pradesh Government Officers
(For HAS Officers), April, 2013**

Paper-8 (Constitutional and Civil Law)

Time Allowed- 3 Hours

Maximum Marks-100

- Notes**
1. Attempt any five questions.
 2. Minimum two questions are to be attempted from each part.
 3. Question carry the marks as indicated against them.
 4. Bare Acts/ Rules are allowed in the Examination Hall.

PART-1

Q.No. 1.

- a) What is the importance of "Directive Principles" of State Policy ? Are these justiciable ? Should these be justiciable ?

(10 marks)
- b) Discuss the principle of equality before law in the constitution. Is the rule of equality absolute? Comment.

(10 marks)

Q.No.2. Write short note on any four of the following:

- a) Money bills.
 - b) Powers, Privileges and immunities of Parliament and its members.
 - c) Amendment of Constitution and procedure thereof.
 - d) Comptroller and Auditor General of India.
 - e) Directive principle of State Policy.
 - f) Fundamental duties.
- (5 marks each)**

Q.No.3.

- a) Discuss the powers and position of the Governor of a state?

(10 marks)
- b) "Laws inconsistent with or in derogation of the fundamental rights are void". Is there any exception to this rule in the constitution/ Comment.

(10 marks)

Q.No.4

- a) What Constitutional protections are available to the Government servant against Arbitrary dismissal from service?

(10 marks)
- b) What do you understand by writ Jurisdiction of the High Court? Describe the writs, in the nature of, 'habeas corpus', 'quowarranto' and 'mandamus'.

(10 marks)

PART-II

Q. No. 5

What are essential requirements of a valid contract ? What are void and voidable contracts ? who is competent to enter into a contract and what contracts cannot be specifically enforced ?

(20 marks)

Q.No.6 Write short notes on any two of following:

(10 marks each)

- (i) Essential elements of Sale under the Transfer of Property Act.
- (ii) Essentials of a valid Hindu marriage and distinguish between void and voidable marriages.
- (iii) Discuss requisites of a valid adoption. Can an only son be given or taken in adoption ?
- (iv) What are grounds for setting aside elections under H.P. Panchayati Raj Act? What are appeal procedures under the Panchayati Raj Act ?

Q.No.7 Write short notes on any four of the following:

(5 marks each)

- a) Permanent injunction.
- b) Memorandum of Association.
- c) Doctrine of Caveat Emptor.
- d) Meher.
- e) Restitution of Conjugal Rights.
- f) Consideration.

Q.No. 8 Write short notes on any four of the following:

(5 marks each)

- (i) Powers of natural guardian of a Hindu minor.
- (ii) Waqf and Mutawalli.
- (iii) Share capital.
- (iv) Cruelty as a ground for divorce.
- (v) State Finance Commission.
- (vi) Distinguish between fraud and misrepresentation.
- (vii) Rights and duties of buyer and seller under the Transfer of Property Act.
