

H.P. BOARD OF DEPARTMENTAL EXAMINATION  
/H.A.S. Officers

PAPER-8 (Constitutional and Civil Law)

TIME ALLOWED-3 HOURS *October, 2012* MAXIMUM MARKS-100

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

- Q.No.1.** Discuss the principle of equality before law in the Constitution. Is the rule of equality absolute? Comment. **(20 Marks)**
- Q.No.2.** Write short notes on any four of the following: **(5 Marks each)**
- Money bills.
  - Powers, Privileges and immunities of Parliament and its members.
  - Amendment of Constitution and procedure therefore.
  - Comptroller and Auditor General of India.
  - Directive principle of State policy.
  - Fundamental duties.
- Q.No.3.**
- Discuss the powers and position of the Governor of a State?
  - "Law inconsistent with or in derogation of the fundamental rights are void". Is there any exception to this rule in the constitution? Comment. **(10 Marks each)**
- Q.No.4.**
- What constitutional protections are available to the government servant against arbitrary dismissal from service?
  - What do you understand by the term 'writ jurisdiction' of the High Court? Describe the writs. **(10 Marks each)**
- Q.No.5.**
- What is the procedure to amend the Constitution? Is the power of Parliament to amend the Constitution absolute? **(10 Marks)**
  - Doctrine of 'Basic features of the Constitution'. **(10 Marks)**

**Part-II**

- Q.No.6.**
- What are the essential requirements of a valid adoption? Whether a person already adopted can be taken in adoption under the Hindu Adoption and Maintenance Act 1956? **(10 Marks)**
  - Who are the class-II heirs of a male Hindu? What is the mode of succession among them? **(10 Marks)**



**Q.No.7.** a) What are the grounds for setting aside an election under the H.P.Panchayati Raj Act? Who can hear an appeal against such orders? **(10 Marks)**

b) What are corrupt practices and electoral offences under the Representation of Peoples Act? **(10 Marks)**

**Q.No.8.** Write short notes on any 4 of following:

- a) Void and voidable contract.
- b) Caveat Emptor
- c) Mehr (Dower)
- d) Memorandum of Association
- e) Restitution of conjugal rights.
- f) Permanent Injunction.

**(5 Marks each)**

**Q.No.9.** Write short notes on any 4 of the following:

- a) Mortgage
- b) 'Fraud' and 'Coercion'
- c) Memorandum of Association
- d) Abatement of suit
- e) Actionable claim
- f) Forfeiture of shares.
- g) Doctrine of *lis pendens*

**(5 Marks each)**

**Q.No.10.** a) Marriage under the Hindu Marriage Act, 1955 is both a sacrament and a contract; elucidate. **(10 Marks)**

b) Write a brief note on the rights and liabilities of mortgage. **(10 Marks)**

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