

H.P. Board of Departmental Examination for H.A.S.
Officers.

September, 2020

Paper 8 (Constitution and Civil Law)

Time allowed: 3 hours

Maximum Marks: 100

Note

1. Attempt any five questions. All questions carry equal marks.
2. Minimum two questions are to be attempted from each part.
3. Only bare Acts/ Rules are allowed.

PART-I

Question No.I.

Discuss the scope of Right to Life and Personal Liberty as enshrined in Article 21 of Constitution of India. Under what circumstances Right to Life and Personal Liberty can be restricted?

(20 Marks)

Question No. II.

- (a) Discuss the safeguards provided to the civil servants under Article 311 of the Constitution of India. What are the exceptions to dispense with such safeguards?

(10 Marks)

- (b) Critically examine the relationship between Fundamental Rights and Directive Principles of State Policy.

(10 Marks)

Question No.III

- (a) Discuss the powers and privileges of the Governor of a State.

(10 Marks)

- (b) Write short notes on the following:

(i) Writ of Certiorari. (5 Marks)

(ii) Writ of Quo-warranto. (5 Marks)

Question No. IV

Under what circumstances the President of India can proclaim emergency as provided under the Indian Constitution. Discuss in detail the provisions in case of failure of constitutional machinery in a State as provided under Article 356.

(20 Marks)

PART-II

Question No. V

- (a) What do you understand by void and voidable marriage?
(10 Marks)
- (b) Discuss the capacity of male Hindu to take a daughter in adoption and explain the conditions for valid adoption.
(10 Marks)

Question No. VI

- (a) What significant amendments have been made in Hindu Succession Act, 1956 with regard to devolution of interest in coparcenary property so far as daughter is concerned?
(10 Marks)
- (b) Explain the rights of maintenance available to wife and widowed daughter-in-law under Hindu Adoption and Maintenance Act, 1956.
(10 Marks)

Question No. VII

- (a) What do you understand by ostensible owner? Explain transfer of property by an ostensible owner.
(10 Marks)
- (b) Discuss the contracts which can be specifically enforced under the Specific Relief Act, 1963. Support your answer with illustrations.
(10 Marks)

Question No. VIII

- (a) Explain in detail 'Doctrine of frustration' under the Indian Contract Act, 1872. (10 Marks)
- (b) What do you understand by valid acknowledgement and explain its effects under the Limitation Act, 1963? (10 Marks)

Question No. IX

- (a) Discuss the disqualifications for membership of Parliament and State Legislatures. (10 Marks)
- (b) Discuss the rights and liabilities of Mortgagor and Mortgagee under the Transfer of Property Act, 1882? (10 Marks)