

Total number of printed pages—4

21 (Sem-2) CNLW-II

2015

CONSTITUTIONAL LAW-II

Paper : 2:1

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks/choose *True or False*.
1×10=10
- (a) The President of India is _____.
(elected/selected)
- (b) Parliament consists of _____.
(President and two houses/two houses)
- (c) Law declared by the Supreme Court _____ binding on all Courts (shall be/shall not be)
- (d) Under Art. _____ Supreme Court may grant special leave to appeal. (136/137)

Contd.

- (e) Doctrine of Repugnancy is found in Art——. (254/255)
- (f) Under Art. 267, Parliament may by law establish a —— fund. (contingency/consolidated)
- (g) Proclamation of Emergency is required to be approved by resolutions passed in each House of Parliament by——. (simple majority/special majority)
- (h) Art. 5 of the Indian Constitution can be amended by Parliament by special majority. (True/False)
- (i) Civil servants are protected against arbitrary dismissal under Art. —— . (309/311)
- (j) Article 301 of the Indian Constitution is modelled on section —— of the Australian Constitution (19/92).
2. Write short notes on : $2 \times 5 = 10$
- (a) Impeachment of President
- (b) Supreme Court to be Court of record
- (c) Residuary Powers of legislation
- (d) All India Services
- (e) Distinguish between Art. 352 and Art. 356.

3. How is the President of India elected? Discuss the ordinance making power of the President of India. $4+8=12$

Or

Explain the composition of Parliament. What are the qualification, disqualification and privileges of its members?

$2+10=12$

4. Write how independence of judiciary is maintained under the Constitution of India. 12

Or

Write notes on : $3 \times 4 = 12$

- (a) Advisory jurisdiction of Supreme Court
- (b) Judicial Activism
- (c) Removal of Judges.

5. Discuss in detail the administrative relationship between Union and the states under the Constitution of India. 12

Or

Discuss the Parliament's power to legislate with respect to matters contained in the State list. 12

6. Write an exhaustive note on different types of emergency. Discuss the effects of the proclamation of emergency on fundamental rights under Art. 359. 8+4=12

Or

Explain the different modes of amendment of the Constitution of India. Examine the judicial response to the amending power and the limitations thereon. 6+6=12

7. "A purely regulatory and compensatory law cannot be regarded as violative of Article 301."—Explain with reference to case laws. 12

Or

What do you mean by doctrine of pleasure? Discuss the Constitutional safeguards guaranteed to civil servants. 4+8=12
