

Total number of printed pages—4

19 (II) CNLW-II

2017

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. Article _____ empowers the President to issue Ordinances. (123/321)

b. Council of Ministers shall be collectively responsible to the President of India. (True/False)

c. The Supreme Court shall be a Court of record and shall have all the powers of such Court _____ the power to punish for contempt of itself.

(including/excluding)

Contd.

d. A distinguished Jurist is eligible to become a judge of the Supreme Court of India. (True/False)

e. Article 253 states about legislation for giving effect to _____ (international agreements/GST)

f. Service tax is subsumed in GST. (True/False)

g. Article 368 can be amended by _____ (Special majority/Special majority with ratification of the State legislatures)

h. The proclamation under Article 352 will cease to operate at the expiry of _____ month(s) if not approved by Parliament. (one/two)

i. The Civil servant shall not be reduced in rank by an authority equivalent to the appointing authority. (True/False)

j. Article 301 is modelled on section _____ of the Australian Constitution. (29/92)

2. Write short notes on : 2×5=10

a. Vice-President

b. Judicial Activism

c. Article 254

d. Doctrine of Basic Structure

e. Doctrine of Pleasure.

3. How the President of India is elected? State the Pardoning power of the President. Does it extend to criminal contempt of court? 6+3+3=12

Or

Write notes on the following : 4×3=12

a. Composition of Parliament

b. Executive powers of the Governor

c. Relationship of the Governor with Council of Ministers.

4. Discuss the Advisory jurisdiction of the Supreme Court of India. Is the President bound by the advisory opinion of the Supreme Court? 8+4=12

Or

Discuss the following : 6+6=12

a. How a judge of a High Court is removed?

b. Differences between writs of Prohibition and Certiorari.

5. Discuss the scheme of distribution of administrative powers between Union and the States under the Constitution of India.

12

Or

Write brief notes on :

6+6

- a. Doctrine of Pith and Substance
b. Doctrine of Colorable Legislation.

6. Write an exhaustive note on proclamation of emergency under Article 352 of the Constitution. Make distinction between Article 358 and Article 359.

6+6=12

Or

What is amendment of the Constitution? Discuss how the Constitution of India is amended.

2+10=12

7. Write a brief note on Protection against arbitrary dismissal removal or reduction in rank of civil servants under the Constitution of India. When can an inquiry under Art. 311(2) be dispensed with?

6+6=12

Or

“Trade, Commerce and intercourse throughout the territory of India shall be free” — Discuss.

12