

Total number of printed pages—4

19 (II) CNLW 2-1

2018

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 with appropriate answers given in the brackets **or** choose True/False :
1×10=10
- (i) The Speaker of Lok Sabha has to address his resignation letter to the _____ . (Deputy Speaker of Lok Sabha/President of India)
 - (ii) Representation of the House of People is based on _____. (Area of the state/Population)
 - (iii) Under Article _____ , the Supreme Court has power to make rules to regulate its own procedure. (145/149)
 - (iv) All proceedings in the Supreme Court and in every High Court shall be in _____ language. (English/English and Hindi)

Contd.

(v) Full faith and credit shall be given throughout the territory of India to public acts, records and judicial proceedings of the _____. (Union/ Union and of every States)

(vi) Article 245 has been interpreted on the basis of _____. (Doctrine of Territorial Nexus/Doctrine of Colourable Legislation)

(vii) Presidential satisfaction for imposing President rule is _____. (subject to judicial review/not subject to judicial review)

(viii) _____ case is popularly known as Habeas Corpus Case. (A.D.M. Jabalpur V. S. Shukla/Maneka Gandhi V. Union of India)

(ix) Article _____ of the Constitution of India provides for the appointment of Election Commission. (324/224)

(x) In Australia, trade, commerce and intercourse among the states shall be _____. (free/absolutely free)

2. Answer the following questions :

2×5=10

(a) What do you mean by "Office of Profit"?

(b) What is the meaning of 'Court of Record'?

(c) What do you mean by 'Full Faith and Credit Clause'?

(d) What are the informal methods of amendment of Constitution?

(e) What do you mean by 'Reasonable Opportunity'?

3. Explain the position of the President of India. Refer relevant constitutional amendments and case laws. 12

OR

Explain the term 'Collective responsibility'. Distinguish between collective responsibility and individual responsibility in case of ministers. 6+6=12

4. Is the opinion of the Chief Justice of India binding on matters relating to the appointment of the Judges of the Supreme Court or High Court. Discuss with the relevant constitutional provisions and case laws. 12

OR

What do you mean by Writ? Explain about the different types of writ issued by the Supreme Court and the High Court of State. 4+8=12

5. Discuss critically the scope of Article 254 of the Constitution by referring to judicial decisions pronounced at times. 12

OR

What do you mean by Co-operative Federalism? Explain about the composition, duties and procedure of the Inter-State Council. 4+8=12

6. Critically examine the Constitutional Scheme of Emergency provisions under the present Constitution. Do you feel that the provisions can adequately protect misuse of the emergency provisions? 8+4=12

OR

“Our Constitution has adopted a via media between rigidity and flexibility in matters of amending process”. — Discuss. Critically examine the judicial response to the amending power and the limitations thereon. 6+6=12

7. Examine the Constitutional Scheme of Inter-state trade and commerce highlighting on the significance of Article 304 of the Constitution. Refer to decisional laws on the same. 12

OR

How the Election Commission is constituted? What are the powers and functions of Election Commission? 6+6=12