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19 (Sem-4) CPCN 4-5 (H)

2016

**COMPARATIVE CONSTITUTION**

(New Course)

Paper : 4-5 H<sub>2</sub>

Full Marks : 80

Time : Three hours

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

1. (a) Fill in the blanks with appropriate answers given in the brackets :

1×10=10

(i) U.K. Constitution is a \_\_\_\_\_ Constitution. (written/unwritten)

(ii) American Constitution established a presidential type of government based on the principle of \_\_\_\_\_. (rule of law/separation of power)

Contd.

- (iii) Procedure established by Law in Article \_\_\_\_\_ does not mean any procedure laid down by the legislature. (19/21)
- (iv) For the maintenance of rule of law there must be independent and impartial \_\_\_\_\_. (Legislature/Judiciary)
- (v) Rule of law was originated in \_\_\_\_\_. (England/USA)
- (vi) The makers of Indian Constitution while framing Article 310 did not follow \_\_\_\_\_ model. (U.S./Australian)
- (vii) Judicial Review is a basic feature of Indian Constitution \_\_\_\_\_. (Yes/No)
- (viii) \_\_\_\_\_ is the custodian of the right of citizen. (Parliament/Judiciary)
- (ix) The Judge of Supreme Court retires at the age of \_\_\_\_\_. (62 years/65 years)
- (x) Framers of Indian Constitution adopted Parliamentary form of Government from \_\_\_\_\_. (England/USA)

(b) Write short notes on the following : 2×5=10

- (i) Doctrine of Separation of Power
- (ii) Judicial Review
- (iii) Principle of Natural Justice
- (iv) Adult Suffrage
- (v) Method of Amendment under the Constitution of USA.

2. Discuss the salient features of the Constitution of UK and USA. 12

**Or**

Discuss the salient feature of Indian Constitution. 12

3. Write a note on the amendment of the Constitution. How can the provisions of the Constitution of India be amended ?

6+6=12

**Or**

Discuss the composition of jurisdiction of judicial system of USA and India.

4. Compare the relative scope of the American doctrine "Due to process of Law" with that of reasonableness of the restrictions contained in Article 19 of the Indian Constitution. 12

**Or**

The Constitution of India guarantees the fundamental freedom more effectively than British Constitution. — Discuss. 12

5. What is natural justice? Explain the different principles of natural justice. 12

**Or**

Write a detail note on the Rules of Natural Justice.

6. What do you mean by Judicial review with reference to Constitution of India? Whether Judicial Review can be amended or not. 12

**Or**

How does Judicial Review exist in U.K., India and USA? 12