

Total number of printed pages-7.

19 (6) CNLW-II

2017

**CONSTITUTIONAL LAW-II**

Paper : 6·2

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks : 1×10=10
- (a) The power of the President of India to issue an ordinance is a ..... power. (Legislative/executive)
- (b) The quorum to hold a meeting of the House of Parliament shall be ..... of total number of members. (1/10th/1/3rd)

Contd.

- (c) According to Article ..... there shall be a High Court for each state. (214/217)
- (d) Article 227 of the Constitution of India deals with the High Court's power of ..... (Superintendence/Judicial Review)
- (e) The distribution of power between the Union and States is based on the scheme provided in the ..... (Govt. of India Act, 1935/Indian Independence Act, 1947)
- (f) Sarkaria Commission was set up for the review of relation between the ..... (executive and judiciary/ Union and States)
- (g) Every proclamation issued under Article 356 shall cease to operate at the expiration of ..... month/s unless before that period it has been approved by resolution of both Houses of Parliament. (one/two)

- (h) The ..... of the Constitution of India popularly known as Anti-defection Law. (Tenth Schedule/Eleventh Schedule)
- (i) Parliament can impose restriction on the freedom of trade, commerce and intercourse in the ..... (Public interest/National interest)
- (j) The Chief Election Commissioner and other Election Commissioners are appointed by the ..... (President/ Prime Minister) of India.

2. Write short notes on the following :

2×5=10

- (a) Ordinance making power of the President
- (b) Original Jurisdiction of the Supreme Court

(c) Finance Commission

(d) Duty of the Union to protect states

(e) Election Commission.

3. Discuss the nature, scope and extent of the executive power of the Union and States.

12

OR

Write on how President of India is elected. What procedure has been provided in the Constitution of India for his impeachment?

8+4=12

4. "There are many provisions in the Constitution of India which secure the independence and impartiality of the judiciary". Discuss these provisions. Refer case laws. 12

OR

Answer the following : (any two)

6x2=12

(a) Appointment of Judges of the High Court.

(b) Appellate jurisdiction of the Supreme Court.

(c) Distinguish between Prohibition and Certiorari.

5. Write an exhaustive note on financial relation between the Union and the States.

12

OR

Write brief notes on :

4x3=12

(a) Pith and Substance

(b) Doctrine of Repugnancy

(c) Full faith and Credit clause.

6. Discuss the effect of proclamation of emergency as provided for under the Constitution of India. Distinguish between Article 352 and Article 356.

8+4=12

**OR**

Discuss the scope and limits of the amending powers with reference to fundamental right and basic features of the Constitution. Refer case laws.

12

7. "A purely regulatory and compensatory law cannot be regarded as violative of Article 301". Explain with reference to important judicial decisions.

12

**OR**

"A civil servant cannot be dismissed or reduced in rank until he has been given reasonable opportunity of showing cause against the action proposed to be taken in regard to him".

What does the expression "reasonable opportunity" mean? When the protection of "reasonable opportunity" is not available to a civil servant?

6+6=12