

Roll No. L.B. I year, II Sem. 28-5-2012
Printed Pages : 3

14277

BDL/M12
CONSTITUTIONAL LAW-II
Paper-202

X
A-2

Time allowed : 3 hours] [Maximum marks : 100

Note : (i) Attempt one question from each Unit- I to Unit-IV.

(ii) Unit-V is compulsory.

(iii) All questions carry equal marks.

Unit-I

1. Write a critical note on the power of the Supreme Court to punish for its contempt. Can the Supreme Court punish for the contempt of courts subordinate to it.
2. Discuss the powers of the High Courts.

Unit-II

3. Examine the relationship between the President and his Council of Ministers in India. Does President of India have any discretionary powers ?

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(2)

4. What are Parliamentary privileges ? What privileges have been given to the legislative chambers, their committees and members. Discuss.

Unit-III

5. Discuss how the legislative powers between the Union and the States are distributed under the Constitution ?
6. Discuss the scope and extent of the freedom of trade, commerce and intercourse under the Constitution of India.

Unit-IV

7. Discuss grounds for proclamation of national emergency in India. Explain the consequences of such proclamation.
8. Discuss the procedure for the amendment of the Constitution. Can parliament change the basic structure of the Indian Constitution.

Unit-V

9. Answer any *four* of the following :
- (a) Discuss Advisory Jurisdiction of the Supreme Court.

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- (b) Explain briefly Independence of Judiciary.
- (c) Ordinance making power of the President of India.
- (d) What are parliamentary privileges ?
- (e) Discuss the role of Governor of a State.
- (f) What are powers of the Finance Commission of India ?
- (g) Explain the 'Doctrine of Pleasure'.
- (h) Explain the 'Doctrine of Pith and Substance'.

LLB 2nd Sem. May 2012

Roll No. LL.B. Ist year 2013. 2nd Sem. **14255**

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BDL / M-13

CONSTITUTIONAL LAW-II

Paper-202

Time allowed : 3 hours] [Maximum marks : 100

*Note : Attempt one question from Unit-I to IV each.
Unit-V is compulsory. All questions carry equal marks.*

Unit-I

1. Discuss the qualifications and procedure for appointment and impeachment of a Judge of the Supreme Court of India.
2. Discuss with the help of decided cases appellate Jurisdiction of the Supreme Court of India.

Unit-II

3. Critically explain various powers of the President of India.
4. Critically explain various privileges of the Legislature under constitution of India.

Unit-III

5. Explain administrative relations between the Union and States.

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6. Explain Constitutional and procedural safeguards for civil servants of India.

Unit-IV

7. Explain the constitution and functions of Election Commission of India.
8. Explain the grounds and consequences of the proclamation of President's Rule in India.

Unit-V (Compulsory)

Note : Answer any four of the following :

9. (i) Review jurisdiction of the Supreme Court of India.
- (ii) Transfer of a Judge from one High Court to another High Court.
- (iii) Codefication of Privileges of Parliament.
- (iv) Officers of the State Legislature.
- (v) Dead lock in both Houses of Parliament.
- (vi) Repugnancy between a Union Law and a State Law.
- (vii) Compulsory retirement of Civil Servant.
- (viii) Basic structure of Indian Constitution.

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14065

CONSTITUTIONAL LAW-II

Paper : 202

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *one* questions each from Unit-I to IV. Question No. 9 (Unit-V) is compulsory.

UNIT-I

1. Discuss the jurisdiction and powers of High Court.
2. What do you know about Writ of Mandamus ? When can it be issued?

UNIT-II

3. Write a detailed note on Ordinance-making power of Governor.
4. Define Money Bill. What is the difference between Money Bill and Finance Bill ?

UNIT-III

5. Write a detailed note on Legislative control of delegated legislation.
6. Discuss the restrictions imposed on freedom of trade, commerce and intercourse.

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[P.T.O.]

UNIT-IV

7. Discuss the powers and responsibilities of Municipality.
8. Discuss the effects of proclamation of National emergency.

UNIT-V

(Compulsory Question)

9. Answer any *four* of the following :
 - (a) Court of record.
 - (b) Special leave of appeal.
 - (c) Protection and Immunities available to President of India.
 - (d) Financial powers of President.
 - (e) Doctrine of territorial nexus.
 - (f) Doctrine of pith and substance.
 - (g) Financial emergency.
 - (h) Basic structure theory.
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14265

CONSTITUTIONAL LAW-II

Paper : 202

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *five* questions in all. Select *one* question each from Unit I to IV. Question No. 9 (Unit-V) is compulsory. All questions carry equal marks.

UNIT-I

1. What do you understand by Special Leave Petition ? Discuss its nature and scope. Explain the circumstances when the Special Leave Petition will be maintainable in the Apex court.
2. Discuss the nature and scope of Article 226 of the Constitution. When and under what circumstances a Writ of Madamus can be issued by a High Court ?

UNIT-II

3. Discuss the position of the President and the Governor of a State under the Indian Constitution. Also state the procedures for the removal of both.
4. What is the procedure of passing an Ordinary Bill ? How can a deadlock between two Houses of Parliament be resolved ? Explain.

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UNIT-III

Discuss the Doctrine of Pith and Substance and the Doctrine of Colourable Legislation. Critically examine with the help of relevant decided cases.

Regulatory measures of Compensatory taxes are no more restrictions on the freedom of Trade and Commerce etc. under Article 301 of the Constitution. Discuss with the help of decided cases of the Supreme Court.

UNIT-IV

Write short notes on the following :

- (a) Composition of Panchayats.
- (b) Powers of Election Commission under the Indian Constitution.

Discuss briefly the facts and the principles of law laid down in the case of *S.R. Bommai V. Union of India*, AIR 1994 SC 1918.

UNIT-V

(Compulsory Question)

9. Write short notes on any four of the following :
- (a) Original jurisdiction of the Supreme Court.
 - (b) Superintending powers of a High Court.
 - (c) Parliamentary Privileges and Fundamental Rights.

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CONSTITUTIONAL LAW – II
Paper – 202

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Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *five* questions in all, selecting *one* question from each Unit I to IV. Question No. 9 under Unit-V is compulsory. All questions carry equal marks.

UNIT-I

1. Discuss the 'Advisory Jurisdiction of the Supreme Court'. Is the Supreme Court bound to give advice whenever a reference is made to it by the President ? Refer to Case Law, if any.
2. What do you understand by "Independence of Judiciary" ? How far is Indian Judiciary independent ? Explain.

UNIT-II

3. Discuss the Ordinance-making powers and the Pardon-making powers of the President. Are these powers subject to Judicial Review ? Discuss with the help of decided cases of Supreme Court.
4. Write short notes on the following :
 - (a) Composition and Utility of Rajya Sabha.
 - (b) Need for codification of Parliamentary Privileges.

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UNIT-III

5. Discuss the pattern of Administrative Relations between the Union and the States under the Indian Constitution.
6. Discuss briefly the main facts and the principles of law laid down in the case of *Union of India V. Tulsiram Patel*, (1985) 3. S.C.C. 398.

UNIT-IV

7. Discuss briefly the constitutional provisions under Article 323-A and 323-B regarding Administrative Tribunals.
8. How and on what grounds National Emergency can be imposed under the Indian Constitution ? What are the effects of proclamation of National Emergency ? Discuss.

UNIT-V

(Compulsory Question)

9. Write short notes on any *four* of the following :
 - (a) Procedure for the appointment of Judges of Supreme Court and High Courts.
 - (b) Power and Jurisdiction of the High Court.
 - (c) Procedure for the Election of President.
 - (d) Discretionary powers of the Governor.
 - (e) Constitutional safeguards to a Civil Servant under Article 311 of the Constitution.
 - (f) Doctrine of Repugnancy.
 - (g) Composition of Panchayats and Municipalities.
 - (h) Procedure for the Amendment of the Constitution.

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CONSTITUTIONAL LAW-II

Paper 202

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *Five* questions in all, selecting *one* question from each Unit I to IV Q. No. 9 under Unit V is compulsory. All questions carry equal marks.

Unit I

1. "Judges choosing judges is the anti-thesis of Democracy."
Discuss the appointment of Judges in the light of this statement.
2. Explain original and appellate jurisdiction of the Supreme Court under Constitution.

Unit II

3. Discuss the President's powers to grant pardon, reprieve etc. under the constitution. Under which conditions Court can interfere with this power ? Elaborate with decided case law.

4. Explain the powers, functions and position of the Governor and how judiciary has put check over these powers ? Illustrate your answer.

Unit III

5. Discuss the scope of freedom, trade, commerce and inter-course under 301 of the Constitution. What restrictions can be placed by the State legislature over this freedoms ? Explain with decided case law.
6. Explain the facts and principles of law laid down by the Supreme Court in *Union of India Vs. Tulsiram Patel* (1985) 3 SCC 398.

Unit IV

7. Discuss the necessity for the creation of administration tribunals. Explain the constitutional provisions for the establishment of Central Administrative Tribunal for Central Govt., employees and also discuss its constitutional validity.

8. What is National Emergency ? Explain its conditions, procedure and effect of proclamation of emergency.

Unit V

9. Write short notes on any four of the following :
- (a) High Court to be Courts of record
 - (b) Salary of Judges
 - (c) Curative Petition
 - (d) Privileges of State Legislature
 - (e) Doctrine of Pleasure
 - (f) Ordinance
 - (g) Panchayati Raj
 - (h) Election Commission.

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14252

CONSTITUTIONAL LAW-II

Paper 202

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *Five* questions in all, selecting *one* question from each Unit I to IV. Q. No. 9 in Unit V is compulsory. All questions carry equal marks.

Unit I

1. State the facts and principles of law laid down by the Supreme Court in the case of Advocate-on-Record Association vs. Union of India, AIR 1994, SC 268.
2. Discuss the powers of High Court under Article 226 and 227 of the constitution. Point out differences between both.

Unit II

3. Explain the power functions and constitutional position of President of India.

4. Discuss the powers, privileges etc. of the House of Parliament and of the members and committees thereof.

Unit III

5. Explain legislative relations between the Union and State. Under which circumstances union can make a law over the state subject.
6. State with case law the different protection available to a civil servant under the constitution.

Unit IV

7. What is Tribunal? In what respect it is different from the court? Explain the constitutional provisions under Article 323-A for adjudication of disputes with respect to recruitment and condition of public servant and also discuss its constitutional validity with decided case law.

8. Explain various methods to amend the constitution with special reference to basic structure of the constitution.

Unit V

9. Write short notes on any four of the following :
- (a) Independence of Judiciary
 - (b) Certificate for appeal to the Supreme Court
 - (c) Power of Governor to promulgate ordinance
 - (d) Locus Standi
 - (e) Merits of Bicameral Legislature
 - (f) Difference between money bill and ordinary bill
 - (g) Reservation of women in Panchayat Raj
 - (h) State Emergency.