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2 SEM LLB (N) CLI II 1

**2018**

(June)

**LAW**

Paper : 2·1

**(Constitutional Law of India-II)**

**(New Course)**

Full Marks : 80

Time : Three hours

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

1. Describe nature, scope and extent of executive powers of the union and the states.

12

**Or**

Elaborate qualification / disqualification of members of Parliament and State Legislatures with Anti Defection Law, supported with the help of case laws.

12.

2. Elucidate composition, appointment and removal of Judges of the Supreme Court with the help of case Laws. 12

**Or**

Define Judicial Review. How does it protect independence of the Judiciary? Describe its expansion with case laws. 4+8=12

3. Elaborate administrative relation between the Union and the States with relevant provisions and explanations. 12

**Or**

Write short notes : 6+6=12

(a) Doctrine of Territorial Nexus.

(b) Doctrine of Pith and Substance.

4. Describe power of the Parliament to amend the Constitution and its procedure with the help of case laws. 12

**Or**

Describe state emergency and its grounds of imposition and check its relevancy in historical perspective. 12

5. Elaborate provision relating to freedom of trade, commerce and intercourse with restrictions. 12

**Or**

Analyse protection against arbitrary dismissal, removal or reduction with the help of case laws. 12

6. Choose the correct answers :  $10 \times 1 = 10$

(a) The Indian Parliament consists of —.

(i) Lok Sabha, Rajya Sabha and the President.

(ii) Lok Sabha and Rajya Sabha.

(iii) House of People and Council of States

(iv) Lok Sabha.

(b) The Ordinance making power of the Governor is provided under Article —

(i) Article 123

(ii) Article 213

(iii) Article 310

(iv) Article 301

(c) Disputes between States in India comes to the Supreme Court under —

(i) Appellate jurisdiction

(ii) Advisory jurisdiction

(iii) Original jurisdiction

(iv) Civil jurisdiction.

(d) A retired judge of the High Court can't —

(i) Practice in the Supreme Court

(ii) Practice in any other High Court in India

(iii) Practice in the High Court from where he has retired

(iv) None of the above.

(e) The Concurrent list in 7th Schedule of Constitution contains —

(i) 47 subjects

(ii) 68 subjects

(iii) 42 subjects

(iv) 38 subjects.

- (f) Indian Constitution reserves the Residuary powers to —
- (i) Union
  - (ii) States
  - (iii) Parliament
  - (iv) President.
- (g) The words “Socialism and Secular” were inserted by the —
- (i) 15th Amendment
  - (ii) 39th Amendment
  - (iii) 42nd Amendment
  - (iv) 44th Amendment
- (h) The Article of the Constitution which automatically becomes suspended on Proclamation of emergency is —
- (i) Article 14
  - (ii) Article 19
  - (iii) Article 21
  - (iv) Article 32

(i) Which among the following Article of the Constitution of India in the provision for All India Services —

(i) Article 312

(ii) Article 301

(iii) Article 311

(iv) Article 309

(j) As per under Article 301 of the Constitution of India, the trade, commerce and intercourse throughout the territory of India —

(i) shall be free

(ii) shall not be free

(iii) Absolutely free

(iv) None of the above.

7. Answer the following questions **within four** or **five** lines : 5×2=10

(a) Write *two* qualifications to become a member of Parliament.

(b) Mention *two* drawbacks of Judicial Activism.

- (c) Mention *two* functions of Finance Commission of India.
- (d) Mention *two* effects of Emergency.
- (e) Define Inter States and Intra States Trade and Commerce.
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