

BA LLB
Second Semester
CONSTITUTIONAL LAW OF INDIA-II
(BLB – 204)

Duration: 3Hrs.

Full Marks: 80

Part-A (Objective) =30
Part-B (Descriptive) =50

(PART-B: Descriptive)

Duration: 2 hrs. 30 mins.

Marks: 50

Answer the following questions:

1. Discuss the Election Procedure of the President of India as provided by the Constitution of India. Under what ground the President of India can be removed from his office? (8+2=10)

Or

What is the procedure adopted to pass a Bill in the Parliament? Write down the difference between the Ordinary Bill and Money Bill. (5+5=10)

2. How the judges of Supreme Court are appointed? Write your answer citing case laws. (10)

Or

Write an essay on Judicial Activism in India. (10)

3. What is the basic objective for which a federal state is formed? Elaborate on the Legislative relation between the Union and the States with special emphasis to the theory of territorial nexus. Cite relevant case laws. (2+8=10)

Or

Write an essay on 'administrative controls of Union over the States in normal times' as provided in the Constitution of India. (10)

4. Discuss Article 360 of the Constitution of India. Briefly explain the consequences of the Proclamation of Emergency. (4+6=10)

Or

What do you mean by basic structure of the Constitution? How it is evolved in Indian legal system? Write your answer with reference to relevant case laws.

(3+3+4=10)

5. "Article 301 of the Constitution of India declares that trade, commerce and intercourse throughout the territory of India is free....The word 'free' in Article 301 does not mean freedom from laws or regulations." Explain. (10)

Or

What do you mean by doctrine of pleasure? What are the restrictions imposed by the Constitution of India on the doctrine of pleasure? Is there any exception on the restrictions? Cite case laws. (3+4+3=10)

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Duration: 30 minutes

Marks – 30

(PART A- Objective Type)

I. Choose the correct answer:

1×10=10

- (i) The term of the office of Vice-President is
(a) Five years from the date on which he enters upon his office.
(b) Five years from the date on which he takes oath of his office.
(c) Five years from the date of his election is announced.
(d) Five years later from the date on which he enters upon his office.
- (ii) Indian Parliament consists of
(a) Lok Sabha and Rajya Sabha.
(b) Lok Sabha, Rajya Sabha and Prime Minister.
(c) Lok Sabha and Rajya Sabha and Vice President of India.
(d) Lok Sabha, Rajya Sabha and President of India.
- (iii) Judge of the Supreme court of India can be removed on the ground of
(a) Proved misbehaviour (b) Incapacity
(c) Either (a) or (b) (d) Never can be removed
- (iv) Which of the following case(s) is/are related to the appointment of judges of Supreme Court and High Courts?
(a) S.C Gupta v. UOI
(b) Supreme Court Advocate on Record Association v. UOI
(c) *Re Presidential Reference Case*
(d) All the above
- (v) When the State fails to implement the administrative directions given by the Union under Article 256 of the Constitution:
(a) Parliament may compel the State to execute the said directions.
(b) The Governor may dissolve the State Legislature.
(c) The President may presume that constitutional machinery in the State has failed.
(d) The President may impose emergency under Article 352 of the Constitution.
- (vi) Which of the following Articles of the Constitution provides for the circumstances under which Parliament has power to make a law on any subject enumerated in the State List (VII Schedule)?
(a) 245, 246, 248 and 249 (b) 248, 249, 250 and 252
(c) 247, 250, 251 and 253 (d) 249, 250, 252 and 253

- (vii) When the President of India is satisfied that the financial credit of Government of India is threatened he may:
(a) Direct reduction in number of members in the Finance Commission.
(b) Proclaim financial emergency.
(c) Impose President's rule in any State.
(d) Direct Parliament to pass special Financial Bill.
- (viii) Which of the following decisions is responsible for the Parliament passing the 24th Amendment of the Constitution Act, 1971?
(a) Sajjan Singh v. State of Rajasthan (b) Golak Nath v. State of Punjab
(c) Kesavananda Bharti v. State of Kerala (d) Minerva Mills v. UOI
- (ix) Power of the Parliament to impose restrictions on trade, commerce and intercourse is/are provided in:
(a) Article 302 (b) Article 302 & 304
(c) Article 304 & 305 (d) Article 302, 303, 304 & 305
- (x) Article 311 applies to:
(a) Permanent servants (b) Temporary servants
(c) Both (a) and (b) (d) None of the above

II. Answer the following questions:

2×10=20

- (i) Mention two privileges of the President as guaranteed by Article 361 of the Constitution of India.
- (ii) Match the following:
(i) Kihota Hollohon v. Zachilhu (a) Parliamentary Privilege
(ii) Jaya Bachchan v. UOI (b) Free and fair election
(iii) Indira Nehru Gandhi v. Raj Narain (c) Tenth Schedule
(iv) M.S. M Sharma v. Sri Krishna Sinha (d) Office of Profit
- (iii) What do you mean by Court of Record?
- (iv) Match the following:
(i) Appointment of Judges of SC (a) Article 131
(ii) Original Jurisdiction of SC (b) Article 129
(iii) Court of Record (c) Article 143
(iv) Advisory Jurisdiction of SC (d) Article 124

