

Reg. No. :

Name :

**Fifth Semester B.A. LL.B/B.Com. LL.B/B.B.A. LL.B. (Five Year Integrated)
Degree Examination, November 2021**

Paper V : CONSTITUTIONAL LAW-II

Time : 3 Hours

Max. Marks : 80

I. Explain any **five** of the following. Each Question carries **2** marks. Answers should not exceed **50** words each.

- (a) Ordinance making power of the Governor
- (b) Collegium System
- (c) Doctrine of Pith and Substance
- (d) Concurrent List
- (e) Parliamentary Privileges
- (f) Election of the speaker of the Lok Sabha
- (g) Dissolution of Legislative Assembly by the Governor.

(5 × 2 = 10 Marks)

II. Answer any **four** of the following. Each question carries **4** marks. Answers should not exceed **120** words each.

- (a) What do you understand by the Doctrine of Pleasure?
- (b) Explain the meaning of Collective Ministerial Responsibility.

- (c) What do you understand by the doctrine of Separation of powers?
- (d) Explain the difference between Ordinary Bills and Money Bills.
- (e) Elaborate the grounds for imposition of National Emergency.

(4 × 4 = 16 Marks)

III. Answer any **four** of the following. Each question carries **6** marks.

- (a) A judge of a High Court was transferred to the High court of another State, without seeking consent of the concerned judge, in fact against his expressed wish. However, the decision was taken as a result of effective consultation with the Chief Justices of both states. The judge challenged the decision before the Supreme Court as being against independence of judiciary. Examine the validity of the transfer.
- (b) A resolution at the House of the People was passed by a majority of all the then members of the House to remove Mr. S. the Speaker from his office. Towards the same, a ten day's notice had been served to Mr. S. Decide the validity of the resolution.
- (c) A person was sentenced to death on a charge of murder. He preferred a mercy petition to the Governor of the State. Discuss the possible outcome.
- (d) Mr. X, a reporter, was punished to undergo five days of imprisonment for an alleged breach of privilege of a State Legislature. He wants to approach the High Court to quash the said order as he was not given an opportunity to be heard. Decide.
- (e) After the Presidential election was notified, the notification was challenged on the ground that at the time, 2 States were under Presidential Rule and therefore, the election would not be valid. Discuss. **(4 × 6 = 24 Marks)**

IV. Answer any **three** of the following. Each question carries **10** marks.

- (a) What do you understand by 'Transformative Constitutionalism'? In the Indian context, explain the significance of the judiciary in realizing this concept. Enumerate case laws that illustrate this concept.
- (b) Explain the structure of distribution of power between Centre and States in India.

- (c) Elaborate the powers and functions of the Election Commission. What is the role played by the Commission in preserving democracy in India?
- (d) Explain the Basic Structure Doctrine. What is its significance in Constitutional evolution?
- (e) Elaborate the concept of freedom of trade and commerce within the territory of India. How does the federal structure deal with inter-State trade and commerce in India?

(3 × 10 = 30 Marks)
