



Reg. No. :

Name :

**Fifth Semester Integrated B.A. LL.B./B.B.A. LL.B./B.Com. LL.B. (5 Year)
Degree Examination, April 2016
Paper – V : CONSTITUTIONAL LAW – II**

Time : 3 Hours

Max. Marks : 80

PART – I

Answer **any five** questions. **Each** question carries **2** marks. Answer should **not** exceed **50** words **each**.

- Financial emergency.
- Whether a non member of the legislature can become a minister ?
- Is supreme court bound by its own decisions ?
- Distinguish between the Pardoning power of President and Governor.
- Importance of Rajya Sabha.
- Reduction in rank as per Article 311.
- Whether defence of state immunity is available when fundamental rights are violated ?

(5×2= 10 Marks)

PART – II

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

- To what extent fundamental rights can be suspended during national emergency ?
- Write a note on the role and functions of finance commission.
- What are the constitutional privileges of President of India ?
- Discuss the functions of comptroller and Auditor general of India.
- Examine the scope of compulsory retirement.

(4×4= 16 Marks)



PART – III

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

- a. The state of Bombay levied a tax on lotteries and prize competitions. The tax was extended to a newspaper printed and published in Bangalore, but had wide circulation in Bombay. 'X' conducted prize competitions through this newspaper and hence challenged the imposition of tax. Decide.
- b. On no confidence motion certain members of parliament accepted bribe from the ruling party and voted against the no confidence motion. These members claimed immunity under Article 105 in the criminal case in this regard. Decide.
- c. A person was acquitted by High Court and no appeal was filed by state against the acquittal. A private party files an appeal under Article 136. Decide.
- d. The law and order situation in a state became worse due to sudden outbreak of violence. The governor reported the matter and an extreme step of dissolution of the Assembly and President's rule was imposed simultaneously. Examine its validity.
- e. A bill is introduced and passed in Lok Sabha. It is transmitted to Rajyasabha but not passed within 6 months. Decide the procedure to be followed. **(4×6=24 Marks)**

PART – IV

Answer **any three** questions. **Each** question carries **10** marks.

- a. Explain the amending process of constitution of India. Whether fundamental rights can be amended ?
- b. Analyse how independence of judiciary is maintained under the Constitution of India.
- c. Write notes on :
 - i) Doctrine of pith and substance.
 - ii) Doctrine of colourable legislation.
- d. Examine the scope of protection given to persons holding civil posts under the constitution.
- e. Discuss the advisory jurisdiction of Supreme Court. **(3×10=30 Marks)**