

Reg. No. :

Name :

**Fifth Semester B.A LL.B./B.B.A. LL.B/B.Com. LL.B (Five Year Integrated)
Degree Examination, May 2023**

Paper – V: CONSTITUTIONAL LAW - II

(2020 Admission)

Time : 3 Hours

Max. Marks : 80

PART – A

I. Answer any **six** questions in not exceeding **50** words each. Each question carries **2** marks.

1. Collective responsibility
2. Attorney General of India
3. Codification of parliamentary privileges
4. Prospective overruling
5. Doctrine of colourable legislation
6. Financial emergency
7. Speaker and Deputy Speaker
8. Legislative council

(6 × 2 = 12 Marks)

P.T.O.

PART – B

- II. Answer any **four** questions in not exceeding **150** words each. Each question carries **5** marks.
1. Write a note on the privileges of the President.
 2. How is independence of Judiciary maintained under the Indian Constitution?
 3. Discuss the role of Governor under the Indian Constitution.
 4. Discuss the powers and functions of the Election Commission.
 5. Examine the areas where original jurisdiction of the Supreme Court can be exercised.
 6. Describe the constitutional provisions related to freedom of inter-state trade, commerce and inter-course.

(4 × 5 = 20 Marks)

PART – C

- III. Answer any **four** questions. Each question carries **6** marks.
1. An ordinary Bill passed by the House is sent to the President for his assent. Advise the President as regards his options.
 2. Decide whether a teacher employed in a primary school run by the State Board constituted under a State legislation holds an office of profit under the Government of India. Whether such a person can be disqualified for being chosen as a member of a State Legislative Assembly.
 3. The President of India approaches the Supreme Court of India under Article 143 to exercise advisory jurisdiction on the matter as to whether the pardoning power of the Governor is subject to judicial review. Decide the matter.

4. A non-member Minister who failed to get elected during the period of six consecutive months after his appointment as Minister is reappointment as Minister. Decide the constitutional validity of such an act.
5. A civil servant was appointed for a term under a special contract and on the expiry of the term, he was reappointed by a further contract on a temporary basis. In accordance with the government rules, he was discharged from service after notice. Decide whether Article 311 has any application in the case.

(4 × 6 = 24 Marks)

PART – D

IV. Answer any **two** questions. **Each** question carries **12** marks.

1. The writ jurisdiction of the High Courts under Article 226 of the Indian Constitution is wider than the writ jurisdiction of the Supreme Court. Explain.
2. Whether in exercise of the powers, privileges and immunities as contained in Article 105, are the Houses of Parliament competent to expel their respective Members from membership of the House. If such a power exists, is it subject to judicial review and if so, the scope of such judicial review.
3. Examine, the light of decided case laws, whether fundamental rights can be amended by the Parliament.

(2 × 12 = 24 Marks)