

Seat No. : _____

AT-132

May-2016

BA, BBA, B.Com., LL.B. (Int), Sem.-IV

IL-211 : Constitutional Law Paper-II

Time : 3 Hours]

[Max. Marks : 70

- Instructions :** (1) Figures to the right indicate full marks.
(2) Attempt **all** the questions.
(3) Do not write anything on the question paper except your Roll No.
(4) Mention case law wherever necessary.

1. Explain the Ordinance making power of the Governor and solve the following problem.
Governor of State of Travancore promulgated an Ordinance in 2008, which he re-promulgated several times without placing it before the houses of State Legislative Assembly. Decide the validity of the exercise of this power by citing relevant cases. **14**

OR

How Independence of Judiciary is maintained under the Indian Constitution ? Discuss.

2. What is amendment to the Constitution and what are the methods of Constitutional Amendment ? Explain the limitations upon Constitutional Amendments. **14**

OR

Land reform legislations have always posed serious questions before the Supreme Court of India. Explain the statement under the light of amendability of Fundamental Rights with the help of relevant case laws.

3. Explain the power of President to suspend the enforcement of Fundamental Rights during the operation of National Emergency. **14**

OR

What is meant by failure of Constitutional Machinery in a State ? State its effects with decided cases.

4. What is the composition of the Election Commission of India ? Give a detailed account of Administrative, Quasi-Judicial & Advisory functions of the Election Commission of India. **14**

OR

Discuss in detail, the Parliament's power to legislate with respect to matters contained in the State list and Union's control over State Legislature.

5. Attempt the following Multiple Choice Questions : **7 × 2 = 14**

- (1) After a bill has been passed by the Parliament and sent to the President for his consideration.
- (a) He can refuse to sign it
 - (b) He has to sign it
 - (c) He can change certain clauses of the bill
 - (d) He can send it back for reconsideration
- (2) The provision as to disqualification on ground of defection was also amended by the Constitution 91st Amendment Act of 2003, is provided in
- (a) 7th Schedule to Constitution
 - (b) 9th Schedule to Constitution
 - (c) 10th Schedule to Constitution
 - (d) 12th Schedule to Constitution
- (3) A spate of killings, abductions and dacoities severely threatens the law and order in the State. The Governor recommends to the President of India that a breakdown of the Constitutional Machinery in the State is imminent. The President makes a proclamation under Article 356. The action of the President.
- (a) cannot be reviewed as the President is the sole judge of his emergency power.
 - (b) cannot be reviewed as the Constitution bars the Courts from reviewing political actions.
 - (c) can be reviewed as it goes against Fundamental Rights.
 - (d) can be reviewed if it is malafied.
- (4) President's Rule can be declared in a State under Article 356 and in the Centre under :
- (a) Article 352
 - (b) Article 354
 - (c) Article 355
 - (d) No Article
- (5) The Domestic Courts cannot challenge the law made by the Union Parliament on the basis of
- (a) Extra territorial Jurisdiction
 - (b) Territorial Nexus
 - (c) Both (a) and (b)
 - (d) None of the above
- (6) How many methods have been provided under the Constitution of India for the Amendment of the Constitution ?
- (a) One
 - (b) Two
 - (c) Three
 - (d) Four
- (7) Which of the following institutions is an Extra-Constitutional agency ?
- (a) Finance Commission
 - (b) Union Public Service Commission
 - (c) Planning Commission
 - (d) Minorities Commission

OR

Write short notes on the following :

2 × 7 = 14

- (A) Anti-defection Law
- (B) Pardoning power of the President