



Roll No.

**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

MID TERM EXAMINATIONS

Sem & AY: Odd Sem 2019-20

Date: 21.10.2019

Course Code: LAW 113

Time: 1.30 PM to 3.30 PM

Course Name: CONSTITUTIONAL LAW-II

Max Marks: 60

Program & Sem: B.A./B.B.A./B.Com.LL.B. & III

Weightage: 30%

Instructions:

- (i) *Attempt all questions.*
- (ii) *Support answers with cases laws wherever required.*

Part A [Memory Recall Questions]

Answer all the Questions. Each Question carries four marks. (5Qx4M=20M)

1. What is Federalism? Examine its characteristics. (C.O.NO.3)[Knowledge]
2. What are the advantages of Presidential form of Governance? (C.O.NO.1)[Knowledge]
3. What is an Ordinance? Examine the circumstances in which it is exercised. (C.O.NO.1)[Knowledge]
4. What is Financial Emergency? Examine the circumstances under which it is declared. (C.O.NO.3)[Knowledge]
5. What are the financial powers of the President? (C.O.NO.1)[Knowledge]

Part B [Thought Provoking Questions]

Answer both the Questions. Each Question carries five marks. (4Qx5M=20M)

6. Discuss the impact of Emergencies on Fundamentals Rights. (C.O.NO.1)[Comprehension]
7. Describe the discretionary powers of the President and Governor. (C.O.NO.1)[Comprehension]

8. Explain the process of removal of President in India.

(C.O.No.1)[Comprehension]

9. Examine the process of Electoral College.

(C.O.No.1)[Comprehension]

Part C [Problem Solving Questions]

Answer both the Questions. Each Question carries ten marks. (2Qx10M=20M)

10. 'Satisfaction of the President when making a Proclamation of Emergency under Art.352 is not altogether beyond judicial review, and could be brought within it, on grounds of mala fides or that the satisfaction is based on wholly extraneous and irrelevant grounds or is absurd or perverse'. Examine this statement made by Justice Bagwati also examine the restrictions have imposed by the 44th Constitutional Amendment to check misuse of proclamation of emergency.

(C.O.NO.3)[Application]

11. 'Indian constitution is considered to be both unitary as well as Federal according to the requirements of time and circumstances'- examine critically the above observation stating suitable examples.

(C.O.NO.3)[Comprehension]



SCHOOL OF LAW

Sem & AY: Odd Sem 2019-2020

Course Code: LAW113

Course Name: CONSTITUTIONAL LAW-II

Date: 21/10/2019

Time: 120 mins.

Max Marks: 60

Weightage: 30%

Extract of question distribution [outcome wise & level wise]

Q.NO	C.O.NO (%age of CO)	Unit/Module Number/Unit /Module Title	Memory recall type	Thought provoking type	Problem Solving type	Total Marks
			[Marks allotted] Bloom's Levels	[Marks allotted] Bloom's Levels	[Marks allotted]	
			K	C	A	
1	3	1	K			4
2	1	2	K			4
3	1	2	K			4
4	3	3	K			4
5	1	2	K			4
6	1	3		C		5
7	1	2		C		5
8	1	2		C		5
9	1	2		C		5
10	3	2			A	10
11	3	1		C		10
	Total Marks		20	30	10	60

K = Knowledge Level C = Comprehension Level, A = Application Level

Note: While setting all types of questions the general guideline is that about 60%

Of the questions must be such that even a below average students must be able to attempt, About 20% of the questions must be such that only above average students must be able to attempt and finally 20% of the questions must be such that only the bright students must be able to attempt.

I hereby certify that all the questions are set as per the above guidelines. [Name of faculty]

Reviewer's Comments:

Annexure- II: Format of Answer Scheme



SCHOOL OF LAW

SOLUTION

Sem & AY: Odd Sem 2019-2020

Course Code: LAW113

Course Name: CONSTITUTIONAL LAW-II

Date: 21/10/2019

Time: 120 mins.

Max Marks: 60

Weightage: 30%

Part A

(5Q x 4M =20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1	Meaning Characteristics	2 marks 2 marks	5 MINS
2	Meaning Advantage	1 mark 3 marks	5 MINS
3	Meaning Circumstances	2 marks 2 marks	5 MINS
4	Meaning Circumstances	2 marks 2 marks	5 MINS
5	Scope	4 marks	5 MINS

Part B

(4Q x5 M = 20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
6	Impact Criticism	2 marks 3 marks	10 MINS

7	Meaning President and Governor	2 marks 1.5 mark each	10 MINS
8	Removal Process Criticism	3 marks 2 marks	10 MINS
9	Meaning Scope	3 marks 2 marks	10 MINS

Part C

(2Q x10 M = 20Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
10	Scope Amendments Cases	10 marks 5 marks 5 marks	25 MINS
11	Scope Cases	10 marks 10 marks	25 MINS



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**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

END TERM FINAL EXAMINATION

Semester: Odd Semester 2019 - 20
Course Code: LAW 113
Course Name: CONSTITUTIONAL LAW-II
Program & Sem: BA/BBA/B.Com.LL.B.(Hons.)

Date: 26 December 2019
Time: 9:30 AM to 12:30 AM
Max Marks: 80
Weightage: 40%

Instructions:

- (i) Read the all questions carefully and answer accordingly.
(ii) Cite case laws wherever necessary.

Part A [Memory Recall Questions]

Answer all the Questions. Each Question carries 2 marks. (5Qx2M=10M)

1. What is a Money Bill? How is it passed? (C.O.No.1) [Knowledge]
2. What is the mechanism for resolving interstate water dispute? (C.O.No.3) [Knowledge]
3. What is Curative Petition? (C.O.No.2) [Knowledge]
4. Enumerate the powers of President. (C.O.No.1) [Knowledge]
5. What are the situations where the Constitutional Machinery of the State may be interpreted as failed? (C.O.No.3) [Knowledge]

Part B [Thought Provoking Questions]

Answer all the Questions. Each Question carries 10 marks. (4Qx10M=40M)

6. Trade, commerce and intercourse throughout the territory of India shall be free"-Comment. How far this provision is different/similar to those enshrined in Article 19 regarding trade? (C.O.No.3) [Comprehension]
7. What is Doctrine of Colorable Legislation? How is it different from doctrine of Pith and Substance? (C.O.No.3) [Comprehension]
8. What is/are the basis on which an SLP is granted? Examine its Scope. (C.O.No.2) [Comprehension]
9. Examine the scope of Doctrine of Territorial Nexus. Examine the validity of a State legislation and a Central Legislation if they are having an extra territorial application in the light of relevant Constitutional provisions and precedents. (C.O.No.3) [Comprehension]

Part C [Problem Solving Questions]

Answer both the Questions. Each Question carries 15 marks.

(2Qx15M=30M)

10. In the light of decided cases, examine the process of formation of opinion by the Chief Justice of India regarding appointment of Supreme Court and High Court Judges and the process of consultation between the CJI and the president in this regard. (C.O.No.2) [Application]
11. What is the scope of Judicial Review in India? How far Judicial Review helps in Judicial Activism? Critically examine the need of Judicial Activism and effective measures towards controlling it. Examine in the light of precedents (C.O.No.2) [Application]



SCHOOL OF LAW

END TERM FINAL EXAMINATION

Extract of question distribution [outcome wise & level wise]

Q.NO	C.O.NO (% age of CO)	Unit/Module Number/Unit /Module Title	Memory recall type	Thought provoking type	Problem Solving type	Total Marks
			[Marks allotted]	[Marks allotted]	[Marks allotted]	
			Bloom's Levels	Bloom's Levels	[Marks allotted]	
			K	C	A	
1	1	1	2			2
2	3	2	2			2
3	2	2	2			2
4	1	1	2			2
5	3	5	2			2
6	3	4		10		10
7	3	5		10		10
8	2	2		10		10
9	3	5		10		10
10	2	2			15	15
11	2	2			15	15
	Total Marks		10	40	30	80

K = Knowledge Level C = Comprehension Level, A = Application Level

Note: While setting all types of questions the general guideline is that about 60%

Of the questions must be such that even a below average students must be able to attempt, About 20% of the questions must be such that only above average students must be able to attempt and finally 20% of the questions must be such that only the bright students must be able to attempt.

I hereby certify that all the questions are set as per the above guidelines.

Faculty Signature:

Reviewer Comment:

Format of Answer Scheme



SCHOOL OF LAW

SOLUTION

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Course Code: LAW113

Course Name: CONSTITUTIONAL LAW-II

Program & Sem: BA/BBA/B.Com.LL.B.(Hons.)

Date: 26 Dec 2019

Time: 9:30- 12:30

Max Marks: 80

Weightage: 40 %

Part A

(5Q x 2M = 10Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1	Meaning Process	1 mark each	10 mins
2	Mechanism	2 marks	10 mins
3	Meaning	2 marks	10 mins
4	Powers	2 marks	10 mins
5	Enumerate Situations	2 marks	10 mins

Part B

(4Q x 10M = 20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
6	Scope Difference	5 marks 5 marks	15 mins
7	Meaning Difference	5 marks 5 marks	15 mins
8	Basis Scope	3 marks 7 marks	15 mins

9	Scope Validity	6 marks 4 marks	15 mins
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Part C

(2Q x 15M = 30Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
10	Cases NJAC Collegium	8 marks 2 marks 5 marks	30 mins
11	Scope Analysis Cases	5 marks 5 marks 5 marks	30 mins

