



ROLL NO.	
-----------------	--

PRESIDENCY UNIVERSITY, BENGALURU
SCHOOL OF LAW

Max Marks: 40

Max Time: 180 Mins

Weightage: 40%

ENDTERM FINAL EXAMINATION

I Semester AY 2017-2018

Course: **LAW113 Constitutional Law-II**

19 December 2017

Instructions:

- i. Avoid false numbering.
- ii. Support your answers with case laws and reasoning where needed.

Part A

[Short Answer]

[5 Q x 2 M= 10 Marks]

1. What is Curative Petition?
2. Can Parliament tax on a matter which is not mentioned in Seventh Schedule? Why/How?
3. What is the mechanism for resolving interstate water dispute?
4. What are the needs of Delegated Legislation?
5. Delegatus non potest delegare. Explain.

Part B

[Not more than 300 words]

[5 Q x 3 M= 15 Marks]

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?
7. What is Doctrine of Colorable Legislation? How is it different from doctrine of Pith and Substance?
8. Critically evaluate the impact of National Emergency on Fundamental Rights.
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.
10. Examine the different kinds and types of Constitutional Amendments? What is the procedure for amending the entrenched provisions of the Constitution?

Part C
[Long answers]

[3 Q x 5 M= 15 Marks]

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.
12. A State Legislature passed a law under entry 6 of list II (Public health, sanitation....) regulating use of sound amplifiers. That law was questioned on the ground that it trenches into the union field i.e. entry 31 of list I (Post and telegraph, telephones..... forms of communication). Discuss the constitutional validity of the State Law. Examine in the light of precedents.
13. Examine the extent of President's power under Article 356 to restore constitutional order in State. To what extent the exercise of power under Article 356 is subject to judicial review? Examine in the light of precedents.



**PRESIDENCY UNIVERSITY, BENGALURU
SCHOOL OF LAW**

Max Marks: 30

Max Time: 120 Mins

Weightage: 30 %

**2016 BBA/B.Com/BA, LL.B (H) III SEMESTER
MID TERM EXAMINATION**

I Semester AY 2017-2018

Course: **LAW113 Constitutional Law-II**

9 OCT 2017

Instructions:

- i. Write legibly
- ii. All Questions are compulsory.
- iii. Avoid false numbering.

Part A

(2Q x 5 M= 10 Marks)

1. Mr Narendra Singh Gandhi filled a writ petition under Article 226 before the High Court of Tamil Nadu for violation of his fundamental right to freedom of profession after the impact of GST. After consideration, the High Court dismisses his petition. Dissatisfied with this, Mr Gandhi, now seek to move the Supreme Court under Article 32 of the Constitution on the same grounds. Advice.
2. A Prisoner awaiting death sentences files a mercy petition before the President. The government recommends rejection of this petition. The President has decided to grant pardon on the ground that capital punishment is against constitutional principles.
 - i. Discuss Art.72 of the Constitution of India.
 - ii. Can the President refuse to abide by such advice and grant pardon? Decide the above case.

Part B

(5 Q x 2 M= 10 Marks)

3. The SGST Bill, decided by Money Bill by the speaker does not get passed in Legislative Assembly of Kerala. Examine the possible repercussion of the same in the context of collective responsibility.
4. Examine the relevance of Article 136.
5. What is an advisory jurisdiction? Critically analyze the same.
6. What is the relevance of an independent judiciary?
7. What is cooperative federalism? How it is different from competitive federalism?

Part C

(1 Q x 10 M= 10 Marks)

8. Answer the following in short/bullet points
- i. What are the advantages of federalism?
 - ii. What are the Quasi Federal features of Indian Constitution?
 - iii. What are the merits of Parliamentary form of Government?
 - iv. What is the process of Electoral College?
 - v. What is an office of profit?
 - vi. What is a Presidential ordinance? And what is its validity?
 - vii. What are the privileges of President of India?
 - viii. What are the conditions of the president's office?
 - ix. What are the qualifications of the Judge of Supreme Court?
 - x. What is a money bill?