

B. A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS-2021 COURSE)

B.A. LL.B. (5 Year) Sem - IV : SUMMER : 2024

SUBJECT: CONSTITUTIONAL LAW-II

Day : Saturday

Date : 27/04/2024

S-24889-2024

Time : 10:00 AM-12:30 PM

Max. Marks : 60

N.B

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL MARKS**.

Q.1 A) Indian Constitution is neither rigid nor flexible. Analyse the provisions related to amendment process in the Constitution.

OR

Q.1 B) Decision of the speaker as to disqualification under Tenth Schedule is final. However, the role of a speaker in case of disqualifying defectors, members of legislative assembly has been a controversial one. Analyse in the light of Anti Defection law with appropriate judicial decisions.

Q.2 A) Evaluate the relationship between the President and Council of Ministers.

OR

Q.2 B) Analyze the position of a President in a Parliamentary system like ours in light of the powers and functions given in the Constitution.

Q.3 A) Assess the procedure to pass an Ordinary Bill. Assess the role of Rajya Sabha in this process.

OR

Q.3 B) Analyze the division of Administrative Powers under the Constitution.

Q.4 A) Write short notes on:

- i) Council of Ministers.
- ii) Doctrine of Territorial Nexus.

OR

Q.4 B) Write short notes on:

- i) Doctrine of Pith and Substance.
- ii) Election Commission.

Q.5 A) i) A belongs to party Y. He gets elected to the State Assembly. Later he realizes that the ideologies of the party Y are shifting. Along with him another group in the party observes the same. A gathers their support and convinces around 50% of the party members of party Y to break way and form a new party. Analyze and decide if this is possible under the provisions of the Constitution of India.

ii) Analyze the following: A. D. M. Jabalpur v. Shivkant Shukla

OR

Q.5 B) i) A is an official driver to officers of the central government. He is instructed by the officer to drop the officer to the department office and while returning to pick up personal belongings of the officer and deliver it to the mother of the officer. In order to finish the chores quickly he speeds up the vehicle. An accident happens and he hits a pedestrian crossing the road. Decide the liability of the driver, officer and the government.

ii) Analyze the following: Kihoto Hollohan Vs. Zachilluh.