

**LL. B. (3 YEAR DEGREE COURSE) SEM-II (2015 COURSE)  
(CHOSE BASED CREDIT SYSTEM) : SUMMER - 2018**

**SUBJECT: CONSTITUTIONAL LAW - II**

Day : **Tuesday**  
Date : **15/05/2018**

**S-2018-1572**

Time : **10.00 AM TO 01.00 PM**  
Max. Marks : 60

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**N.B.:**

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry **EQUAL** marks.
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**Q.1** The framers of the Constitution of India envisaged a federal form of Government of India. However to this day controversy persists over. Whether India is a federation in the true sense of the term? Discuss the federal feature of the Constitution.

**OR**

The crux of a federal Constitution is the division of the powers and functions between the center and states. The distribution of legislative powers between the center and the regions is the most important characteristics of a federal Constitution. Comment with the help of case law.

**Q.2** "To ensure smooth and proper functioning of the administrative machinery at the two levels Constitution provides for a flexible, permissive and not rigid scheme of allocation of administrative responsibilities between the center and the state." Discuss.

**OR**

Discuss briefly the Constitutional position and the powers of the President of India.

**Q.3** Some of the peculiar rights enjoyed by each house collectively as a Constituent part of the Parliament and by the members of each house individually, without which they could not discharge their functions. Explain in detail the powers, privileges and immunities of the member of parliament.

**OR**

In order to ensure free, fair and impartial elections the Constitution establishes the election commission a body of autonomous in character and insulated from political pressures or executive influence. Comment.

**Q.4** The ideas upon which a Constitution is based in one generation may be spurned as old fashioned in the next generation. It is thus become necessary to have some machinery, some process by which the Constitution may be adopted or amended from time to time in accordance with the contemporary national needs. Discuss with the help of case laws.

**OR**

What is the meaning of failure of Constitutional machinery in state? Explain its effects with decided cases.

**Q.5** a) The Prime Minister wants to appoint a famous scientist who is not a member of parliament as cabinet minister for science and technology. Is it possible? Discuss.  
b) Write notes on :  
i) Ordinary bill.  
ii) Tortious liability of Government

**OR**

a) X secured a Government job by false certificate and he was dismissed from services. Is he protected under Article 311 of the Constitution of India?  
b) State the facts contentions and decision of *Keshavanand Bharati v. State of Kerala*. AIR 1973.

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