

Seat No: _____

Enrolment No: _____

PARUL UNIVERSITY
FACULTY OF LAW
I-B.A.LL.B., Winter 2019 – 20 Examination

Semester: 3

Subject Code: 17300201

Subject Name: Constitutional Law II

Date: 26/11/2019

Time: 10:30am to 1:00pm

Total Marks: 60

Instructions:

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 Do as directed: (1 mark each. All Questions are Compulsory)

(15)

1. Which Article appoints the President of India?
[a] Article 51 [b] Article 51A
[c] Article 52 [d] None of these
2. Union List, State List and Concurrent List are contained under which Schedule of the Constitution?
[a] Schedule VI [b] Schedule V
[c] Schedule VIII [d] None of these
3. Who will preside over the meetings of Joint Session of both Houses of Parliament?
[a] Chief Justice of India [b] Speaker of House of People
[c] Vice- President [d] None of these
4. In India, the residuary powers is with _____
[a] Parliament [b] State Legislatures
[c] Both of these [d] None of these
5. The Parliament of India is composed of _____
[a] House of the People [b] Council of States
[c] President [d] All of these
6. As per Article 80 (3), the President can nominate 12 people to the Council of States having special knowledge or practical experience in respect of _____
[a] Literature [b] Science
[c] Art and Social Science [d] All of these
7. The minimum age to be eligible to become a member of the Council of States is _____
[a] 25 years [b] 30 years
[c] 35 years [d] No age limit
8. Which Article of the Constitution provides for a Finance Commission?
[a] Article 279 [b] Article 279A
[c] Article 280 [d] Article 281

9. By virtue of the Constitution (101st Amendment) Act, 2016 the indirect tax regime of India was scrapped with the coming of _____
[a] Sales Tax [b] Demonetization
[c] Goods and Services Tax [d] All of these
10. For the purposes of unforeseen expenditures, the Constitution provides for the creation of _____
[a] Consolidate Fund of India [b] Devaswom Fund
[c] Contingency Fund [d] None of these
11. The Constitution of India does not provide for the impeachment of which of the following constitutional bodies?
[a] President of India [b] Vice-President of India
[c] Chief Justice of India [d] Governor of a State
12. As per Article 75 (1A), the total number of ministers, including the Prime Minister, the Council of Ministers shall not exceed ten percent of the total number of members of the House of People.
[a] True [b] False
13. At present, the composition of the Supreme Court is one Chief Justice and seven other Judges.
[a] True [b] False
14. During the Proclamation of Emergency, Articles 20 and 21 are automatically suspended.
[a] True [b] False
15. There is no provision for the amendment of the Constitution of India.
[a] True [b] False

Q.2 A) Answer the following: (Each of three marks) (15)

1. Under Article 53 (2), the President shall be the supreme commander of armed forces of the Union. Explain the statement.
2. State any two restrictions on trade and commerce in India.
3. Write a brief note on the Indian Parliament.
4. State the qualifications for appointment as well as grounds for removal of a Supreme Court Judge.
5. Article 110 defines a Money Bill while the preceding Article lays down a special procedure for presentation of Money Bills. Explain the provisions in respect of Money Bills as provided under the Indian Constitution.

Q.3 A) Part XVIII lays down extensive provisions with regard to Emergency. Highlight in detail the Emergency provisions as provided under the Constitution. Explain the kinds of emergency and also the changes introduced by the 44th (Constitution) Amendment, Act, 1978. (08)

OR

Chapter IV contains provisions for Union Judiciary. Explain in detail the various jurisdictions of the Supreme Court

A) Discuss the qualifications, election and powers of the President of India. **(07)**

OR

Discuss the composition, powers and functions of the Union Legislature.

Q.4 A) “The relationship between the Centre and States should be complimentary and supplementary to each other.” Discuss with the help of constitutional provisions, the relations between the Centre and State Governments. **(07)**

B) Answer any four of the following (Each of two mark) (08)

1. Write a brief note on Union and State Public Service Commissions.
2. Unlike USA, where the residuary power is with the States, the Constitution of India, under Article 248 lays down that the residuary powers shall be with the Parliament of India. With this background, enumerate any two situations in which the Parliament is empowered to legislate on subjects contained in the State List or Concurrent List.
3. Highlight differences between Articles 323A and 323B.
4. “All contracts made in the executive power of the Union or of a State are to be made by the President, or by the Governor of the State, as the case may be.” Explain this statement in reference with the liability of a State to sue or to be sued on contracts, torts, etc.
5. Write a note on Finance Commission of India.
