

2012
LL.B., First Semester
Paper – II: Constitutional Law – I

Time allowed: 3 Hours

Max. Marks: 80

NOTE: Attempt five questions in all, including Question No. I (Unit-I) which is compulsory and selecting one question each from Unit II-V.

x-x-x

UNIT – I

I. Discuss briefly:-

- a) Mr. Smith, a foreign national, arrived in India in April 1944 and stayed in India continuously after 15 August, 1947 on the basis of foreign passport and residential permit, carrying out his missionary work. Could he claim citizenship on the basis of domicile? Give reasons in support of your answer.
- b) In case of conflict between Parliamentary law and law enacted by the state legislature on the same subjects, which law shall prevail?
- c) Writ of prohibition
- d) Financial emergency

(4x5)

UNIT – II

- II. Discuss meaning, nature and objectives of the preamble. Can the word 'Socialist' be deleted from the preamble? Support your answer with relevant reasons and case law, if any. (15)
- III. Explain the powers and position of the President of India. Whether the President is always bound by the advice of the Council of Ministers? (15)

UNIT – III

- IV. How the judges of the Supreme Court and High Courts are appointed? Discuss the appointment procedure with the help of case law. Are you in favour of setting up of National Judicial Appointment Commission? Support your answer with relevant reasons. (15)

P.T.O.

(2)

- V. Discuss composition, powers and position of Election Commission of India. (15)

UNIT – IV

- VI. Explain the difference between 'Money Bill' and 'Financial Bill'. How can a deadlock over a Bill between the two houses of parliament is resolved? Discuss. (15)
- VII. a) Explain the doctrine of 'territorial nexus'
b) Discuss the doctrine of colourable legislation. (2x7½)

UNIT – V

- VIII. Discuss the power of the President of India to declare emergency under Article 352. Also explain the implications of such emergency. (15)
- IX. Explain the procedure for amending the constitution? Is the power to amend the constitution absolute or not? Explain with the support of relevant case law. (15)