

2023**LAW****Constitutional Law-II****Paper - 502****(NEW SYLLABUS)**

Full Marks : 80

Time : 3 Hours

*The figures in the right-hand margin indicate marks.**Candidates are required to give answers in their own words as far as practicable.***Answer question no. 1 and any five from the rest.**1. Answer any **ten** questions: 2×10=20

- a) What do you mean by court of contempt?
- b) Write down two differences between article 19(1)(g) and 301.
- c) What is parliamentary privilege?
- d) What is stare decisis?
- e) What do you mean by collective responsibility?
- f) What is the supervisory jurisdiction of high court?
- g) Define the writ of quo-warranto.
- h) Explain the legislative power of the Governor.

[Turn over]

- i) Define the concept of legislative relation on the basis of subject-matters.
 - j) What are the effects of state emergency?
 - k) What are the difference between Article 356 and 365?
 - l) Explain the concept of All India Service.
2. Write the role of Election Commission for free and fair election and electoral reforms with special reference to People's Union for Civil Liberties & Another -Vs.- Union of India & Another. (2013)10SCC1. 12
 3. Free flow of trade, commerce and intercourse within and across inter-state borders is an important pre-requisite for ensuring economic unity, stability and prosperity of a country having a two-tier polity—analyse the statement in the context of federal characters. 12
 4. Do you think that doctrine of basic structure is a judicial attempt to save rule of law? Discuss in the light of amendment provision under Indian Constitution and case laws. 12
 5. A proclamation of emergency is in operation, the president may by order declare that the right to move any court for the enforcement of such of the

rights conferred by part III shall remain suspended for the period during which proclamation is in force— justify the statement taking into consideration personal liberty and national security.

12

6. Although there is a pleasure doctrine, the same cannot be said to be absolute and the same is subject to the condition that a departmental enquiry is required to be conducted to enquire into misconduct.- explain the statement in the light of *Ajit Kumar v. State of Jharkhand* (2011)11SCC 458.

12

7. Explain the doctrine of unjust enrichment with special reference to fiscal federalism.

12

8. Write notes on following: 6+6=12

i) Doctrine of territorial nexus.

ii) Inter-state council.

9. There shall be freedom of speech in the legislature of every state— explain. 12