



‘समानो मन्त्रः समितिः समानी’

**UNIVERSITY OF NORTH BENGAL**

B.A./BBA/B.Com. LL.B. Honours 5th Semester Examination, 2021

**CONSTITUTIONAL LAW-II**

**PAPER CODE: CC12/CC14**

Time Allotted: 3 Hours

Full Marks: 100

*The figures in the margin indicate full marks.*

***The students are advised to follow the word limit mentioned below strictly while answering questions.***

***The marks will be deducted if answers exceed word limit.***

***16-20 marks- 400 words / 10-15 marks- 300 words / 6-9 marks- 200 words / 2-5 marks- 100 words***

**Answer Question No. 7 and any four from the rest**

1. (a) What is Federalism? Highlight the distinctive features that make India a quasi-federal State. 10+10  
(b) Enumerate the various agencies that promote cooperative federalism in India.
2. (a) Discuss in detail the discretionary powers of the judges of Supreme Court. Are there any limitations on the exercise of the discretionary jurisdiction vested in the Apex Court? Is this power beyond judicial review? Give reasons for your answer. 10+10  
(b) With the help of decided case laws write a note on the writ jurisdiction of the High Courts.
3. (a) In the light of the landmark judgment of Indira Nehru Gandhi v. Shri Raj Narain AIR 1975 SC 2299 discuss the interpretation of the judiciary on the power of the parliament to proclaim emergency. 12+8  
(b) Discuss in brief the consequences of Failure of Constitutional machinery in states.
4. Discuss with relevant case laws the procedure for amendment of the Constitution of India. 20
5. Explain the origin and concept of the Doctrine of Pleasure. Discuss the Constitutional safeguards guarantees to civil servants in India as an exception to the doctrine of pleasure with relevant case laws. 20

6. 'Failure of the Constitutional machinery of State' — Discuss with the help of landmark judgments the provision for declaring emergency in India. 20
7. Answer any *four* from the following: 5×4 = 20
- (a) Test of Repugnancy
  - (b) Original Jurisdiction of the Supreme Court
  - (c) Suspension of Fundamental Rights during Emergency
  - (d) Freedom of trade and commerce
  - (e) Financial emergency
  - (f) Relationship between Centre and State.

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