2025/06

SET B

BA LLB
FOURTH SEMESTER
CONSTITUTIONAL LAW-II
BLB – 405

[USE OMR FOR OBJECTIVE PART]

Duration: 3 hrs. **Full Marks: 70**

(Objective)

Time: 30 min. **Marks: 20**

Choose the correct answer from the following: ***1×20=20***

1. Restrictions on trade and commerce can be imposed by-
   a. States only
   b. Parliament only
   c. Judiciary only
   d. Both Parliament and State

2. Which article provides protection against arbitrary dismissal of civil servants?
   a. Article 301
   b. Article 311
   c. Article 356
   d. Article 226

3. The Doctrine of Pleasure is related to:
   a. Freedom of trade
   b. Services under the Union and States
   c. Legislative privileges
   d. Judicial review

4. Which article of the Constitution guarantees freedom of trade, commerce, and intercourse?
   a. Article 301
   b. Article 311
   c. Article 356
   d. Article 368

5. Which of the following is a limitation on the Parliament's power to amend the Constitution?
   a. Approval by the President
   b. Doctrine of Basic Structure
   c. Consent of all states
   d. Judicial approval

6. The doctrine of basic structure was established in which case?
   a. SR Bomai Vs. Union of India
   b. Keshbananda Bharati Vs. State of Kerala
   c. A.D.M. Jabalpur Vs. Srikanth Shukla
   d. Rameswar Prasad Vs. Union of India

7. The 44th Amendment Act is primarily associated with changes to-
   a. Fundamental Rights
   b. Emergency Provisions
   c. Judicial Review
   d. Legislative Powers

8. Which article of the Constitution provides for the amendment procedure?
   a. Article 356
   b. Article 368
   c. Article 370
   d. Article 352

9. When two laws, one by the Union and one by the State, are inconsistent, which doctrine determines the validity of the laws?
   a. Doctrine of Colourable Legislation
   b. Doctrine of Repugnancy
   c. Doctrine of Pith and Substance
   d. Doctrine of Basic Structure

10. In the case of Atiabari Tea State Co. Vs. State of Assam, AIR 1961 SC 232, the Supreme Court dealt with:
    a. Doctrine of Repugnancy
    b. Freedom of trade and commerce
    c. Judicial independence
    d. Basic structure doctrine

11. Which article governs the administrative relations between the Union and the States?
    a. Article 256
    b. Article 245
    c. Article 368
    d. Article 356

12. Which schedule of the Constitution contains the three lists for distribution of legislative powers?
    a. Sixth Schedule
    b. Seventh Schedule
    c. Ninth Schedule
    d. Eleventh Schedule

13. Which of the following is NOT a prerequisite for the application of Public Interest Litigation (PIL)?
    a. Violation of fundamental rights
    b. Public interest at stake
    c. Filing by an affected individual only
    d. Access to justice for marginalized groups

14. What is the scope of the Supreme Court's advisory jurisdiction under the Constitution?
    a. To decide criminal cases
    b. To give opinions on questions referred by the President
    c. To review state legislation
    d. To issue writs

15. Who appoints the judges of the Supreme Court of India?
    a. Prime Minister
    b. President
    c. Chief Justice of India
    d. Parliament

16. Which article empowers the Supreme Court to issue writs for the enforcement of fundamental rights?
    a. Article 32
    b. Article 226
    c. Article 136
    d. Article 142

17. Under which doctrine does the Council of Ministers bear collective responsibility to the Lok Sabha?
    a. Doctrine of Pith and Substance
    b. Doctrine of Colourable Legislation
    c. Doctrine of Collective Responsibility
    d. Doctrine of Basic Structure

18. Which article of the Constitution deals with the impeachment of the President?
    a. Article 54
    b. Article 61
    c. Article 72
    d. Article 85

19. What is the term of office for the President of India?
    a. 4 years
    b. 5 years
    c. 6 years
    d. 7 years

20. Who is the constitutional head of the Union Executive in India?
    a. Prime Minister
    b. President
    c. Vice-President
    d. Chief Justice of India

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(Descriptive)

Time : 2 hrs. 30 min. **Marks : 50**

[Answer question no.1 & any four (4) from the rest]

1. Outline the constitutional powers and functions of the President of India, including executive, legislative, and judicial roles. Explain the significance of the relationship between the President and the Council of Ministers, particularly in the context of the principle of collective responsibility. **5+5=10**

2. Critically evaluate the role of Public Interest Litigation (PIL) in promoting access to justice. Discuss its scope and limitations with reference to judicial activism in India. **5+5=10**

3. Explain the distribution of legislative powers between the Union and the States under the Seventh Schedule of the Constitution. Discuss the role of the doctrine of Pith and Substance in resolving conflicts. **7+3=10**

4. Describe the procedure for amending the Constitution under Article 368. Discuss the significance of the doctrine of basic structure as a limitation on Parliament's amending power. **7+3=10**

5. Discuss the significance of the doctrine of basic structure as a limitation on Parliament's amending power. Illustrate with reference to Keshbananda Bharati Vs. State of Kerala, AIR 1973 SC 1461. **10**

6. Critically evaluate the role of the Supreme Court in the appointment and removal of judges, with reference to In Re Special Reference No. of 1998 (Judges Appointment Case), AIR 1999 SC 1. How does this case strengthen judicial independence? **10**

7. Describe the administrative relations between the Union and the States under the Constitution. How do these provisions ensure cooperative federalism? **10**

8. Explain the concept of freedom of trade, commerce, and intercourse under Article 301. Discuss the restrictions imposed by Parliament on this freedom with relevant case laws. 5+5=10

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