

B.A.LL.B. Even Semester Exam, 2023

LAW

4th Semester

COURSE NO. BA.LL.B- 404(C)

(Constitutional Law-II)

Full Marks : 70

Pass Marks : 28

Time : 3 hours

The figures in the margin indicate full marks for the questions

Answer five questions, taking one from each Unit

UNIT-I

1. Write a note on the powers and functions of the Governor of a state alongwith Governor's special discretionary power. 14
2. Write a note on the pardoning power of the President of India with special emphasis on the judicial review over this power with reference to leading cases. 14

UNIT-II

3. What is Doctrine of "Pith and substance"? Elaborate this doctrine with the help of *Cushing vs Dupuy* and *Prafulla Kumar Mukherjee vs The Bank of Commerce, Khulna*. 14

Turn over

4. How do you explain the Revisional Jurisdiction of High Court? Is there any difference between Revisional Jurisdiction of High Court and its Appellate Jurisdiction. Substantiate it with the help of decided cases with special focus on “Review Jurisdiction” of High Courts and Supreme Court. 14

UNIT-III

5. Write a critique of the ‘Collegium’ system for the appointment and transfer of High Court and Supreme Court judges with Judges Appointment and transfers cases and supreme court advocates-on-record Association vs Union of India (NJAC) case. 14
6. Elaborate the writ jurisdictions of Supreme Court in the light of some recent development in this field. 14

UNIT-IV

7. Illustrate the constitutional provisions in the light of Goods and Service Tax Act. 14
8. Highlight the salient features of three Goods and services Tax Act-CGST, SGST and IGST, by specially focusing on its implication in Economy of India. 14

UNIT-V

9. What is the Doctrine of Basic Structure? Illustrate this in the light of Keshavananda Bharati vs State of Kerala and the basic premise upon which this doctrine is constructed. 14
10. “If the President on receipt of a report from the Governor of a state or otherwise is satisfied that a situation has arisen in which the government of a state cannot be carried on in accordance with the provisions of the constitution then the President , may by proclamation can impose emergency U/A 356.” In the light of the above Article 356 of constitution of India discuss the mandates of it along with the constituent power of Supreme Court. 14
