

G 3795

(Pages : 2)

Reg. No.....

Name.....

**FIVE YEAR B.A., LL.B. (HONS.)/B.B.A., LL.B. (HONS.)/B.Com., LL.B. (HONS.)
DEGREE EXAMINATION, JUNE 2023**

Second Semester

F.L.3—CONSTITUTIONAL LAW—II

(2021 Admissions—Regular/2018 to 2020 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on any five of the following.

Each question carries 3 marks.

1. Co-operative federalism.
2. Citizenship by Naturalization.
3. Comptroller and Auditor General of India.
4. Distinction between Money Bill and Financial Bill.
5. Anti-defection Law.
6. Supreme Court as Court of Record.

(5 × 3 = 15 marks)

Part B

Answer any three of the following problems.

Each question carries 10 marks.

7. An agreement entered into between India and Pakistan for resolving certain boundary disputes, provided *inter alia*, for the transfer of a portion of Indian territory to Pakistan in exchange for an area of land belonging to Pakistan to India. Examine the validity of the agreement. Is the President of India empowered under provisions of the Constitution to enter into such an agreement ?
8. Mr. 'X', a non-MLA, was made a Minister in a state. He continued as Minister for 5 months and 29 days. Later he resigned from the office of Minister as he failed to get himself elected in the assembly election within 6 months. After a gap of 3 months, he was again appointed as a Minister. Comment on the validity of his subsequent appointment as Minister.

Turn over

9. State 'C' promulgated 256 Ordinances from the year 2007 to 2022 which were all kept alive for periods ranging from one to fourteen years from time to time. Out of these, around 70 Ordinances were mechanically repromulgated several times without changing any content of the Ordinance or trying to convert it into an Act. A public-spirited person challenges the Governor's Ordinance repromulgating powers by initiating Public Interest Litigation before the Supreme Court. Decide.
10. The Central Bureau of Investigation (CBI) registered a case against a Judge of the Supreme Court alleging corruption and financial irregularities under the provisions of the Prevention of Corruption Act. Discuss the legality of such criminal proceedings.

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. Critically analyze the constitutional safeguards provided to civil servants in India regarding their recruitment, tenure, and unfair disciplinary action, emphasizing the need for due process and the principles of natural justice. How do these safeguards contribute to the independence and efficiency of the civil service ?
12. "As the nominal head of the State, the President of India acts according to the aid and advice of the Council of Ministers. He simply reigns but does not rule." In light of the above statement, discuss the powers and position of the President of India.
13. The appointment of Judges of the Supreme Court and High Courts in India has been a subject of debate and controversy. Discuss the existing procedure for the appointment of Judges and analyze the challenges and criticisms associated with it. How can a Judge of the Supreme Court be removed from office ?

(2 × 15 = 30 marks)