

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (ACADEMIC LAW)
(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION : DECEMBER - 2024
SIXTH/SECOND SEMESTER
Sub.: Constitutional Law – II (LW-18-6004/203)

Date : 12/12/2024

Total Marks : 60

Time: 10.00 am to 12.30 pm

Instructions: 1) All questions are compulsory.
2) Figure indicate to the right full marks.

Q. 1. Answer the following question. (15)

A) Discuss the nature and scope of the Parliament's power to amend the Constitution under Article 368. How has the doctrine of 'basic structure' imposed limitations on this power?

OR

B) Explain the various stages involved in the passage of a Bill in the Indian Parliament. Distinguish between Money Bills and Ordinary Bills.

Q. 2. Answer the following question. (15)

A) Examine the nature, scope, and extent of executive power vested in the Union and the States under the Indian Constitution. Illustrate your answer with relevant examples and judicial interpretations.

OR

B) Discuss the constitutional framework of Emergency provisions in India under Articles 352, 356, and 360.

Q. 3. Write Short Notes. (any four) (20)

- a) Power of President
- b) Election Commission
- c) Composition of Parliament
- d) Judicial Activism
- e) Immunities of Parliament
- f) Judicial review

Q. 4. Answer the following questions. (10)

A) A senior civil servant in a State Government is terminated from service by the Governor without being given an opportunity to be heard. The civil servant challenges the termination, arguing that it violates their right to equality under Article 14 and the principles of natural justice. The State defends its action, invoking the "Doctrine of Pleasure" under Article 310 of the Indian Constitution, stating that civil servants hold office at the pleasure of the Governor.

Question:

- What is the scope and application of the "Doctrine of Pleasure" in India?

- Can the principles of natural justice override the Doctrine of Pleasure?

OR

B) A state government enacts a law imposing restrictions on inter-state trade and commerce. A business entity operating across multiple states challenges the law, claiming it violates Article 301 of the Constitution and encroaches upon the exclusive jurisdiction of Parliament under the Union List. The state government argues that the law was passed to protect local businesses and promote public interest. The matter is brought before the Supreme Court under its original jurisdiction, invoking Article 131 of the Constitution. Does the Supreme Court have original jurisdiction in this matter?
