


Name: Enrolment No:			
UPES End Semester Examination, May 2025			
Course: Constitutional Law II Program: LL.B. Course Code: CLCC1028		Semester: II Time : 03 hrs. Max. Marks: 100	
Instructions: All questions are mandatory			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	What is the relationship between fundamental rights and the imposition of emergency in India?	2	CO1
Q 2	Write a short note on Art 136 of the Indian Constitution.	2	CO 2
Q 3	Explain the pardoning powers of the President.	2	CO 1
Q 4	Write a short note on the qualifications of the Members of Parliament.	2	CO 2
Q 5	What is the doctrine of colorable legislation?	2	CO 1
SECTION B (4Qx5M= 20 Marks)			
Q 6	Whether the central administrative tribunal has jurisdiction to decide the claim of a temporary employee, whose services were wrongly terminated by the office of the Central Railway. Decide.	5	CO4
Q 7	Examine whether the anti-defection law is a suppression of healthy party debate and dissent.	5	CO 3
Q 8	Explain the original jurisdiction of the Supreme Court.	5	CO 4
Q 9	What are the powers and functions of the Governor?	5	CO 3
SECTION-C (2Qx10M=20 Marks)			
Q 10	Critically analyze the procedure for the appointment of judges in the Supreme Court with the help of decided cases.	10	CO5
Q 11	Write an essay on the evolution of the doctrine of basic structure with special reference to constitutional amendments.	10	CO 5

SECTION-D
(2Qx25M=50 Marks)

Q 12	<p><i>“The Government of X State passes a law mandating that all goods entering the state from outside must pay an ‘Entry Facilitation Fee’ citing administrative and infrastructural costs. A traders’ association challenges the law, arguing that it restricts their right to free trade and commerce under Part XIII of the Constitution. The State justifies the fee under the guise of reasonable restrictions in public interest.”</i></p> <p>A. Critically analyze the constitutional validity of the above law in the light of Articles 301 to 307 of the Constitution of India. (15 marks)</p> <p>B. Discuss the nature and scope of the freedom of trade and commerce and examine the judicial interpretations that shape the doctrine of ‘compensatory tax’ and ‘regulatory versus discriminatory’ measures. (10 marks)</p>	25	CO4
Q 13	<p><i>Following a fractured mandate in the State of Darpana, no single party or coalition is able to prove majority support within the stipulated time. The Governor submits a report recommending the imposition of President’s Rule, citing a “breakdown of constitutional machinery.” Within two days, the President proclaims President’s Rule under Article 356. However, a coalition of regional parties subsequently submits affidavits to the Governor demonstrating their majority and claims they were not given a fair opportunity. They approach the Supreme Court, challenging the imposition.</i></p> <p><i>Simultaneously, in another State, Samagra, President’s Rule is extended beyond one year due to "ongoing instability and threats to national security," but no national emergency is in force. Public Interest Litigations are filed challenging the extension.</i></p> <p>Critically examine the constitutional and judicial parameters governing the imposition and continuation of President’s Rule under Article 356. In your answer, address the scope of judicial review, the role of the Governor, and the limitations on extension beyond one year.</p>	25	CO4