

Total number of printed pages-4

19 (2) CPCN 2-5 (H)

2023

COMPARATIVE CONSTITUTION

Paper : 2-5

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate answer :
1×10=10
- (A) The British Constitution is largely _____.
(written/unwritten)
- (B) The doctrine of separation of powers is propounded by _____.
(Mountesquieu/Dicey)
- (C) The judges of the Supreme Court of India are appointed through the _____.
(collegium/NJAC)
- (D) The Constitution of UK is _____.
(rigid/flexible)

Contd.

(E) Rule of law means "no man is above the law". (True/False)

(F) Rule of law is a basic feature of the Constitution of India. (True/False)

(G) The principles of natural justice are incorporated in Article 311 of our Constitution. (True/False)

(H) *Audi alteram partem* means the right to be heard. (True/False)

(I) Judicial Review originated in _____.
(*Bonham's case/Macbury's case*)

(J) Judicial Review is an essential feature of a _____ Constitution.
(*federal/unitary*)

2. Answer the following : (**any five**)
2×5=10

(A) What is doctrine of separation of powers ?

(B) What are the functions of the American Supreme Court ?

(C) What do you understand by "Commerce Clause" ?

(D) What are Dicey's principles of rule of law ?

(E) What do you mean by *Nemo iudex in causa sua* ?

(F) What is judicial activism ?

3. Make a comparative study of the salient features of the Constitution of UK and India.
6+6=12

Or

Discuss about the doctrine of separation of powers under the Constitution of USA and India.
6+6=12

4. Discuss the various methods of amendment of the Constitution of India. Whether there are *any* restrictions to amend the Indian Constitution ?
8+4=12

Or

Discuss the provisions relating to trade and commerce under the Constitution of India. Also mention the restrictions on it.
8+4=12

5. Discuss the provisions relating to rule of law as laid down in our Constitution. Also mention the exceptions to the rule of law.
7+5=12

Or

Explain about the rule of law under the Constitution of UK and USA. 6+6=12

6. What is natural justice ? Explain the principles of natural justice. Also mention the constitutional provisions relating to application of natural justice under the Constitution of India. 2+5+5=12

Or

Discuss about the application of natural justice under the Constitutions of UK and USA. 6+6=12

7. Discuss the scope of judicial review under the Constitution of India. 12

Or

Make a comparative study on the judicial review of USA and India.