

**LLM DEGREE SECOND SEMESTER EXAMINATION,**

**SEPTEMBER 2021**

**Parliamentary Privileges and Ethics**

**Duration: 10.00am - 1.45 pm**

**Maximum Marks: 50**

**Question carry Ten marks**

**Module 1 (Time 10 a.m-10.45 a.m (35 minutes for writing and 10 minutes for uploading)**

1. a) Trace the evolution of parliamentary privileges in India.

OR

- b) Critically analyse the Indian constitutional provisions related to parliamentary privileges and analyse how different it is from the privileges that existed before 1947.

**Module 2 Time 10.45 a.m-11.30 a.m (35 minutes for writing and 10 minutes for uploading)**

2. a) Article 105(1) of the Indian Constitution states that “subject to the provisions of this constitution and the rules and standing orders regulating the procedure of Parliament, there shall be freedom of speech in Parliament”. Examine the effect of the starting phrases “subject to the provisions of this constitution” in the context of parliamentary privileges.

OR

- b) Assess the approach of the Indian Supreme Court towards resolving conflicts between fundamental rights and parliamentary privileges.

**Module 3 (Time 11.30 a.m-12.15 p.m (35 minutes for writing and 10 minutes for uploading)**

3. a) How did *In re Keshav Singh* (1965) resolve the tussle of power between Legislature and Judiciary?

OR

- b) Whether by virtue of Article 105 of the Constitution a Member of Parliament can claim immunity from prosecution on a charge of bribery in a criminal court?

**Module 4 (Time 12.15 p.m-1.00 p.m (35 minutes for writing and 10 minutes for uploading)**

4. a) Does the Supreme Court of India, within the constitutional scheme, have the jurisdiction to decide the content and scope of powers, privileges and immunities of the Legislatures and its members?

OR

b) It is settled law that the scope of judicial review in matters relating to action taken against members by the legislative bodies is limited.” Comment in the context of parliamentary privileges in India.

**Module 5 (Time 1.00 p.m-1.45 p.m (35 minutes for writing and 10 minutes for uploading)**

5. a) Scrutinise and evaluate the role of Committee on Ethics in regard to parliamentary privileges in India.

OR

b) The Rules of Procedure and Conduct of Business in Lok Sabha and Rajya Sabha incorporate other privileges that are implicit under Articles 105 (3). Comment.

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