



ශ්‍රී ලංකා විවෘත විශ්වවිද්‍යාලය
මානව ශාස්ත්‍ර හා සමාජ විද්‍යා පීඨය
නීති අධ්‍යයන දෙපාර්තමේන්තුව
නීතිවේදී උපාධි පාඨමාලාව - 6 වන මට්ටම
අඛණ්ඩ ඇගයීම් පරීක්ෂණය I - 2017/2018
LLU3901/LWU1201- ආණ්ඩුක්‍රම ව්‍යවස්ථා නීතිය I
කාලය - පැය එකයි. (01)

දිනය - 2019.08.07

වේලාව - පෙ.ව.09.00 - පෙ.ව.10.00

එක් (01) ප්‍රශ්නයකට පමණක් පිළිතුරු සපයන්න.
අපැහැදිලි අත්අකුරු සඳහා ලකුණු අඩු කරනු ලැබේ.

01. “ඔවුන් තහවුරු කරනු ලබන්නේ ස්වාධීනත්වය පිළිබඳ මූලධර්මය පමණක් නොවේ. ඔවුන් විසින් වඩා ශක්තිමත් වූ මූලධර්මයක් ද අවධාරණය කරති. එනම්, ස්වයං-පෝෂිතභාවය හෝ ආණ්ඩුක්‍රම ව්‍යවස්ථානුකූල ස්වයං-පෝෂිතභාවය නැතහොත්, එතරම් හුරු පුරුදු නැති නමුත් නිරවද්‍ය වචනයක් වූ ස්වස්ථානික ආණ්ඩුක්‍රම ව්‍යවස්ථාමය මූලධර්මය, ව්‍යවස්ථානුකූලව ඔවුන්ගේ මවිබිම තුළින්ම හට ගැනීම, යනාදියයි.”

K.C.Wheare, *The Constitutional Structure of the Commonwealth*, (1960) p.89

මෙම ප්‍රකාශය මගින් 1972 ආණ්ඩුක්‍රම ව්‍යවස්ථාව නිවැරදිව පෙන්වුම් කරයි ද?

සාකච්ඡා කරන්න.

අදාළ ව්‍යවස්ථාමය ප්‍රතිපාදන සහ නඩු තීරණ ඇසුරෙන් ඔබේ පිළිතුර තහවුරු කරන්න.

(ලකුණු 20)

02. (i) “...සාමාන්‍යයෙන් ආණ්ඩුක්‍රම ව්‍යවස්ථාවන්හි වෙන්කර ඇති පුළුල් බලතල සොල්බර් කොමිසම විසින් නිර්දේශ කර නොමැත.”

W.Ivor Jennings, *Comments on the Constitution*, (1947) p.10

ඉහත ප්‍රකාශය සමග ඔබ එකඟ වන්නේ ද?

සොල්බර් ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ දක්නට ලැබෙන වැදගත් ලක්ෂණ ඇසුරෙන් ඔබේ පිළිතුර තහවුරු කරන්න.

(ලකුණු 12)

- (ii) සුදුසු නිදර්ශන ඇසුරෙන් පහත ඒවා පැහැදිලි කරන්න.

(a) ආණ්ඩුක්‍රම ව්‍යවස්ථානුකූල වාදය

(b) ඒකීය සහ ශබ්දරාජ්‍යය

(ලකුණු 4 x 2 = 8)

හිමිකම් ඇවිරිණි.

THE OPEN UNIVERSITY OF SRI LANKA
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 DEPARTMENT OF LEGAL STUDIES
 LL. B DEGREE PROGRAMME – LEVEL 3
 CONTINUOUS ASSESSMENT TEST 1 – 2017/2018
 LLU3901/LWU1201 CONSTITUTIONAL LAW I
 DURATION – ONE (01) HOUR



DATE: 7th August 2019

TIME: 09.00 a.m-10.00 a.m.

Answer one (01) question only.

Candidates will be penalized for illegible handwriting.

1. “They assert not the principle of autonomy only; they assert also a principle of something stronger, of self-sufficiency, of constitutional autarky or, to use a less familiar but accurate word, a principle of constitutional autochthony, of being constitutionally rooted in their own native soil.”

K.C. Wheare, *The Constitutional Structure of the Commonwealth*, (1960) p.89

Does this statement correctly reflect the 1972 Constitution of Sri Lanka?
 Discuss.

Support your answer with relevant Constitutional concepts and decided cases.

(20 Marks)

2. i). “...the Soulbury Commission did not recommend the broad power which is usually reserved in Constitutions.”

W. Ivor Jennings, *Comments on the Constitution*, (1947) p.10

Do you agree with the above statement?

Support your answer with important features of the Soulbury Constitution.

(12 Marks)

- ii). Explain the following with suitable illustrations.

- (a). Constitutionalism
- (b). Unitary and Federal State

(4 x 2=8 Marks)

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இலங்கை திறந்த பல்கலைக்கழகம்
 மானுவலியல் மற்றும் சமூக விஞ்ஞானங்கள் பீடம்
 சட்டக்கற்கைகள் திணைக்களம்
 சட்டமாணி பட்டப்படிப்புக் கற்கைநெறி - மட்டம் 3
 தொடர்மதிப்பீட்டுப் பரீட்சை 1- 2017/2018
 LLU3901/ LWU 1201 – அரசியலமைப்புச் சட்டம் I
 காலம் - ஒரு (01) மணித்தியாலம்

திகதி : 07. 08. 2019

நேரம்: மு. ப. 09.00 - மு. ப. 10.00

ஒரு வினாவிற்கு (01) மட்டும் விடையளிக்க.
 தெளிவற்ற கையெழுத்திற்குப் புள்ளிகள் குறைக்கப்படும்.

1. “அவர்கள் தன்னான்மைக் கோட்பாட்டை மட்டுமல்ல, அரசியலமைப்பின் தன்னிறைவு தன்மை என்ற வலிமையான ஒரு கோட்பாட்டையும் ஒத்துக்கொண்டார்கள். தன்நிலத்தில் அரசியலமைப்பு ரீதியாக வேருன்றியதனை அரசியலமைப்புத் தன்னான்மைக் கோட்பாடு எனப் பொருத்தமான ஆனால் வழக்கம் குறைந்த சொல்லினால் வர்ணிப்பதனையும் ஒத்துக் கொண்டார்கள்.”

K.C. Wheare, *The Constitutional Structure of the Commonwealth*, (1960) p.89

இக்கூற்றானது, இலங்கையின் 1972 ஆம் ஆண்டின் அரசியலமைப்பைச் சரியாகப் பிரதிபலிக்கின்றதா?

கருத்துரைக்க.

உமது விடையினைப் பொருத்தமான அரசியலமைப்புக் கருத்தேற்புகளினாலும் தீர்க்கப்பட்ட வழக்குகளினாலும் ஆதாரப்படுத்துக.

(20 புள்ளிகள்)

2. (i) “.....வழக்கமாக, அரசியலமைப்புகளில் ஒதுக்கப்படும் பரந்தளவான அதிகாரங்களை சோல்பரி அரசியலமைப்பு சிபாரிசு செய்யவில்லை.”

W. Ivor Jennings, *Comments on the Constitution*, (1947) p.10

மேலுள்ள கூற்றுடன் நீர் இணங்குகின்றீரா?

உமது விடையினை, சோல்பரி அரசியலமைப்பின் முக்கிய அம்சங்களைக் கொண்டு ஆதாரப்படுத்துக.

(12 புள்ளிகள்)

- (ii) பொருத்தமான எடுத்துக்காட்டுகளுடன் பின்வருவனவற்றை விளக்குக.

(அ) அரசியமைப்புவாதம் / அரசியலபிமானியம் (Constitutionalism)

(ஆ) ஒற்றையாட்சி மற்றும் சமஷ்டியாட்சி அரசுகள் (Unitary and Federal State)

(4 x 2=8 புள்ளிகள்)

புதிப்புரிமை பெற்றது.

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Does this statement correctly reflect the 1972 Constitution of Sri Lanka?
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Support your answer with relevant Constitutional concepts and decided cases.

(20 Marks)

2. i). “...the Soulbury Commission did not recommend the broad power which is usually reserved in Constitutions.”

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