

**GUJARAT NATIONAL LAW UNIVERSITY  
GANDHINAGAR**

Course: Constitutional Law-II  
Semester- IV (Batch: 2020-25)

End Semester Online Examination: May 2022

Date: 05<sup>th</sup> May, 2022

Duration: 8 hours

Max. Marks: 50

**Instructions:**

- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.
- Word Limit: 10 Marks: 800-1000 words, 5 Marks: 400-500 words.

Answer any five of the following questions

Marks

- Q.1 “The story of ordinances in India’s Constitution is, in effect, a story about how an extraordinary constitutional arrangement has come to be normalized into everyday governance and the ways in which it, to borrow Dr D.C. Wadhwa’s phrase, ‘endangers constitutionalism’ in India.” In light of the said statement, discuss the scope of judicial review of an ordinance making power of the President and evaluate the judiciary’s role in restricting the government from misuse of this power. (10)
- Q.2 Write a case comment on *Keisham Meghachandra Singh v The Hon’ble Speaker Manipur Legislative Assembly* decided on 21 January 2020. (10)
- Q.3 With the help of cases from the Supreme Court, explain the scope of Parliamentary privileges in India and its relationship with fundamental rights. (10)
- Q.4 The collegium system has its genesis in a series of judgments called “Judges Cases”. The collegium came into being through interpretations of pertinent constitutional provisions by the Supreme Court. In October 2014, the Supreme Court of India in SCAORA-II case held that judges’ appointments shall continue to be made by the collegium system in which the CJI will have “the last word”. “There is no question of accepting an alternative procedure, which does not ensure primacy of the judiciary in the matter of selection and appointment of judges to the higher judiciary,” said the majority opinion. Justice J Chelameswar wrote a dissenting verdict, criticising the collegium system by holding that “proceedings of the collegium were absolutely opaque and inaccessible both to public and history, barring occasional leaks”. (10)
- In light of the above statement, trace the evolution of the collegium system and explain the pros and cons of the same.
- Q.5 “The Supreme Court being a Court of Record shall have all the powers of a Court of Record including the power to punish for contempt of itself. This is a constitutional power which cannot be taken away or in any manner abridged by statute.” In light of the (10)



above statement, critically discuss the scope of power of the Supreme Court under Article 129 of the Indian Constitution.

- Q.6 Explain the following: (10)
- a) Doctrine of Territorial Nexus
  - b) Doctrine of Pith and Substance
- Q.7 Write short notes on the following: (10)
- a) Veto Powers of the President
  - b) Joint Sitting of both Houses

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