

**GUJARAT NATIONAL LAW UNIVERSITY  
SILVASSA CAMPUS**

**Course: Constitutional Law II  
Semester- III (Batch: 2023-28)**

**End Semester Examination: Oct-Nov 2024**

**Date: 21<sup>st</sup> Oct, 2024**

**Duration: 3 hours**

**Max. Marks: 50**

**Instructions:**

- Read the questions properly and write the answers in the given answer book.
- Do not write anything on the question paper.
- 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: 900-1000 words, 5 Marks: 500-600 words

**Answer any five of the following questions.**

- |  | <b>Marks</b> |
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| Q.1 Comment on the transparency of the judicial appointment process for Supreme Court judges in light of the 99th Constitutional Amendment Act, 2014. Express your views on how has the current system of appointments impacted the independence of the judiciary. Substantiate your answer with relevant case laws and Constitutional provisions.   | (10)         |
| Q.2 In the fictional country of "Euphoria," a Union of States with a federal democratic republic system and a Constitution similar to that of India, a neighbouring nation launches a sudden military attack along Euphoria's western border. This leads to widespread armed conflict, jeopardizing national security. In response to the grave threat of war and external aggression, the President of Euphoria declares a national emergency under Article 352 of the Constitution. This proclamation grants the central government extensive powers to safeguard the country's sovereignty and integrity, including imposing curfews, media censorship, and detaining individuals considered threats to national security.<br><br>Discuss the President of Euphoria's authority to declare a national emergency and examine the effects of such a declaration on government operations and citizens' rights. Support your discussion with relevant judgments from the Indian judiciary. | (10)         |
| Q.3 What is Defection? Evaluate the role of Judiciary in strengthening the Anti-Defection Laws in India. Suggest any one amendment that you would like to propose in the Tenth Schedule in order to remove loopholes in the Anti-Defection Laws.   | (10)         |
| Q.4 Explain the following-<br><br>a) How does the Governor's assent to a Bill under Article 200 differ from the President's assent to a Bill under Article 111 of the Indian Constitution?<br>b) What is the special procedure outlined with respect to Money Bills under Article 109 of the Constitution that makes it different from an Ordinary Bill?   | (10)         |
| Q.5 Lack of qualification would not be tantamount to disqualification. Elaborate on this statement in light of the qualifications required to become a Member of Parliament under  | (10)         |

Article 84 and the criteria for disqualification given under Article 102 of the Indian Constitution.

- Q.6 Describe the evolution of the 'Basic Structure Theory' in the context of Article 368 of the Indian Constitution, highlighting key judicial interpretations and relevant case laws that have shaped this theory. (10)
- Q.7 Critically examine how the Judiciary has increased the scope of Judicial Review of the Ordinance-making powers of the President under Article 123 of the Constitution of India. Discuss this through relevant case laws. (10)

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