



WP(C): 38724/2022

-:1:-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022 / 9TH AGRAHAYANA, 1944

WP(C) NO. 38724 OF 2022

PETITIONER:

P.V.JEEVESH (ADVOCATE),
S/O. P.P. VAVACHAN, PUNNASSERIYIL HOUSE, IDATHALA P.O,
PUKKATTUPADY, KOCHI- 683561.

BY ADV P.V.JEEVESH (ADVOCATE) (PARTY-IN-PERSON)

RESPONDENTS:

- 1 THE UNION OF INDIA
THROUGH THE CABINET SECRETARY,
CABINET SECRETARIAT,
SOUTH BLOCK, RASHTRAPATI BHAVAN,
NEW DELHI, PIN- 110004.
- 2 THE LAW SECRETARY,
MINISTRY OF LAW AND JUSTICE, 4TH FLOOR, A-WING,
RAJENDRA PRASAD ROAD, SHASTRI BHAVAN,
NEW DELHI- 110 001.
- 3 THE STATE OF KERALA,
THROUGH ITS CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, KERALA, PIN- 695001.
- 4 THE LAW SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
KERALA, PIN- 695001.

BY ADV. SRI.KRISHNADAS P.NAIR, CGC
MY ADV.SRI.N. MANOJ KUMAR, STATE ATTORNEY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30.11.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT****S. Manikumar, CJ**

Instant public interest writ petition is filed by one Mr. P.V.Jeevesh, a practicing Advocate, seeking for the following reliefs:

- (i) Declare that the actions of the Hon'ble Governor in withholding the bills indefinitely, without exercising the discretionary powers under Article 200 of the Constitution of India are contumacious, arbitrary, despotic and antithetical to the democratic values, ideals of the Cabinet form of Government, and principles of democratic Constitutionalism and federalism;
- (ii) Declare that the Hon'ble Governor has no power to withhold the bills *ad infinitum*;
- (iii) Declare that the Hon'ble Governor has the Constitutional obligation under Article 200 of the Constitution of India to exercise the discretionary powers on the bills without any procrastination;
- (iv) Declare that the Hon'ble Governor shall exercise the discretionary powers, enshrined under Article 200 of the Constitution of India, on the legislative bills presented by the State Legislature, within a period of two months from the date of receiving the same;
- (v) To strike down or delete the phrase, "*or that he withholds assent therefrom*", from Article 200 of the Constitution of India;
- (vi) To issue a direction in the nature of recommendation or suggestion or judicial advice or as a reminder call to the respondents 1 and 2, pointing out the necessity of amending Articles 111 and 200 of the Constitution, by deleting the wording, "*or that he withholds assent therefrom*", and prescribing a time limit within which the President or Governor has to exercise their discretionary powers concerning the bills.



- (vii) Issue a writ of mandamus to the respondents 1 and 2 to consider and take a decision about the Constitutional amendment with regard to the prescription of time;
- (viii) To issue a direction in the nature of recommendation or suggestion or judicial advice or as a reminder call to the 1st and 2nd respondents to enforce, by way of appropriate amendment to the Constitution, the recommendations proposed by THE SARKARIA COMMISSION, THE NATIONAL COMMISSION TO REVIEW THE WORKING OF THE CONSTITUTION and THE M. M. PUNCHI COMMISSION, with regard to the prescription of time.

2. Brief facts leading to the filing of the writ petition are; petitioner claims to be a practicing lawyer for the last 15 years. It is contended that the action on the part of the Governor withholding bills passed by the Legislative Assembly of the State has led to a Constitutional imbroglio in the State; arising especially due to the non-exercise of the discretionary powers of the Hon'ble Governor on the bills presented by the State Legislature.

3. It is his further contention that in a parliamentary democratic system of Government, the representatives of the people reflect the political desires and aspirations of the legislative bodies and that the Members of the Legislative Assembly reflect the mandate of the people. According to him, a proper and efficient legislative function is the people's mandate. According to the petitioner, the said function is a



part of the fundamental rights, coming under Article 21 of the Constitution of India.

4. By filing the instant writ petition, petitioner seeks to enforce the said fundamental rights of the people in the State. Neither the respondents nor any other authority has come forward so far to enforce the said fundamental rights of the people. Even though the State Cabinet has advised the Hon'ble Governor to assent to the bills, the Hon'ble Governor has not so far been given assent or adopted any other course available to him under Article 200 of the Constitution of India. Thus, the bills are indefinitely being stonewalled.

5. Petitioner has further stated that the Hon'ble Governor has no unbridled or unfettered discretion to withhold the bills *ad infinitum*. Since his office is a gubernatorial Constitutional functionary, he is expected to act more fairly, cautiously, responsibly, and with circumspection.

6. It is also stated that the Hon'ble Governor should not act contrary to the advice of the Council of Ministers only because he does not personally like the policy embodied in the Bill. According to the



petitioner, it is the Constitutional obligation of the Hon'ble Governor, either to give assent to a Bill or send it back for reconsideration by the Legislature or reserve it for consideration by the Hon'ble President. He also stated that the actions of the Hon'ble Governor are mala fide, arbitrary, and antithetical to the democratic views and the principles of the Cabinet form of Government.

7. Petitioner has further stated that, as per Article 163(1) of the Constitution of India, the Hon'ble Governor is Constitutionally obliged to act on the advice tendered by the Cabinet, except where he is required by or under the Constitution to exercise his functions or any of them at this discretion. Concerning the assent of Bills, petitioner has stated that the Governor has no option except to declare any of the three “declarations” envisaged under Article 200 of the Constitution.

8. Petitioner has also stated that the Hon'ble Governor of the State before whom the bills are pending, has declared openly on several platforms, including print and visual media, that he would not assent to the bills. It is submitted that the Hon'ble Governor should not act contrary to the advice of the Council of Ministers because he does not personally like the policy embodied in the Bill. If the Hon'ble



Governor is not inclined to give his assent to the Bills, he may do so. But, if he does not do so, he is Constitutionally obliged to adopt the other course postulated in Article 200 of the Constitution.

9. Petitioner has further stated that as a head of the State, the Hon'ble Governor owes a responsibility to the ideals of democracy and the scheme envisaged by the Constitution. It is a trite Constitutional democratic tradition that any Constitutional authority must perform duties within a reasonable time frame even though no such time frame has been fixed by any present law. According to the petitioner, all the Bills passed by the State Legislature in a democratic system are presumed to be for the welfare of the people.

10. Petitioner has further stated that the employment of the phraseology, "*that withholds assent therefrom*" in Article 200 of the Constitution of India is undemocratic. That apart, petitioner has stated that the incorporation of the phrase "as soon as possible" in the proviso to Articles 200 and 111 of the Constitution was done, without any detailed discussion in the Constituent Assembly. The National Commission to review the working of the Constitution, Sarkaria Commission and Justice M.M.Punchhi Commission have recommended



that there should be a time frame within which the President or Governor has to exercise their discretionary power. According to the petitioner, fixing a time limit with regard to the consideration of the bill is *sine qua non* for the smooth functioning of the democratic system. In such circumstances, instant writ petition is filed for the reliefs extracted above.

11. Relying on a decision of the Hon'ble Supreme Court in **Rameshwar Prasad v. Union of India** reported in (2006) 2 SCC 1, petitioner has contended that even though immunity is available under Article 361 of the Constitution to the Governor and President, that does not debar the challenge that may be made to the action in the Court of law, and the validity of the actions of the President and Governor can be decided in their absence. He has also contended that it is the cardinal principle of administrative jurisprudence that every wing of the Government, established based on the principle of democratic constitutionalism and concept of rule of law, shall function without any procrastination.

12. That apart, placing reliance on the decision in **Shamsher Singh v. State of Punjab** reported in (1974) 2 SCC 831, the petitioner



has contended that the Hon'ble Governor has to exercise his Constitutional power under Article 200 of the Constitution in such a way as not as detrimental to the State. According to the petitioner, the prompt enactment of legislation on time is the mandate of the people. The passing of a bill in the legislative body means the people in that system desire to do so.

13. In support of his contentions, petitioner has also relied on the decisions in **Nabam Rebia and Bamang Felix v. Deputy Speaker and others** reported in (2016) 8 SCC 1; **Indra Sawhney v. Union of India** (AIR 1993 SC 477); **A. G. Perarivalan v. State, Through Superintendent of Police CBI/SIT/MMDA, Chennai, Tamil Nadu and Anr.** [Criminal Appeal Nos. 833-834 of 2022 [SLP(Crl.) Nos.10039-10040 of 2016]; and **S. R. Bommai v. Union of India** (AIR 1994 SC 1918) respectively.

14. Based on the above grounds, Adv. Mr. P.V. Jeevesh, party-in-person, made submissions.

15. Heard the petitioner, who appeared in person, Mr. N. Manoj Kumar, learned State Attorney, and perused the material on record.



16. The issue raised by the petitioner revolves around Article 200 of the Constitution of India, which reads as under:

“200. Assent to Bills.— When a Bill has been passed by the Legislative Assembly of a State or, in the case of a State having a Legislative Council, has been passed by both Houses of the Legislature of the State, it shall be presented to the Governor and the Governor shall declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for the consideration of the President:

Provided that the Governor may, as soon as possible after the presentation to him of the Bill for assent, return the Bill if it is not a Money Bill together with a message requesting that the House or Houses will reconsider the Bill or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message and, when a Bill is so returned, the House or Houses shall reconsider the Bill accordingly, and if the Bill is passed again by the House or Houses with or without amendment and presented to the Governor for assent, the Governor shall not withhold assent therefrom:

Provided further that the Governor shall not assent to, but shall reserve for the consideration of the President, any Bill which in the opinion of the Governor would, if it became law, so derogate from the powers of the High Court as to endanger the position which that Court is by this Constitution designed to fill.”

17. On a reading of the above said provision, it could be deduced that when a Bill is passed by the State Legislature, it shall be presented to the Hon'ble Governor and the Hon'ble Governor shall declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for the consideration of the President. Therefore,



it is vivid and clear that the Hon'ble Governor is at liberty to withhold assent or reserves the Bill for consideration of the President, apart from the liberty to assent to the bill.

18. It is equally important to note that Article 200 of the Constitution of India has not prescribed any time limit, in order to exercise discretion by the Hon'ble Governor. But fact remains, Article 163 of the Constitution of India dealing with the Council of Ministers to aid and advise the Governor, prescribes certain formalities that may have to be followed, to cope and comply with the principles of law contained under the Constitution of India. Article 163 of the Constitution reads as under:

“163. Council of Ministers to aid and advise Governor.—(1) There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion.

(2) If any question arises whether any matter is or is not a matter as respects which the Governor is by or under this Constitution required to act in his discretion, the decision of the Governor in his discretion shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion.

(3) The question whether any, and if so what, advice was tendered by Ministers to the Governor shall not be inquired into in any Court.”



19. That apart, Article 201 of the Constitution of India reads thus:

“201. Bills reserved for consideration.— When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom:

Provided that, where the Bill is not a Money Bill, the President may direct the Governor to return the Bill to the House or, as the case may be, the Houses of the Legislature of the State together with such a message as is mentioned in the first proviso to article 200 and, when a Bill is so returned, the House or Houses shall reconsider it accordingly within a period of six months from the date of receipt of such message and, if it is again passed by the House or Houses with or without amendment, it shall be presented again to the President for his consideration.”

20. It may be true that aid and advise of the Chief Ministers and Council of Ministers, under Article 163 of the Constitution of India, is a matter to be considered by the Hon'ble Governor in a democratic polity, but at the same time, in order to exercise the powers conferred under Article 200 of the Constitution of India, the Hon'ble Governor would be at liberty to take reasonable time. On the other hand, it may also be right in saying that the Hon'ble Governor is not at liberty to ignore the aid and advise of the Chief Ministers and Council of Ministers, but still the Hon'ble Governor has to bear in mind the provisions and purport of the Bill, and then only, the Governor may have to identify, as to the manner in which the power is to be exercised



under Article 200 of the Constitution.

21. On an analysis of Article 163 of the Constitution of India, there is no doubt in our mind to say that the Hon'ble Chief Minister, as well as the Council of Ministers, has to aid and advice the Hon'ble Governor as regards the functions to be exercised by him under the Constitution, except under the Constitution where the Hon'ble Governor is required to exercise the discretion.

22. Further, clause (2) of Article 163 makes it clear that if any question arises whether any matter is or is not a matter in which the Governor under the Constitution required to act in his discretion, the decision of the Governor in his discretion shall be final and the validity of anything done shall not be called in question on the ground that he ought or ought not to have acted in his discretion.

23. Anyhow, clause (3) of Article 163 of the Constitution makes it emphatic that the Courts shall not inquire into the nature of advice tendered by the Council of Ministers to the Hon'ble Governor. In our considered view, the power exercised by the Hon'ble Governor under Article 200 of the Constitution of India is not an empty formality, for



the basic and significant reason that the Hon'ble Governor has to give assent to the Bill presented for consideration. Therefore, it contemplates application of mind before exercising the power under Article 200 of the Constitution of India.

24. Therefore, even under a parliamentary democracy, when the Hon'ble Governor is left with discretion under Article 200 of the Constitution of India, it may not be appropriate for the Courts to issue any direction to the Governor of a State to exercise the discretion within a time frame to be fixed by the Court.

25. This we say, because the contention advanced by the petitioner in the writ petition is based on speeches made by the Hon'ble Governor on various public platforms that the Governor would not assent to the Bill. However, we are of the view that, exercise of power conferred under Article 200 of the Constitution of India is different from the speeches made by the Hon'ble Governor in the public, basically for the reason that while considering a Bill, passed by the Constituent Assembly, the Hon'ble Governor is discharging a solemnity function entrusted by the Constitution under Article 200.



26. That apart, petitioner has not stated anywhere in the writ petition the facts and figures of the Bill presented for assent of the Hon'ble Governor. The writ petition is basically founded on certain press releases in the visual and print media; and being proceeded with on the apprehension that the Hon'ble Governor would not assent to the Bill, in view of the speeches made on public platforms. In this context, we can only observe that since the Hon'ble Governor is enjoined with the duty and obligation under Article 200 read with Article 163 of the Constitution of India, the Governor, with all earnestness, would exercise power solemnly, as is envisioned by the framers of the Constitution of India to uphold the principles and majesty mandated in a democratic polity with a federated structure of governance.

27. Therefore, we are of the view that mere apprehensions voiced by the petitioner in the writ petition cannot be made as a ground to issue any declarations as are sought for in the writ petition, in exercise of the powers under Article 226 of the Constitution of India. It is basically for the reason that the petitioner has sought for a general declaration that the Hon'ble Governor has no power to withhold the Bills indefinitely. The writ court is not expected to make such



declarations on the basis of the contentions so advanced in the writ petition, especially founded on newspaper reports. This is more so, because, if the declarations so sought are granted, we would be pre-empting a Constitutional functionary from discharging the functions, which would be nothing short of bringing the Constitutional machinery to a grinding halt, creating complex and vulnerable situations in the governance of the State.

28. Insofar as the prayer sought for by the petitioner for deletion of certain phrases employed under Article 200 of the Constitution of India, the said prayer also cannot be granted because Article 200 confers power on the Governor to declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for consideration of the President. It is basically for the reason that the Hon'ble Governor is left with the liberty to apply his mind to the Bill presented for assent and to make out as to whether the Bill is in accordance with the Constitutional provisions and the entrustment made to the State legislative assembly in different contexts under Schedule VII of the Constitution of India. Therefore, what we intend to say is, ultimately, it is for the Hon'ble Governor to decide as to whether



assent has to be given or to withhold it or to reserve the Bill for the consideration of the President, taking into account all the attendant circumstances under the Constitution of India. To put it differently, merely because a period is not fixed to exercise the discretion by the Governor, that by itself would not render the power illegal, for various reasons, including the reasons assigned under Article 196 of the Constitution of India dealing with the introduction and passing of bills, and the operative mechanism provided thereunder to protect the legislations from being lapsed on a dissolution of the assembly. This would also suggest that the framers of the Constitution were very conscious of such sensitive and significant aspects; and perhaps might have made the provision, without fixing a period to ensure the Bill was alive if and when the assembly was not in session. This would also make us think that the intention behind such a course of action is to protect the Constitutional values and principles, rather than conferring any unbridled power on the Governor, to sit over the Bills presented for consent.

29. The issues discussed above are no more *res integra*; in **State of Bihar v. Kameshwar Singh**, [(1952) 1 SCC 528], the Hon'ble Supreme



Court held as under:

“180. Re: (b): Art.31 (3) on which this ground of attack is based runs as follows:

"(3) No such law as is referred to in Cl. (2) made by the Legislature of a State shall have effect unless such law, having been reserved for the consideration of the President, has received his assent."

Great stress is laid on the words "law" and "legislature of a State". It is said that this clause postulates a "law" made by the "Legislature of a State". Reference is then made to Art.168 which provides that for every State there shall be a Legislature which shall consist of the Governor and, so far as Madhya Pradesh is concerned, of one House, i.e., the Legislative Assembly. The argument is that Art.31 (3) requires that a "law" must be reserved for the consideration of the President. If a Bill passed by the Assembly is reserved by the Governor for the consideration of the President without giving his own assent thereto, it cannot be said that a 'law' is reserved for the consideration of the President, for up to that stage the Bill remains a Bill and has not been passed into law. Therefore, it is urged, that after a Bill is passed by the State Assembly, the Governor must assent to it so that the Bill becomes a law and then that law, to have effect, must be reserved for the consideration of the President. This, admittedly not having been done, the provisions of Art.31 (3) cannot be said to have been complied with and, therefore, the Act cannot have any effect at all. I am unable to accept this line of reasoning. For one thing, it assumes that a Bill passed by the State Assembly can become a law only by the assent of the Governor. That is not so. The procedure to be followed after a Bill is passed by the State Assembly is laid down in Art.200. Under that Article the Governor can do one of three things, namely, he may declare that he assents to it, in which case the Bill becomes a law, or he may declare that he withholds assent therefrom, in which case the Bill falls through unless the procedure indicated in the proviso is followed or he may



declare that he reserves the Bill for the consideration of the President, in which case the President will adopt the procedure laid down in Art.201. Under that Article the President shall declare either that he assents to the Bill in which case the Bill will become law or that he withholds assent therefrom, in which case the Bill falls through unless the procedure indicated in the proviso is followed. Thus, it is clear that a Bill passed by a State Assembly may become a law if the Governor gives his assent to it or if, having been reserved by the Governor for the consideration of the President, it is assented to by the President.”

30. In Hoechst Pharmaceuticals Ltd. v. State of Bihar, [(1983) 4

SCC 45], at paragraph 86, the Hon'ble Supreme Court held as follows:

“86. There is no provision in the Constitution which lays down that a Bill which has been assented to by the President would be ineffective as an Act if there was no compelling necessity for the Governor to reserve it for the assent of the President. A Bill which attracts Article 254(2) or Article 304(b) where it is introduced or moved in the Legislative Assembly of a State without the previous sanction of the President or which attracted Article 31(3) as it was then in force, or falling under the second proviso to Article 200 has necessarily to be reserved for the consideration of the President. There may also be a Bill passed by the State Legislature where there may be a genuine doubt about the applicability of any of the provisions of the Constitution which require the assent of the President to be given to it in order that it may be effective as an Act. In such a case, it is for the Governor to exercise his discretion and to decide whether he should assent to the Bill or should reserve it for consideration of the President to avoid any future complication. Even if it ultimately turns out that there was no necessity for the Governor to have reserved a Bill for the consideration of the President, still he having done so and obtained the assent of the President, the Act so passed cannot be held to be unconstitutional on the ground of want of proper



assent. This aspect of the matter, as the law now stands, is not open to scrutiny by the courts.”

31. In **B.K. Pavitra v. Union of India** [(2019) 16 SCC 129], at paragraphs 66 and 67, the Hon'ble Supreme Court held thus :

“66. Where a Bill is not a Money Bill, the Governor may return the Bill for reconsideration upon which the House or Houses, as the case may be, will reconsider the desirability of introducing the amendments which the Governor has recommended. If the Bill is passed again by the House (or Houses as the case may be), the Governor cannot thereafter withhold assent. The second proviso to Article 200 stipulates that the Governor must not assent to a Bill but necessarily reserve it for the consideration of the President if the Bill upon being enacted would derogate from the powers of the High Court in a manner that endangers its position under the Constitution. Save and except for Bills falling within the description contained in the second proviso (where the Governor must reserve the Bill for consideration of the President), a discretion is conferred upon the Governor to follow one of the courses of action enunciated in the substantive part of Article 200. Aside from Bills which are covered by the second proviso, where the Governor is obliged to reserve the Bill for the consideration of the President, the substantive part of Article 200 does not indicate specifically, the circumstances in which the Governor may reserve a Bill for the consideration of the President. The Constitution has entrusted this discretion to the Governor. The nature and scope of the discretionary power of the Governor to act independent of, or, contrary to aid and advice of Council of Ministers under Article 163 was discussed in *Nabam Rebia* [*Nabam Rebia and Bamang Felix v. Arunachal Pradesh Legislative Assembly*, (2016) 8 SCC 1] , J.S. Khehar, J. (as the learned Chief Justice then was) held thus : (SCC p. 159, para 154)

“154. We are, therefore, of the considered view that insofar as the exercise of discretionary powers vested with the Governor is concerned,



the same is limited to situations, wherein a constitutional provision expressly so provides that the Governor should act in his own discretion. Additionally, a Governor can exercise his functions in his own discretion, in situations where an interpretation of the constitutional provision concerned, could not be construed otherwise.”

Dipak Misra, J. (as the learned Judge then was), observed thus : (SCC p. 244, para 375)

“375. ... The Governor is expected to function in accordance with the provisions of the Constitution (and the history behind the enactment of its provisions), the law and the rules regulating his functions. It is easy to forget that the Governor is a constitutional or formal head—nevertheless like everybody else, he has to play the game in accordance with the rules of the game—whether it is in relation to the Executive (aid and advice of the Council of Ministers) or the Legislature (Rules of Procedure and Conduct of Business of the Arunachal Pradesh Legislative Assembly). This is not to say that the Governor has no powers—he does, but these too are delineated by the Constitution either specifically or by necessary implication.”

67. The Framers carefully eschewed defining the circumstances in which the Governor may reserve a Bill for the consideration of the President. By its very nature the conferment of the power cannot be confined to specific categories. Exigencies may arise in the working of the Constitution which justify a recourse to the power of reserving a Bill for the consideration of the President. They cannot be foreseen with the vision of a soothsayer. The power having been conferred upon a constitutional functionary, it is conditioned by the expectation that it would be exercised upon careful reflection and for resolving legitimate concerns in regard to the validity of the legislation. The entrustment of a constitutional discretion to the Governor is premised on the trust that the exercise of authority would be governed by



constitutional statesmanship. In a federal structure, the conferment of this constitutional discretion is not intended to thwart democratic federalism. The State Legislatures represent the popular will of those who elect their representatives. They are the collective embodiments of that will. The act of reserving a Bill for the assent of the President must be undertaken upon careful reflection, upon a doubt being entertained by the Governor about the constitutional legitimacy of the Bill which has been passed.”

32. Giving due consideration to the facts, the Constitutional provisions, and the law discussed above, we are of the undoubted opinion that petitioner has not made out a case for grant of the reliefs sought in the writ petition, in exercise of the discretionary powers conferred under Article 226 of the Constitution of India. Needless to say, the writ petition fails and accordingly, it is dismissed.

Sd/-
S. MANIKUMAR
CHIEF JUSTICE

Sd/-
SHAJI P.CHALY
JUDGE

krj



2022:KER:71929

WP(C): 38724/2022

:-22:-

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 COPY OF THE INTERIM ORDER, REPORTED IN WWW.LIVELAW.IN, BY A DIVISION BENCH OF THE MADRAS HIGH COURT IN W.P.(MD) NOS.14403 AND 14405 OF 2020.
- P2 COPY OF THE EXTRACT OF THE CONSTITUENT ASSEMBLY DEBATES, DATED 20 MAY, 1949, 30 JULY, 1949, 1 AUGUST, 1949, AND 17 OCTOBER, 1949.
- P3 COPY OF THE CONSULTATION PAPER ON THE "INSTITUTION OF GOVERNMENT UNDER THE CONSTITUTION", PREPARED BY THE NATIONAL COMMISSION TO REVIEW THE WORKING OF THE CONSTITUTION.
- P4 COPY OF THE CONSTITUTION AMENDMENT BILL, (BILL NO. XII OF 2022) 2022, INTRODUCED IN THE UNION PARLIAMENT.

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO C.J.