

2013

FEDERALISM UNDER THE CONSTITUTION
OF INDIA

Paper : 1002

Full Marks : 80

Time : 3 hours

The questions are of equal value

1. The classical concept of federalism as found in USA has been replicated in different countries with suitable modifications to meet the requirements of the federal character in their respective countries.

The founding fathers too provided to the people of India a federal constitution after looking into the then existing federal constitutions of some countries while keeping in view the demands of the people as reflected during the freedom movement.

In view of the above, do you agree with the contention of W. M. Seervai, that federalism in India is mainly historical? Justify with reasons.

Or

Diving into the process of drafting of the Constitution of India, attempt an exhaustive analysis of the structure of Government under the Constitution of India.

- 2. In a federal structure, the working of the Constitution often comes under stresses and strains unless provided with mechanisms to insulate the possibility of such strains.

Attempt a critical evaluation of the legislative relations between the Centre and the States as provided for under the Constitution. In doing so, highlight the existing gray areas you consider that needs to be addressed.

Or

The Constitution provides for the smooth working of the Government at the Centre and the States.

Attempt a critical evaluation of the constitutional provisions pertaining to administrative relations between the Centre and the States, highlighting the unique features provided under the Constitution.

- 3. In a federal form of government, the federal government and the federated States act side by side towards providing a healthy federal structure. Discuss.

Or

Attempt an exhaustive evaluation of the existing provisions laid down in the Constitution of India providing for coordination between the Centre and the States in the matter of resolution of inter-State water disputes.

- 4. Economic unity of India is sought to be ensured by promoting trade and commerce in a healthy environment by providing for it in the core instrument. Discuss.

Discuss the provisions of freedom of trade, commerce and intercourse as laid down under the Constitution of India. Discuss the history behind the insertion of the provisions in the Constitution.

- 5. Attempt an exhaustive analysis of the existing provisions of the Constitution of India relating to imposition of emergency. Do you feel that there are adequate provisions laid down to insulate the provisions from being misused?

Or

Attempt a critique of the emergency provisions laid down in the constitution in relation to Article 352 of the Constitution of India. Do you suggest any amendment to the said provision to ensure unity and integrity of the State?

