

Total number of printed pages-4

23 (LLM-I) 1002

2017

FCLII

Paper : 1002

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

Answer any five questions.

1. "I think it is agreed that the Constitution not with standing the many provisions which are contained in it, whereby the centre has given powers to override the provinces (States) nonetheless, is a Federal Constitution". B. R. Ambedkar CAD Vol. 4 p. 133.

In the light of the above, discuss the conceptual position of Federalism in India.

16

Contd.

OR

A Constitution, being the core document, provides for the structure of government under which governance is carried out. Discuss. 16

2. A Federal Constitution evokes much interest on the division of powers between the federated units and the Federal Government.

In the above context, attempt a discussion on the delicate balance provided for under the Constitution in matters governing Centre-State Legislative Relations. Refer to relevant judicial decisions in this regard.

16

OR

The development of a State hinges much on the financial resources made available to the State. This perhaps is attributable to the long drawn negotiations between the Centre and the States leading to the passing of the GST Bills.

In the context of the above, discuss the scheme of distribution of revenues between the Union and the States or attempt an elaborate analysis of the scheme of distribution of financial resource as provided through the Finance Commission under the Constitution of India.

16

3. It is said that it is not possible for States to remain in complete isolation from each other resulting in Constitutional recognition through coordination with other States and Federal Government.

Discuss the relevant provisions laid down under the Constitution of India. 16

OR

Write short notes on the following :

- | | |
|---------------------------------|---|
| (a) Inter State Council | 5 |
| (b) All India Services | 4 |
| (c) Inter State Water Disputes. | 7 |

4. A national economic fabric aims is remove impediments in the way of inter-state trade and commerce.

Does the Constitution of India strive to do so? If yes, state the manner and extent to which it is ensured under the relevant provisions. 16

OR

Attempt an elaborate discussion on the significance of 'interstate' and 'intrastate' trade and commerce with the help of decisional laws.

16

5. It is said that the emergency provisions laid down under the Constitution of India facilitates the normal functioning of the State in emergency situations.

In the context of the above, attempt an assessment of the provision relating to national emergency. Discuss the effects that a proclamation of national emergency causes on the right to life and livelihood.

16

OR

Article 356 has been a provision of much use and abuse. Discuss the above provision reflecting on the pre and post S. R. Bommai judgement.

16