

**LL.M. TRIMESTER – II (CHOICE BASED CREDIT SYSTEM)  
(2013 COURSE) / (2015 COURSE) : WINTER - 2017**

**SUBJECT: CENTRE - STATE RELATIONS & CONSTITUTIONAL GOVERNANCE  
(CONSTITUTIONAL & ADMINISTRATIVE LAW)**

Day: **Thursday**  
Date: **16/11/2017**

**W-2017-1350**

Time: **10.00 AM TO 01.00 PM**  
Max. Marks: **60**

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**N.B.:**

- 1) Attempt Any **FOUR** questions. .
  - 2) All questions carry **EQUAL** marks.
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- Q.1** Indian Constitution has not accepted the federal principles in absolute rigidity as it desired for union without unity. Examine the about statement in the light of observation made by Supreme Court of India.
- Q.2** The distribution of subject matter cannot be claimed to be scientifically perfect and there happens to be overlapping between the subjects enumerated in three lists. In such cases, questions arise with regard to the constitutionality of enactment which lies within the domain of judiciary. Court has applied various principles of interpretation. Discuss with the help of case laws.
- Q.3** The Indian Constitution has purported to incorporate the scheme of distribution of powers in a unique way so as to make the Centre strong enough to meet any emergent or abnormal situations. The scheme contains provisions, whereby without a formal amendment of the Constitution, the Union Parliament assumes legislative authority over subjects in the State List. Discuss Centers powers to legislate on State subject.
- Q.4** Federal scheme involves the setting up of dual Government and division of power. But the success and strength of the federal policy depends upon the maximum of co-operation and co-ordination between the Governments. Discuss the administrative relation between centre and state and also explain the recommendation made by Sarkaria Commission.
- Q.5** No system of federation can be successful unless Union and the States have at their disposal adequate financial resources to enable them to discharge their respective responsibilities under the Constitution. Critically evaluate the financial relations between Centre and State.
- Q.6** Critically evaluate the impact of emergency on Centre State relations.
- Q.7** The distribution of legislative powers between the Centre and the Unit is the essence of federal system. Discuss the above statement with special reference is the theory of Territorial Nexus.
- Q.8** Write short notes on any **TWO**:
- a) Finance Commission
  - b) Repugnancy between Center and State law
  - c) Difference between Fee and Tax
  - d) Residuary Powers

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