

Reg. No. : .....

Name : .....

**Fourth Semester LL.M. Degree Examination, March 2021**

**Branch – II : Constitutional Law**

**Paper VIII : CENTRE STATE RELATIONS**

Time : 3 Hours

Max. Marks : 75

Answer all questions.

1. (a) Examine the constitutional provisions that outline the territory of the Indian Union. From a historical perspective, trace the different changes brought about in our territorial structure.

OR

- (b) "Fiscal federalism is considered to be an optimal institutional arrangement for the provision of public services and it ensures the benefits of decentralization." Critically evaluate the institutional arrangements under the Indian Constitution that ensure fiscal federalism.
2. (a) What do you understand by the overriding powers of the Parliament which are conferred by the Constitutional structure? How far does it assimilate the spirit of Federalism?

OR

- (b) "To mitigate rigidity which might arise from the Centre-State division of administrative powers, the Indian Constitution provides for inter-governmental delegation of administrative power and mechanisms for resolving disputes." Clarify this statement.

3. (a) "Since 'law and order' is a subject within the jurisdiction of a State, a democratic government in the State should deal with its problems rather than permit a Governor (imposed from above) and acting with advisors also appointed from above, to interfere." This comment was made in connection with imposition of Presidential rule in Punjab. Do you agree with this point of view? Examine the Constitutional provisions that apply to such a scenario.

OR

- (b) "In their respective spheres, both executive and legislative, the States are supreme." Clarify how such *status quo* undergoes changes during circumstances when the power of emergency is exercised by the Union of India.
4. (a) Critically examine the role of authorities established in India for settlement of interstate river disputes.

OR

- (b) Sir. N Gopaldaswamy Ayyangar justified the special status of Kashmir stating thus, "The discrimination is due to the special conditions of Kashmir. They have committed themselves to the position that an opportunity would be given to the people of the State to decide for themselves whether they will remain with the Republic or wish to go out of it." With reference to this statement, critically examine the legal situation relating to Kashmir.
5. (a) Examine the approach of Indian judiciary on Centre-State relations in the light of relevant judicial pronouncements.

OR

- (b) "Devolution and decentralization processes are common in most of the Constitutions: the difference lies in its concept, nature and implementation". Bring out the Indian experience with decentralization, highlighting the merits and demerits of the same.

(5 × 15 = 75 Marks)