

LLM
FIRST SEMESTER
CENTRE STATES RELATIONS &
CONSTITUTIONAL GOVERNANCE
LLM - 1.6 CAL-3 [REPEAT]
[USE OMR SHEET FOR OBJECTIVE PART]

SET
A

Duration: 3 hrs.

Full Marks: 70

Time: 30 min.

Marks: 20

1×20=20

(Objective)

Choose the correct answer from the following:

1. What is the primary purpose of Articles 245 to 254 in the Indian Constitution?
To outline the distribution of
 - a. legislative powers between Union and States
 - b. To define emergency provisions
 - c. To establish the Supreme Court
 - d. To regulate citizenship
2. Which article deals with administrative relations between the Union and States?
 - a. Article 245
 - b. Articles 256-263
 - c. Article 275
 - d. Article 370
3. In the context of federalism, what factors contribute to the paramountcy of the Centre in India's legislative scheme?
 - a. Equal distribution of powers
 - b. Residuary powers vested in States
 - c. National emergencies and unified judiciary
 - d. State control over trade
4. Under Article 301, what are the limitations on the powers of the Union and States regarding freedom of trade and commerce?
 - a. No limitations exist
 - b. Reasonable restrictions in public interest
 - c. Complete prohibition on interstate trade
 - d. Only States can impose taxes
5. What does the scheme of allocation of taxing powers under the Indian Constitution primarily involve?
 - a. Union List, State List, and Concurrent List
 - b. Only Union List
 - c. Only State List
 - d. No allocation
6. Which power allows the Union to tax residuary matters not mentioned in State or Concurrent Lists?
 - a. Borrowing power
 - b. Residuary power of taxation
 - c. Grants-in-aid
 - d. Specific purpose grants

7. What are the restrictions on fiscal powers imposed by fundamental rights?
 - a. No restrictions
 - b. Union cannot tax State properties
 - c. States have unlimited taxing rights
 - d. Taxes must not violate equality or freedom
8. The doctrine of inter-governmental tax immunities originated in which country and was applied in India?
 - a. UK; not applied
 - b. USA; through cases like G.V.K. Industries vs. Income Tax Officer
 - c. France; via emergency provisions
 - d. Canada; ignored in India
9. Under the Constitution, how is tax-sharing between Union and States facilitated?
 - a. Through borrowing only
 - b. No sharing mechanism
 - c. Via Finance Commission recommendations
 - d. States decide independently
10. What is the role of Grants-in-aid under Article 275?
 - a. General financial assistance to States
 - b. Specific purpose only
 - c. Borrowing for Union
 - d. Tax immunities
11. Which article allows for specific purpose grants?
 - a. Article 256
 - b. Article 282
 - c. Article 245
 - d. Article 370
12. What is the borrowing power of the Government of India and States as per the Constitution?
 - a. Union can borrow abroad; States need Union consent for certain loans
 - b. Unlimited for both
 - c. States cannot borrow
 - d. Only States can borrow from RBI
13. In recent developments, how has harmonizing tax relations been addressed post-GST implementation?
 - a. By abolishing Finance Commission
 - b. Through GST Council for cooperative fiscal federalism
 - c. Via complete centralization
 - d. Ignoring State inputs
14. What is the primary function of the Finance Commission?
 - a. Policy planning
 - b. Judicial review
 - c. Recommending distribution of revenues between Union and States
 - d. Emergency declarations
15. Which body replaced the Planning Commission in 2015?
 - a. Finance Commission
 - b. NITI Aayog
 - c. Inter-State Council
 - d. Zonal Councils
16. How does NITI Aayog promote cooperative federalism compared to the Planning Commission?
 - a. By enforcing central plans
 - b. Through think-tank role and State partnerships
 - c. Via tax immunities
 - d. Ignoring financial equilibrium

17. Under Articles 315-323, how are services under Union and States regulated?
- a. By State Public Service Commissions only.
 - b. No regulation
 - c. Through UPSC for Union and SPSC for States, with recruitment conditions
 - d. Finance Commission controls
18. Which body deals with Inter-State Water Disputes?
- a. National Integration Council
 - b. Planning Commission
 - c. Finance Commission
 - d. Tribunals under Inter-State Water Disputes Act, 1956
19. In State of Karnataka vs. Union of India (AIR 1977), what was the judicial view on cooperative federalism?
- a. It rejected it
 - b. It centralized all powers
 - c. It emphasized mutual cooperation in Centre-State relations
 - d. It focused only on finances
20. Analyze the shift from competitive to cooperative federalism in the context of the Citizenship Amendment Act, 2019, and its impact on national integration.
- a. It highlighted tensions but reinforced councils for resolution
 - b. Union dominance without cooperation
 - c. No shift occurred
 - d. Complete decentralization
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(Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

[Answer question no.1 & any four (4) from the rest]

1. Discuss the general scheme of distribution of legislative powers under Articles 245-254, with reference to factors granting paramountcy to the Centre. Illustrate with case laws like State of Bombay vs. R. M. D. C. 5+5=10
2. Critically analyze the administrative relations under Articles 256-263 and limitations on trade/commerce freedoms, using doctrines like pith and substance. 10
3. Elaborate on restrictions on fiscal powers, including fundamental rights and inter-governmental tax immunities, comparing applications in USA, Canada, Australia, and India. 10
4. Describe tax-sharing under the Constitution and the role of Grants-in-aid (Article 275). 10
5. Discuss the constitution, functions, and role of the Finance Commission, highlighting drawbacks of the Planning Commission. 10
6. Analyze the working of NITI Aayog and regulations of services under Union and States, with reference to recruitment principles. 10
7. Explain the development from competitive to cooperative federalism and the role of Inter-State Council. 10
8. Critically examine Inter-State Water Disputes and the National Integration Council, citing cases like State of Kerala vs. State of Tamil Nadu (AIR 2018). 10

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