

Optional -Course Branch: Constitutional Law & Human Rights

Center- State Relations in India (optional-1)

Unit-I – Federalism

Federation and Confederation - Models of federal government – USA, Australia, Canada – Evolution of Centre-State relations in India – Indian Union- Composition –Distinct features of Indian Federalism –Part I(Art.1 to 4)

Unit – II- Legislative Relations

Territorial nexus theory & principles of resolving conflict – Distribution of Legislative powers – the three lists – Principles of the interpretation of lists- Repugnancy between the Central and State law-Residuary power-Parliamentary legislation in the State field-Centre control over State legislation-Distribution of powers in other federation - Freedom of Inter-State trade and commerce, restrictions on legislative power of the Union and States.

Unit – III – Administrative Relations

Distribution of Executive power-Central-State Administrative coordination-Power to carry on trade-States not to impede the Centre-Centre's directives to the States-Statutory provisions-All India Services – impact of emergency and role of executives in the centre-state relations.

Unit – IV- Financial Relations

Scheme of Allocation of taxing power - Extent of union power of taxation – inclusion of residuary power in the fiscal power - Inter-Government tax immunities - difference between tax and fee- distribution of tax revenues - borrowing power of the Government of India and state- tax-sharing under the constitution - Finance commission – Specific purpose grants-VAT-GST- Reports of Commission & Committees on Revenue sharing.

Unit –V- Co-operative federalism and Planning

Competitive federalism to Co-operative federalism – Full faith and Credit Clause - Inter-state Councils- Zonal Councils – River Boards – Other Statutory bodies - Planning Commission & Finance Commission - National Development Council - Plan grants – Special status given to certain states – impact of Panchayat Raj on Centre-State relations - Commissions and reports on Centre-State relations – Impact of globalization on Centre-State relations.

Reference Books:

1. H.M. Seervai, Constitutional Law of India (1998), Tripathi, Bombay.
2. Constituent Assembly Debates: Vol. IX – p. 203, 240 & 320-349; Vol. X – 325-342.
3. Richard M. Pious, The American Presidency, pp.293-331, Ch.9 (1979)
4. Daniel J. Elazar, American Federalism, Chs. 3 &4 (1984)
5. Administrative Reforms commission on center-state relationship Ch.3 (1969)
6. Administrative reforms commission, Report of study Team o central-state relationship (1967) Vol. 1 Sections land 11 pp. IS-168.
7. Report of the English Finance corporation
8. Government of Tamil Nadu report of the Center – State Relations Inquiry committee Ch. 5 (1971)
9. Ashok Chandra, Federalism in India, (1965)
10. V.D. Sebastian, Indian Federalism :The Legislative Conflicts Chs. 6,7 & 8 (1980)
11. Chandrapal, Center-State Relations and cooperative federalism. Chs. 5 & 8 (1983)
12. G.C.V Subba Rao, Legislative Powers in Indian Constitutional law, Chs 37,38 & 39 (1982)
13. K.P. Krishna Shetty, The law of Union-State Relations and the Indian Federalism Ch. 9 (1981)
14. L.M. Singhvi (ed), Union state Relations in India 124-154 (1969)
15. D.T. Lakadwala, Union – State Financial Relations (1967)
16. K. Subba Rao, The Indian Federation (1969)
17. K.C. Wheare, Federal Government (1963)
18. Sudha Batnagar, Union-State financial Relations and Finance Commissions, (1979)
19. M.P. Jain “Indian Constitutional Law” (2011), Wadhwa.
20. D.D. Basu: Commentaries on the Constitution of India.
21. G.Austin: Indian Constitution – Cornerstone of a Nation.
22. V.N. Shukla: Constitution of India.
23. M.C.Saxena: Dynamics of Federalism.
24. M.C.Setalvad: ;Union and State Relations under the Indian Constitution.