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Q4

From the resolution of contentious issues regarding distribution of legislative powers by the courts, 'Principle of Federal Supremacy' and 'Harmonious Construction' have emerged. Explain.

UPSC Civil Services Mains 2019 · GS II · 10 marks · Federal Structure and Devolution

Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure, devolution of powers and finances up to local levels and challenges therein.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

<https://wrapexams.com/upsc/mains-answers/gs-2/2019/from-the-resolution-of-contentious-issues-regarding-distribution-of-legislative-powers-by-the-courts-principle-of-federal-supremacy-and-harmonious-construction-have-emerged-explain/>

Articles 245 and 246

Territorial and subject-matter distribution of legislative power; **Seventh Schedule** Lists I, II and III.

Article 254

Repugnancy on Concurrent subjects: Union law prevails; clause (2) saves a reserved State law with Presidential assent until later Union legislation.

Pith and substance

Judicial test of the true character of a law so incidental encroachment does not void it.

Kesavananda Bharati (1973)

Federal character of the Constitution is among the features that amending power cannot destroy.

S.R. Bommai v. Union of India (1994)

Treated federalism as a basic feature and limited arbitrary use of **Article 356** against State governments.

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