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Syllabus heading

Federal Structure and Devolution

UPSC Civil Services (Main) Examination · GS II · General Studies Paper II

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 syllabus heading.

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/federal-structure-devolution/>

Federalism State of Bihar v. Kameshwar Singh (1952)

Background: The case dealt with the legislative power of state legislatures in relation to the central legislature, particularly on matters in the Union List.; The Court upheld that Parliament has exclusive power to legislate on matters in the Union List, acknowledging Parliament's residual powers.; Judgment solidified the idea that federalism in India favors the Union, with the Union having greater legislative...

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

The case was concerned with the imposition of President's Rule in Karnataka and its implications for federalism.; The Court ruled that federalism is a basic feature of the Constitution and states have autonomy in their sphere.; Judgment reinforced federalism in India, ensuring state autonomy within the constitutional framework.

Federalism

Key Supreme Court Judgements 25

Union of India v. Harbhajan Singh (1983)

The case was concerned with **Article 356** and the scope of the Union's power to dismiss state governments.; The Court ruled that the Union's power to impose President's Rule should be exercised with respect to federalism, not arbitrarily.; It put limits on central power by ensuring the Union cannot interfere with state autonomy without valid justification. **Kameshwar Singh (1952)** to show how the legislative and...

Role of Governor S. R. Bommai Case (1994)

It examined the Governor's role in dismissing state governments and imposition of President's Rule.; The Court emphasized the primacy of a Floor Test to determine majority and limited the arbitrary use of **Article 356** by Governors.; Judgment reinforced democratic processes by limiting Governors' discretionary powers in dismissing state governments. **Rameshwar Prasad Case (2006)**; It addressed the Governor's role in...

Role of Governor

Key Supreme Court Judgements 26

Harish Chandra Rawat V. Union of India Case (2016)

The case was concerned with the Governor's report and the process of imposing President's Rule.; The Court ruled that the Governor's report must be verified by the Council of Ministers before President's Rule is imposed. Reinforced the need for transparency and fairness in imposing **President's Rule. State of Punjab v. Principal Secretary to the Governor of Punjab (2023)**;; It addressed the procedure for withholding...

Centre - State Relations

Rajamannar Committee on Centre-State Relations

Centre - State Relations

Focus Areas Recommendations

Centre - State Relations

Establishment of an Inter- Create an Inter-State Council for discussing and resolving issues State Council between Centre and States. ISC was established in 1990.

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Revenue Devolution Make excise duties and cesses compulsorily divisible between Union and States, instead of at the Union's discretion.

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IMPORTANT COMMITTEES, RECOMMENDATIONS 12

Centre - State Relations

Transfer of Subjects Transfer mineral oil resources and other subjects from Union List to State List for greater state control.

Centre - State Relations

Venkatachaliah Commission (2002) Recommendations on Centre-State Relations:

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Inter-State Create Inter-State Council to facilitate dialogue, build consensus, and address Council contentious issues between Union and States.

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Transfer of Union should only manage subjects in concurrent jurisdictions essential for Entries from List II national uniformity. to List III

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President's Apply 6-month period (**Article 201**) for President's assent on Bills; reasons Assent for withholding assent should be communicated to States.

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IMPORTANT COMMITTEES, RECOMMENDATIONS 13

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Treaty- Parliament to legislate on treaties and agreements with foreign Making Powers countries(Entry 14 of List I); **Finance Commission** to include financial implications of treaties.

Centre - State Relations

Streamlining Focus on streamlining Center-State interactions without curtailing Union's Center-State power for national unity. Interactions

Centre - State Relations

Punchhi Commission on Centre-State Relations Focus Areas Recommendations Amendments to Limit Centre's intervention to specific troubled areas for up to 3 months. **Articles 355 and 356** National Establish a superior internal security structure (similar to US Homeland Integration Council Security Department). Convene annually, with 5-member delegation visiting communal tension areas within 2 days. Concurrent List Centre...

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