

Federalism and Judiciary of India: An Analysis of Landmark Judgments

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Abstract

Indian federalism operates within a quasi-federal constitutional framework that balances unity with diversity. The Supreme Court of India has played a pivotal role in interpreting and reshaping this federal structure through landmark judgments. This study critically examines the evolving nature of Centre–State relations, focusing on key cases such as State of West Bengal v. Union of India, S.R. Bommai v. Union of India, and Government of NCT of Delhi v. Union of India. These judgments illustrate the judiciary's shifting stance—from reinforcing central dominance to affirming the autonomy of states. The emergence of doctrines such as the Basic Structure and the emphasis on cooperative federalism reflect an ongoing negotiation between legal interpretation and political reality. The analysis highlights how the Supreme Court, through judicial review, functions as a vital mediator in India's federal structure, striving to maintain constitutional balance amid changing socio-political dynamics.

Keywords

Indian federalism, Supreme Court, Indian Constitution, Centre–State relations, Judicial interpretation, Basic Structure Doctrine, Cooperative federalism, Landmark judgments

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Introduction

Federalism is a system of government in which powers are constitutionally divided between a central authority and various constituent units, usually states or provinces. It allows for both shared rule and self-rule, enabling different levels of government to operate autonomously within their respective jurisdictions. The essence of federalism lies in its attempt to reconcile national unity with regional diversity by institutionalizing multiple levels of governance. Classic federations like the United States, Canada, and Australia emphasize a clear division of powers and autonomy for subnational units. However, federal systems often differ in their degree of centralization, with some tending more toward unitary features and others safeguarding state autonomy more robustly.

The Indian Constitution, though not federal in the strict sense, provides for a federal structure with a strong unitary bias. Dr. B.R. Ambedkar described India as a "Union of States," highlighting the indestructible unity of the country despite the federal distribution of powers (Austin, 1999). Scholars such as K.C. Wheare have termed India's system as "quasi-federal," owing to its mix of federal and unitary characteristics. The Constitution outlines a threefold division of powers through the Union List, State List, and Concurrent List under the Seventh Schedule. Despite this division, the Union government enjoys overriding powers in matters of national interest, emergency provisions, and even in cases of legislation on subjects in the State List under certain circumstances (Article 249 and Article 356). In such a complex federal arrangement, the role of the judiciary, particularly the Supreme Court, becomes crucial in maintaining the balance of power between the Centre and the States. The Indian Supreme Court functions as the ultimate interpreter of the Constitution and plays a pivotal role in adjudicating disputes related to federalism, including legislative competence, fiscal relations, and executive authority. Its judgments have often shaped the contours of Centre–State relations and defined the constitutional boundaries within which federal units operate.

This article aims to examine the role played by the Supreme Court of India in interpreting and safeguarding the federal structure enshrined in the Constitution. It seeks to analyze landmark judgments that have had a significant impact on Indian federalism, from early post-Independence disputes to recent cases involving territorial and administrative powers. By assessing the evolving judicial philosophy and trends over time, the article will highlight whether the Court has strengthened cooperative federalism or facilitated a tilt towards centralization. The scope of the

article includes an exploration of key constitutional provisions, major judicial decisions, and a critical reflection on the implications of these judgments for India's democratic and federal fabric. The analysis will be grounded in constitutional theory, case law, and relevant scholarly discourse. As observed by Granville Austin, the Indian Constitution is a "seamless web" of provisions, where federalism, democracy, and judicial review are intricately linked (Austin, 2003). Understanding how the Supreme Court has navigated this web is essential for comprehending the true nature of Indian federalism today.

Constitutional Framework of Federalism in India

The Indian Constitution establishes a unique federal structure that blends both federal and unitary elements to suit the country's vast diversity and complex political realities. While it incorporates several features of classical federalism—such as a division of powers, bicameral legislature, and an independent judiciary—it simultaneously embeds unitary characteristics that ensure national integrity and centralized coordination, especially in times of crisis. The cornerstone of Indian federalism lies in the distribution of legislative powers between the Centre and the States, as outlined in **Article 246** of the Constitution and elaborated in the **Seventh Schedule**. This distribution is structured into three distinct lists. The **Union List** comprises subjects of national importance, such as defence, foreign affairs, atomic energy, and banking, on which only the Parliament has exclusive authority to legislate. The **State List** includes matters that are more appropriately dealt with at the regional or local level, such as police, public health, agriculture, and local government, where state legislatures enjoy exclusive law-making powers. The **Concurrent List** contains subjects like education, forests, marriage and divorce, and criminal law, where both the Centre and States can make laws. However, in the event of a conflict between a central and state law on a concurrent subject, the law made by Parliament prevails, unless the state law, having received the President's assent, is intended to apply within that state only. This structured distribution is designed to ensure coordination between levels of government while also prioritizing national unity where required.

This demarcation ensures a formal separation of powers, although the Union retains legislative primacy in case of conflict on concurrent matters as per Article 254. Another federal hallmark is bicameralism, particularly the presence of the Rajya Sabha, which represents the states at the national level. Although its powers are not equal to those of the Lok Sabha, the Rajya Sabha plays

a critical role in federal balance, especially through Article 249, which empowers it to authorize Parliament to legislate on State List matters if deemed in the national interest (M.P. Jain, 2021).

The Constitution also guarantees an independent judiciary, which is crucial for maintaining the federal order. The Supreme Court of India, as the final interpreter of the Constitution, has the authority to adjudicate disputes between the Centre and States or between states, under Article 131. This role makes the judiciary an institutional guardian of federalism. Despite incorporating several federal features, the Indian Constitution contains numerous unitary provisions, which is why it is often described as a “quasi-federal” system. One significant example is that the Union government can override state legislation on subjects listed in the Concurrent List, particularly when there is a conflict between central and state laws. Moreover, the emergency provisions enshrined in Articles 352, 356, and 360 grant the Centre extensive powers to intervene in state affairs. During a national emergency or in situations where there is a failure of constitutional machinery in a state, the Centre can legislate on State List subjects and even take over the executive powers of the state government. Additionally, Article 3 empowers the Union Parliament to reorganize state boundaries or create new states without requiring the consent of the concerned states, thereby limiting their territorial sovereignty. Furthermore, institutions like the All-India Services—notably the Indian Administrative Service (IAS) and Indian Police Service (IPS)—are centrally recruited and controlled, although they operate at both the Union and State levels. This arrangement restricts the states’ control over their own bureaucracies, thereby reinforcing the unitary tilt of the Indian federation. These features collectively highlight the centralized nature of Indian federalism, even within its broadly federal framework.

The judiciary, especially the Supreme Court, is envisioned as a neutral arbiter in federal disputes. Its role includes ensuring that neither the Union nor the States encroach upon each other’s jurisdiction. Over time, the Supreme Court has delivered several landmark judgments that have reinforced or reinterpreted the boundaries of federalism, shaping the dynamic between the Union and States. As noted by D.D. Basu (2013), the judiciary’s interpretive authority has acted as a “constitutional safety valve,” preventing both fragmentation and authoritarian centralization. In a nutshell, the Indian federal structure, as envisioned by the Constitution, is both flexible and centralized. It provides a framework for unity while allowing for diversity—anchored significantly by the mediating and safeguarding role of the judiciary.

Role of the Supreme Court in Interpreting Federalism

The Supreme Court of India plays a pivotal role in interpreting and safeguarding the federal structure of the Constitution. As the guardian of the Constitution, the judiciary ensures that the Centre and the States operate within their constitutionally assigned domains. This role becomes especially significant in a system like India's, where the distribution of powers often leads to tensions between different levels of government. The Court not only settles disputes between the Centre and States or among States under Article 131, but also determines the constitutional validity of laws enacted by both levels of government through its power of judicial review under Article 13 and Article 32. Judicial review allows the Court to strike down laws that infringe upon constitutional provisions or violate the federal balance.

One of the most significant contributions of the Supreme Court to Indian federalism is the development of the Basic Structure Doctrine in the landmark case of *Kesavananda Bharati v. State of Kerala* (1973). This doctrine asserts that certain fundamental features of the Constitution—such as federalism, separation of powers, and the rule of law—cannot be altered even by a constitutional amendment under Article 368. As federalism has been recognized as part of the basic structure, the judiciary is empowered to review and invalidate any constitutional change that may dilute or undermine the autonomy of States or the division of powers. In discharging its role, the Supreme Court employs various methods of constitutional interpretation to resolve complex federal disputes. These include the literal rule, where the Court adheres strictly to the text of the law; the purposive or teleological approach, where it seeks to understand the underlying purpose of a provision; and harmonious construction, which is used when two or more provisions seem to conflict, ensuring that both can be given effect without nullifying either. This interpretive flexibility has enabled the Court to adapt constitutional principles to evolving political and administrative realities, while still upholding the federal character of the Indian polity.

Overall, the Supreme Court has functioned not just as an adjudicator of disputes, but also as a constitutional mediator, helping to maintain a balance between central authority and state autonomy. Through its interpretive jurisprudence and constitutional vigilance, the judiciary has become an indispensable actor in the evolution and preservation of Indian federalism.

Landmark Judgments and Their Impact on Indian Federalism

The Supreme Court of India has played a pivotal role in shaping the contours of Indian federalism through its landmark judgments. These rulings have not only clarified the constitutional boundaries between the Centre and the States but have also acted as crucial safeguards for the autonomy of the federal units. One of the earliest and most significant cases, *State of West Bengal v. Union of India* (1963), upheld the power of Parliament to acquire state property, asserting the supremacy of the Union in legislative matters involving national interest. This judgment marked the beginning of judicial centralism, establishing that states do not possess sovereignty in the strict sense. However, the pendulum swung towards greater federal accountability in *S.R. Bommai v. Union of India* (1994), where the Court laid down stringent conditions for invoking Article 356. The ruling emphasized the role of the judiciary in reviewing the imposition of President's Rule and made the floor test the litmus test for deciding the majority in the State Assembly. Similarly, in *Kesavananda Bharati v. State of Kerala* (1973), the Court established the Basic Structure Doctrine, recognizing federalism as an inviolable part of the Constitution.

Other cases such as the *Punjab Termination of Agreements Act* (2004), *State of Karnataka v. Union of India* (1977), and the *NCT of Delhi v. Union of India* (2018, 2023) have addressed contentious federal issues including water disputes, administrative control, and power-sharing between Union and State entities. Collectively, these judgments demonstrate the evolving nature of Indian federalism and underline the judiciary's balancing role—sometimes centralizing, at other times reinforcing cooperative federalism—depending on constitutional context and political exigency.

State of West Bengal v. Union of India (1963)

The *State of West Bengal v. Union of India* (1963) was the first major constitutional case that tested the limits of Indian federalism by confronting the balance between state autonomy and central legislative supremacy. The dispute originated when the Union government, invoking the Coal Bearing Areas (Acquisition and Development) Act, 1957, attempted to acquire land owned by the State of West Bengal without its consent. The state challenged the Act, arguing that Parliament lacked the authority to unilaterally acquire land belonging to a state government. The central legal question before the Supreme Court was whether Parliament could legislate to acquire state-owned land without prior state approval. In its ruling, the Court upheld the constitutional validity of the

Act, stating that the Indian Constitution does not recognize the states as sovereign entities in the classical federal sense. It asserted that Parliament had legislative competence under Entry 42 of the Concurrent List and that acquisition of property—whether private or state-owned—was permissible if it served a public purpose (*State of West Bengal v. Union of India*, AIR 1963 SC 1241). This judgment reinforced the supremacy of the Union legislature and underscored the unitary features of the Indian Constitution. It made clear that the authority of the states is derived from the Constitution itself and not from any independent sovereignty. The ruling thus tilted Indian federalism toward a centralized structure, prioritizing national unity over absolute state autonomy.

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

The *S.R. Bommai v. Union of India* (1994) case stands as a landmark in the constitutional evolution of Indian federalism, arising from the dismissal of the Janata Dal government in Karnataka led by S.R. Bommai. The imposition of President's Rule under Article 356 followed allegations that the state government had lost its majority due to defections. Bommai challenged the dismissal, contending that the Centre had misused Article 356 for political purposes. The core constitutional question was whether the President's proclamation under Article 356 was subject to judicial review, and what checks existed on the Centre's power to dismiss democratically elected state governments. A nine-judge Constitution Bench of the Supreme Court decisively ruled that the exercise of Article 356 is indeed subject to judicial scrutiny, and that President's Rule cannot be imposed arbitrarily. The Court held that the determination of a government's majority must occur through a floor test in the legislative assembly—not at the discretion of the Governor or the Union Executive (AIR 1994 SC 1918). Importantly, the Court reaffirmed that federalism is part of the basic structure of the Constitution, thereby placing constitutional limits on the Centre's authority. This judgment fundamentally altered the Centre–State dynamic by curbing political misuse of emergency provisions and strengthening democratic accountability at the state level. It remains a cornerstone ruling that continues to safeguard India's federal fabric from central overreach.

Kesavananda Bharati v. State of Kerala (1973)

The *Kesavananda Bharati v. State of Kerala* (1973) case marks a constitutional watershed in Indian legal history, particularly in defining the boundaries of parliamentary power and safeguarding the federal structure. The case originated when Swami Kesavananda Bharati, the

head of a religious institution in Kerala, challenged the state government's land reform legislation that sought to acquire the Mutt's property. What began as a property rights issue soon evolved into a foundational constitutional debate concerning the extent of Parliament's power to amend the Constitution under Article 368. The central legal question was whether Parliament could amend any part of the Constitution, including provisions related to fundamental rights and federalism. In a historic 7:6 majority ruling, a thirteen-judge bench held that while Parliament has broad amending powers, it cannot alter the "basic structure" of the Constitution (*Kesavananda Bharati v. State of Kerala*, AIR 1973 SC 1461). The Court identified federalism, separation of powers, and the supremacy of the Constitution as essential features of this basic structure, which no amendment could dilute. The judgment thus enshrined federalism as a permanent constitutional principle, immune even to legislative overreach. It also enhanced the role of the judiciary as the ultimate guardian of the Constitution, establishing a robust check on both executive and parliamentary attempts to undermine India's federal equilibrium.

In re: Presidential Reference (Punjab Termination of Agreements Act, 2004)

The *In re: Presidential Reference (Punjab Termination of Agreements Act, 2004)* case addressed a crucial question regarding the limits of state autonomy in inter-state water disputes. In 2004, the Punjab Legislative Assembly enacted the Punjab Termination of Agreements Act with the intent to unilaterally nullify all previous agreements related to river water sharing with neighboring states, especially concerning the contentious Sutlej-Yamuna Link (SYL) Canal. Given the potential constitutional implications and the sensitivity of inter-state relations, the President of India referred the matter to the Supreme Court under Article 143 for an advisory opinion. The legal question was whether a state has the constitutional authority to unilaterally withdraw from agreements that have either been adjudicated by tribunals or formed part of long-standing inter-state arrangements. In its 2016 opinion, the Supreme Court held the Act to be unconstitutional, declaring that a single state does not have the authority to nullify inter-state agreements, especially when such matters fall under the purview of Parliament or judicial/quasi-judicial mechanisms like water tribunals (*In re: Presidential Reference, 2004 (2) SCC 660*). The Court emphasized that water is a national resource and resolving disputes over it requires a centralised legal framework governed by constitutional provisions and statutory instruments. This ruling reinforced the primacy of the Union and judiciary in managing inter-state conflicts over natural resources and

reaffirmed that federalism in India functions within a unified constitutional scheme, particularly in domains critical to national interest and regional stability.

State of Karnataka v. Union of India (1977)

The *State of Karnataka v. Union of India* (1977) case stands as a significant moment in the jurisprudence of Indian federalism, particularly regarding the limits of central intervention in state affairs. The Janata Party-led Karnataka government filed the case in response to the Centre's move to appoint a commission of inquiry into the state's administrative conduct, invoking its powers under Articles 356 and 365 of the Constitution. The state argued that such inquiries, if used arbitrarily, could be a tool for political interference, undermining the federal structure and threatening state autonomy. The central legal question was whether the Union government possessed constitutional authority to initiate inquiries into state governance and take punitive actions based on their findings. The Supreme Court ruled that although the Centre is empowered to collect information and conduct inquiries under its general administrative functions, such powers cannot justify interference in state functioning unless there is clear evidence of constitutional failure (*State of Karnataka v. Union of India*, AIR 1978 SC 68). The Court asserted that the federal character of the Constitution must be maintained, and cautioned that central powers should not be exercised merely for political ends. The judgment served as a judicial check against potential central overreach, reaffirming that federalism is not just an administrative convenience, but a constitutional safeguard integral to India's democratic framework. This case further solidified the judiciary's role in upholding the autonomy of states and ensuring that Centre–State relations operate within the bounds of constitutional propriety.

NCT of Delhi v. Union of India (2018 & 2023)

The *NCT of Delhi v. Union of India* cases (2018 and 2023) are pivotal in clarifying the constitutional status and administrative authority of the Government of the National Capital Territory of Delhi. The disputes arose from persistent conflicts between the elected government of Delhi, led by the Chief Minister, and the Lieutenant Governor (LG), representing the Union Government. The core constitutional question was whether the LG held overriding authority in the governance of Delhi, a Union Territory with a legislative assembly and an elected executive. In its landmark 2018 ruling, a five-judge Constitution Bench of the Supreme Court held that the

LG is bound by the aid and advice of the Council of Ministers, except in matters concerning public order, police, and land, which fall outside the Delhi government's jurisdiction as per Article 239AA (NCT of Delhi v. Union of India, (2018) 8 SCC 501). Building on this, the Court in 2023 clarified that the Delhi government has legislative and executive control over services, barring the reserved subjects of police, land, and public order (NCT of Delhi v. Union of India, (2023) SCC OnLine SC 421). These decisions collectively reinforced the principles of democratic and cooperative federalism, affirming that Union Territories with elected legislatures cannot be administratively subordinated to the Centre in all respects. The rulings marked a significant judicial effort to balance national interests with regional democratic accountability, thereby limiting the scope of central dominance and recognizing the autonomy of sub-national governments in India's federal system.

Ram Jawaya Kapur v. State of Punjab (1955)

In the landmark case of *Ram Jawaya Kapur v. State of Punjab* (AIR 1955 SC 549), the Supreme Court laid down foundational principles concerning the nature of the Indian executive under the Constitution. The case arose when the State of Punjab took over the management of certain textbook publications without specific legislative sanction. The petitioners argued that the executive had acted without legal authority. The Court held that in the Indian constitutional framework, which follows the parliamentary system of governance, the executive derives its authority from the legislature and cannot act in a domain reserved for legislative action without prior authorization. Chief Justice B.K. Mukherjea clarified that although the executive has some autonomy in decision-making, it must ultimately function within the framework of laws passed by the legislature. From a federal perspective, the judgment established clear limits on executive overreach at both Union and State levels, thereby reinforcing the principle of legislative supremacy, which is essential in a system of divided powers.

UCO Bank v. Dipak Debbarma (2017)

In *UCO Bank v. Dipak Debbarma* ((2017) 2 SCC 585), the Supreme Court addressed the conflict between central legislation and state laws concerning recovery proceedings under the SARFAESI Act in the tribal areas of Tripura. The state had argued that the central law could not override local land protection laws intended for the welfare of Scheduled Tribes. However, the Court upheld the

applicability of the SARFAESI Act, enacted by Parliament under Entry 45 (Banking) of the Union List, even in tribal areas protected under the Sixth Schedule. The judgment emphasized that in case of a conflict between central and state legislation, particularly in domains allocated to the Union List, Parliament's law would prevail under Article 254. This ruling highlighted a limitation on state legislative autonomy in matters of fiscal and financial regulation, showcasing how central economic policies can override regional protections, thus reinforcing the unitary tilt within Indian federalism in domains of national financial governance.

Union of India v. Mohit Minerals Pvt. Ltd. (2022 GST Council Judgment)

In the significant ruling of *Union of India v. Mohit Minerals Pvt. Ltd.* ((2022) SCC OnLine SC 657), the Supreme Court interpreted the constitutional status of the Goods and Services Tax (GST) Council. The central issue was whether the Council's recommendations were binding on Union and State governments. The Court held that the recommendations of the GST Council are not binding, but carry persuasive value, allowing both the Union and the States some leeway in implementing GST policies. This judgment marked a progressive step in fiscal federalism, recognizing that both levels of government must function collaboratively under the framework of cooperative federalism established by the 101st Constitutional Amendment. By asserting that GST is the outcome of mutual consensus and not coercion, the Court reinforced the notion that federalism in India must balance national uniformity with state-specific flexibility, especially in complex areas such as tax administration.

Evolving Trends in Judicial Approach

Over the decades, the Indian judiciary's approach to federalism has undergone a discernible evolution—from centralising tendencies in the early decades to a more balanced and cooperative federalism in recent times. This shift reflects not only the constitutional dynamics but also the changing political context, inter-governmental tensions, and the judiciary's own internal debates between activism and restraint. In the immediate post-independence era, the Supreme Court's decisions largely upheld central supremacy. Cases such as *State of West Bengal v. Union of India* (1963) endorsed Parliament's power to acquire state land, suggesting that Indian federalism was highly centralised and that states were subordinate units (AIR 1963 SC 1241). However, the *Kesavananda Bharati* case (1973) signaled a turning point, declaring federalism a part of the

Constitution's Basic Structure, which cannot be amended even by Parliament (AIR 1973 SC 1461).

By the 1990s, in *S.R. Bommai v. Union of India* (1994), the Court further expanded the federal principle by placing constitutional limits on the Centre's power under Article 356, thereby curbing arbitrary imposition of President's Rule (AIR 1994 SC 1918). These rulings signified a judicial trend toward recognizing state autonomy within the constitutional framework. Recent judgments—particularly in the *NCT of Delhi v. Union of India* (2018 and 2023) and *GST Council case* (2022)—reflect a matured vision of cooperative federalism, where the Court attempts to strike a balance between unity and diversity. For instance, the GST Council was held to be a recommendatory body, thereby preserving the fiscal autonomy of states (*Union of India v. Mohit Minerals Pvt. Ltd.*, SCC OnLine SC 657, 2022).

The judiciary's approach to federalism is not divorced from the prevailing political environment. During periods of single-party dominance, such as under the Congress system (1950s–1980s), courts often leaned towards centralisation, aligning with the larger goal of national integration. However, the rise of regional parties and coalition governments in the 1990s and 2000s redefined Centre–State relations, compelling the judiciary to recalibrate its interpretations. Furthermore, increasing inter-state disputes—particularly over water sharing, fiscal resources, and administrative control—have required judicial intervention to defuse tensions and maintain constitutional order. The Supreme Court's role has gradually expanded from adjudicator to constitutional mediator, tasked with harmonising competing claims in a federal setup.

The judiciary's evolving approach also reflects a dynamic interplay between activism and restraint. In cases involving fundamental federal principles—like the *Bommai* and *Kesavananda* decisions—the Court has been assertive, defining and defending core constitutional doctrines. In contrast, in matters requiring political negotiation or policy discretion, such as in the GST and NCT cases, the Court has exercised judicial restraint, encouraging dialogue and cooperative mechanisms. This measured activism indicates a mature federal jurisprudence, where the Court neither acts as an overreaching arbiter nor remains a passive spectator. Instead, it acknowledges that federalism is a living constitutional value, evolving with India's socio-political realities and governance challenges.

The Supreme Court of India has undoubtedly played a crucial role in interpreting and shaping the contours of Indian federalism. However, a critical evaluation reveals that its record is not entirely consistent in upholding federal principles. The Court has alternated between judicial centralism and cooperative federalism, reflecting shifts in political climate, judicial philosophy, and national imperatives. One of the most common criticisms of the judiciary is its tendency toward centralism, particularly in the initial decades after independence. In *State of West Bengal v. Union of India* (1963), for instance, the Court upheld the power of Parliament to acquire state property without consent, effectively subjugating state sovereignty to the Union. Such judgments reinforced the unitary bias of the Constitution and sidelined the autonomy of states. Similarly, during the Emergency era (1975–77), the judiciary largely refrained from checking the Centre’s overreach, raising concerns about its independence and fidelity to federal norms.

However, the emergence of the Basic Structure Doctrine in *Kesavananda Bharati v. State of Kerala* (1973), and later the landmark ruling in *S.R. Bommai v. Union of India* (1994), demonstrate a decisive shift toward constitutional federalism. The judiciary, in these instances, upheld the autonomy of state governments and introduced legal safeguards against the misuse of Article 356. Yet, even in these progressive judgments, the Court maintained that Parliament could intervene in state matters under certain circumstances, reflecting a nuanced but persistent tilt toward central supremacy. The accusation of judicial centralism resurfaces in more recent cases as well. In *UCO Bank v. Dipak Debbarma* (2017), the Court upheld the primacy of central legislation over state laws, reaffirming that when conflicts arise between the two, Union laws will prevail. Even in the 2023 ruling on NCT of Delhi, while the Court expanded the control of the elected government, it reaffirmed that sensitive domains like police and public order would remain under the Union’s purview.

Furthermore, the judiciary’s inconsistent approach has, at times, complicated Centre–State relations rather than resolved them. In the case of inter-state water disputes, such as in the Presidential Reference on the Punjab Termination of Agreements Act (2004), the Court upheld the sanctity of inter-state agreements but left unresolved the broader tensions and implementation challenges. Despite this mixed record, it would be unfair to overlook the judiciary’s important balancing function. Its interventions—especially in politically charged environments—have prevented democratic erosion and safeguarded constitutional integrity. The Court often steps in where political negotiation fails, acting as a mediator of last resort in India’s complex federal

matrix. In a nutshell, the Supreme Court has both strengthened and constrained federalism. While many of its judgments have preserved state autonomy and curbed central excesses, others have upheld central dominance in the name of national unity or administrative efficiency. This ambivalence underscores the need for a more coherent and principled federal jurisprudence that upholds both constitutional ideals and cooperative governance.

Conclusion

The trajectory of Indian federalism has been profoundly shaped by the Supreme Court's interpretive and adjudicative interventions. Through landmark rulings spanning over seven decades, the Court has served as the guardian of constitutional balance, playing a pivotal role in clarifying, defending, and occasionally redefining the powers of the Union and the States. From legitimizing central authority in the early decades to evolving into a constitutional counterbalance against central overreach, the judiciary's role in shaping Indian federalism is both rich and complex. The Court's contribution to federalism is most visible in decisions like *Kesavananda Bharati* (1973), which elevated federalism to the status of a basic structure, immune to even constitutional amendments. Similarly, *S.R. Bommai* (1994) brought in democratic accountability by introducing judicial review of Article 356, curbing the Centre's power to arbitrarily dismiss state governments. More recent decisions in the *NCT of Delhi* cases (2018 & 2023) and the *GST Council* judgment (2022) reflect the judiciary's ongoing engagement with the principles of cooperative federalism, fiscal autonomy, and democratic decentralisation.

However, the Supreme Court's interventions are not a substitute for political negotiation. The increasing reliance on courts to resolve Centre–State disputes points to a failure of political federalism. Mechanisms such as the Inter-State Council, Zonal Councils, and the Finance Commission must be revitalized to enable structured political dialogue. Judicial pronouncements can clarify the constitutional framework, but sustainable federalism requires political will, consensus-building, and a culture of cooperation between the Union and the States. Moreover, the judiciary must remain conscious of the delicate balance between its role as an interpreter of the Constitution and the need to respect democratic processes. While judicial activism has been necessary in certain contexts to uphold state rights or prevent arbitrary central actions, excessive intervention could undermine legislative competence and democratic accountability.

Looking forward, Indian federalism is likely to face new challenges—ranging from fiscal centralisation under schemes like GST to increasing demands for regional autonomy. In such a scenario, the Supreme Court must continue to evolve its jurisprudence in line with the spirit of cooperative and competitive federalism, ensuring that states are treated not as administrative subunits, but as equal partners in governance. In sum, the judicial journey of federalism in India reveals a continuous negotiation between unity and diversity, autonomy and accountability. The Supreme Court has been central to this journey, and its future role must balance constitutional fidelity with institutional humility, ensuring that federalism remains a living and dynamic principle of Indian democracy.

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