



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

THIRD SEMESTER MASTER OF LAWS

(Session 2018-19)

(CONSTITUTION BRANCH)

PAPER – III (PAPER CODE - **43903**) : (PAPER NAME – **UNION-STATE FINANCIAL RELATIONS**)

Max. Marks: 100 (80 External + 20 Internal)

Min. Marks: 40

Unit I : 1. Federalism – Essentials

- a. Models of Federal Government – U.S.A Australia, Canada
 - b. Difference between Federation and Confederation
 - c. Evolution of federal government in India
2. Distribution of Legislative Power / Administrative Power
- a. Indian Constitution
 - b. Centre-State relations
 - c. Factors responsible for subordination of States
 - d. Administrative relations

Unit II :2. Distribution of Fiscal Power :

1. Distribution of Fiscal Power :
 - a. Scheme of Allocation of taxing power
 - b. Extent of Union power of taxation
 - c. Residuary power – inclusion of fiscal power
2. Restrictions of Fiscal Power
 - a. Fundamental Rights
 - b. Inter – Government tax immunities
 - c. Difference between tax and fee
3. Distribution of Tax Revenues
 - a. Tax-Sharing under the Constitution
 - b. Finance Commission – Specific purpose grants (Article 282)
4. Borrowing Power of the State
 - a. Borrowing by the Government of India
 - b. Borrowing by the States

Unit III:1 Inter-State Trade and Commerce

- a. Freedom of Inter-State trade and commerce
 - b. Restrictions on legislative power of the Union and States with regard to trade and commerce.
2. Planning & Financial Relations
- a. Planning Commission
 - b. National Development Council
 - c. Plan Grants

Unit IV: 1. Co-operative Federalism

- a. Full faith and credit
 - b. Inter-State Council
 - c. Zonal Councils
 - d. Inter-State disputes
2. Federal Government in India
- a. Model of Jammu and Kashmir
 - b. Sarkaria Commission Report
 - c. What Reforms are Necessary ?

Selected Bibliography

1. H.M.Seervai, Constitutional Law of India (1991),Tripathi, Bombay
2. Sudha Bha tngar, Union-State Financial Relations and Finance Commissions (1979)
3. Ashok Chandra, Federalism in India (1965)
4. V.D.Sebastian, Indian Federalism : The Legislative Conflicts Chs. 6-7 and 8(1980)
5. Chandrapal, Centre-State Relations and Cooperative Federalism, Chs. 5 and 8 (1983)
6. G.C.V. Subba Rao, Legislative Powers in Indian Constitution Law, Chs. 37,38,39 (1982)
7. Richard M.Pious, The American Presidency, 293-331, Ch. 9(1979)
8. Daniel J.Elazar, American Federalism, Chs. 3 and 4 (1984)
9. K.P.Krishna Shetty, The Law of Union-State Relations and the Indian Federalism Ch.9 .(1981)
10. Report of the Eighth Finance Commission
11. Administrative Reforms Commission on Centre-State Relationship Ch.3 (1969)
12. Constituent Assembly Debates Vo1.9, 203, 240 and 302-349;-Vol. 10, 325-342.
13. Administrative Reforms Commission, Report of the Study Team on Central-State Relationship (1967) Vol. 1, Sections 1 and 11, 99. IS -168
14. L.M.Singhvi (ed) , Union-State Relations in India 124-154(1969)
15. Government of Tamilnadu, Report of the Centre- State Relations Inquiry Committee Ch.5(1971)
16. D.T.Lakadwala, Union-State Financial Relations (1967)
17. M.P.Jain, Indian constitutional Law (1994), Wadhwa
18. K.Subba Rao, The Indian Federation (1969)
19. K.C.Wheare, Federal Government (1963)

Students should consult relevant volumes of the Annual Survey of Indian Law Published by the Indian Law Institute (Constitutional Law II).