



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

THIRD SEMESTER MASTER OF LAWS

(Effective from Session 2016-17)

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).