Polity & Governance · GS - II

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

EXAM YEAR	PAPER	SUBJECT
2019	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Seventh Schedule; legislative competence; Union List; State List; Concurrent List; federal supremacy; harmonious construction; constitutional interpretation; repugnancy; judicial precedents

Model Answer

Introduction

The Indian Constitution distributes legislative powers between Parliament and state legislatures under Articles 245–246 and the Seventh Schedule. Judicial doctrines help resolve conflicts concerning legislative competence.

Principle of Federal Supremacy

Article 246 gives Parliament exclusive competence over the Union List, while states legislate on the State List, subject to constitutional exceptions. In the Concurrent List, both can legislate. Under Article 254, a valid parliamentary law generally prevails over an inconsistent state law on a Concurrent List subject, subject to the constitutional exception for state laws receiving presidential assent.

Harmonious Construction

Courts attempt to interpret apparently conflicting constitutional provisions or legislative entries so that each retains meaning and effect. They avoid unnecessary overlap and seek to preserve legislative competence wherever possible.

For example, in *State of Rajasthan v. G. Chawla* (1959), the Supreme Court examined the relationship between legislative entries while determining the validity of state legislation. Courts also use the doctrine of pith and substance to identify the true nature of legislation when incidental overlap occurs.

Significance

These doctrines prevent legislative uncertainty, protect the federal distribution of powers and reduce unnecessary invalidation of laws. Federal supremacy applies within the constitutional framework rather than granting unlimited authority to the Union.

Conclusion

Federal supremacy and harmonious construction are complementary tools of constitutional interpretation. Together, they maintain legislative clarity while balancing national interests with the autonomy of states.

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