
INTERPLAY BETWEEN REPUGNANCY AND FEDERALISM UNDER THE CONSTITUTION OF INDIA

Sourav Kr. Singh & Arya Shree, KIIT School of Law

ABSTRACT

The Indian Constitution, though federal in nature, includes important unitary elements that frequently lead to friction between the Union and State legislatures. A fundamental legal principle that exposes this conflict is the doctrine of repugnancy, established in Article 254. This principle deals with instances where a clash occurs between laws enacted by Parliament and State Legislatures in the Concurrent List, leading to the central law taking precedence. This article investigates the relationship between repugnancy and federalism, analysing whether the implementation of Article 254 supports or weakens the federal framework intended by the Constitution. By conducting a doctrinal and case law examination, the paper explores judicial interpretations, the importance of Presidential assent, and real-world examples where this conflict has manifested. It also contemplates how the principle of repugnancy affects the legislative independence of the states, and whether it encourages cooperative federalism or tends to central supremacy. Comparative perspectives from different federal systems offer context and distinction. The article ends with recommendations for recalibrating legislative authorities to maintain the core of Indian federalism.

Keywords: Indian Constitution, Doctrine of Repugnancy, Federalism, Article 254, Concurrent List, Central-State Relations, President's Assent, Quasi-Federalism, Judicial Interpretation, Cooperative Federalism.

Introduction

India's federalism is a unique governing framework, marked by an intricate relationship between centralization and decentralization. Federalism fundamentally refers to a political system that distributes powers between a central authority and different constituent units—states—enabling each to operate within its own domain while still being part of a cohesive nation. The Indian Constitution, while not directly employing the term "federal," creates a dual governance structure through the Union, State, and Concurrent Lists in the Seventh Schedule, outlining legislative areas for both the Union and the states. This framework is additionally refined by elements like a written constitution, single citizenship, and a robust central government, prompting scholars to characterize India as a “quasi-federal” or “cooperative federal” state. The equilibrium between state independence and national cohesion has been a consistent aspect of India’s constitutional development, with the judiciary serving a crucial role in upholding this balance.

In this federal framework, the principle of repugnancy plays a crucial role in governing the connection between central and state laws. Repugnancy, within the framework of the constitution, signifies a scenario where a state law contradicts or directly opposes a central law on an issue listed in the Concurrent List. Article 254 of the Indian Constitution incorporates this principle, stating that if a state law conflicts with a central law on a concurrent matter, the central law takes precedence, rendering the state law void to the extent of the inconsistency. Nonetheless, there is an exception: if a state law, even if it conflicts with a central law, has been approved by the President, it can take precedence within that state unless Parliament passes a later law that supersedes it. The idea of repugnancy guarantees consistency in laws concerning concurrent matters while permitting some state variation in particular situations.

The aim of this paper is to examine how the doctrine of repugnancy influences and occasionally contests the federal principles established in the Indian Constitution. The doctrine acts as a tool for settling legislative disputes between the Union and the states, while also highlighting the underlying tensions present in Indian federalism. The doctrine of repugnancy highlights the unitary nature of the Indian constitutional framework by giving precedence to central laws in situations of conflict. This carries important consequences for state autonomy, especially in regions where both government levels hold the ability to legislate. Judicial interpretations of Article 254 have elaborated on the circumstances that create repugnancy, highlighting that the

conflict must be both direct and irreconcilable for the doctrine to be relevant. By examining constitutional articles, court rulings, and the real-world implementation of the doctrine, this paper seeks to investigate if the doctrine of repugnancy supports the essence of cooperative federalism or if it strengthens central authority to the detriment of state independence. In this effort, it aims to add to the current discussion regarding the character and future of Indian federalism amid a swiftly changing political and legal environment

Constitutional Framework

The constitutional structure regulating legislative power and its distribution in India is mainly described in Articles 245 to 254 of the Constitution. These regulations outline the scope and restrictions of legislative power between the Union and State governments. Article 245 gives the Parliament the authority to enact laws for the entire territory of India or any portion thereof, whereas State Legislatures are allowed to create laws for their individual states. Article 246, read with Schedule VII, categorizes subjects into three lists—the Union List, State List, and Concurrent List—providing a systematic allocation of legislative authority. The Union List encompasses issues of national relevance that only Parliament has the authority to legislate; the State List contains matters of local or state importance overseen by State Legislatures; and the Concurrent List includes topics on which both Parliament and State Legislatures may enact laws. Nevertheless, if there is a clash between Union and State legislation on a Concurrent List matter, Article 254 establishes the Doctrine of Repugnancy. Under this principle, when a state law conflicts with a law enacted by Parliament, the Parliament law takes precedence, rendering the state law invalid to the degree of the inconsistency, unless the state law has been approved by the President. This framework maintains a balance of power while upholding the dominance of parliamentary legislation in overlapping areas.

Federalism in the Indian Context

In the Indian context, federalism is distinctly marked by its quasi-federal character, in which the Constitution integrates federal characteristics with robust unitary aspects. Though India is characterized as a federal state because of the distribution of powers between the Union and the States, it is distinct from traditional federal models such as that of the United States. The Indian Constitution shows a central tendency, especially noticeable in the allocation of legislative authority. This is evident in the prominence of the Union List, which encompasses more topics and essential aspects of governance than the State List. Furthermore, the Union

government possesses supreme authority during emergencies and is able to legislate on subjects from the State List under specific circumstances.

The Concurrent List is crucial in influencing India's federal structure. It encompasses topics that allow both the Union and State governments to make laws, fostering a framework for cooperative federalism via shared responsibility and synchronized policymaking. Nonetheless, it may also result in competitive federalism, particularly when states pursue increased autonomy and efficiency in policy creation to draw investment or meet local demands. The interplay between collaboration and rivalry within the Concurrent List framework greatly affects the developing character of federalism in India, emphasizing both the advantages and difficulties of a structure that is not exclusively federal nor wholly unitary.

Doctrine of Repugnancy: Scope and Application

The Doctrine of Repugnancy deals with disputes between laws enacted by Parliament and State Legislatures regarding topics included in the Concurrent List, where both possess the power to legislate. The term "repugnancy" denotes a contradiction or direct clash between two laws, making it impossible for both to coexist or be applied at the same time. The principle stems from the concept of federal supremacy, and in India, it is incorporated in Article 254 of the Constitution.

According to Article 254(1), if a state law contradicts a law passed by Parliament regarding an issue in the Concurrent List, the central law takes precedence, making the State law invalid to the degree of the discrepancy. This rule is applicable solely when both laws function within the same domain and cannot be harmonized—indicating that following one would lead to violating the other. Simply having a difference or overlap is insufficient; a "distinct and direct conflict" must be present for the doctrine to activate.

Article 254(2) offers a significant exemption to this guideline. If a state law conflicting with a Parliamentary law is submitted for the President's approval and gets his consent, it takes precedence in that State, despite being contradictory to the previous central law. Nevertheless, Parliament holds the power to supersede this state law in the future by passing a new law or modifying the current one.

The judiciary has been essential in clarifying the extent and use of this doctrine. In *M.*

Karunanidhi v. Union of India (1979), the Supreme Court established criteria to assess repugnancy, highlighting that laws must be "in direct conflict," function within the same domain, and that this conflict should be irreconcilable. In **Tika Ramji v. State of Uttar Pradesh (1956)**¹, the Court asserted that simply having two legislations in the same area does not inherently result in repugnancy. Another significant case is **Zaverbhai Amaidas v. State of Bombay (1954)**², in which the Supreme Court maintained the dominance of the central law since the state law was in direct conflict with the central legislation.

Through these interpretations, the courts have clarified that the Doctrine of Repugnancy is not activated casually. It seeks to uphold the federal structure and sustain legislative harmony, guaranteeing that laws passed by various tiers of government can function together unless they are inherently conflicting.

Judicial Interpretation and Evolution

The judicial understanding and development of the repugnancy doctrine under Article 254 of the Indian Constitution have been influenced by significant cases that set forth essential tests and principles for addressing conflicts between Central and State laws. These cases elucidated the circumstances that lead to repugnancy and strengthened the equilibrium between federalism and national authority.

In the case of **Zaverbhai Amaidas v. State of Bombay (1954)**³, the Supreme Court highlighted that repugnancy occurs solely when Central and State laws on the Concurrent List are fundamentally inconsistent, making it impossible to comply with both. The Court established the idea of implied repeal, stating that Central laws take precedence over State laws during conflicts, unless the State law obtains Presidential approval. This case determined that Article 254(2) is relevant only when both laws fall within the same legislative domain, and the State law must defer to Parliamentary legislation if the latter aims to comprehensively address the topic.

The **M. Karunanidhi v. Union of India (1979)**⁴ case further refined the tests for repugnancy.

¹ *Tika Ramji v. State of Uttar Pradesh* 1956 AIR 676

² *Zaverbhai Amaidas v. State of Bombay* 1954 AIR 752

³ *Zaverbhai Amaidas v. State of Bombay* 1954 AIR 752

⁴ *M. Karunanidhi v. Union of India* 1979 AIR 898

The Court outlined three scenarios:

1. **Direct and irreconcilable conflict:** If Central and State laws on the Concurrent List are wholly inconsistent, the Central law prevails under Article 254(1).
2. **Presidential assent exception:** A State law with Presidential assent prevails within the state unless Parliament subsequently enacts a law overriding it.
3. **Occupying the same field:** Repugnancy arises if Parliament intends to exhaustively legislate on a subject, leaving no scope for State laws. The Court also clarified that mere overlap or additional provisions in State laws do not constitute repugnancy unless they directly contradict Central legislation.

In **Hoechst Pharmaceuticals Ltd. v. State of Bihar (1983)**⁵, the Court distinguished conflicts arising from overlapping entries in different Lists (Union, State, Concurrent). It held that repugnancy under Article 254 applies only to Concurrent List subjects, while conflicts between laws under separate Lists (e.g., State List vs. Union List) must be resolved using the pith and substance doctrine under Article 246. This case limited the scope of repugnancy to Concurrent List disputes, ensuring States retain autonomy in their exclusive domains.

The **State of Kerala v. Mar Appraem Kuri Co. Ltd. (2012)**⁶ case addressed the timing of repugnancy. The Court ruled that repugnancy arises upon enactment of the Central law, not its enforcement. If Parliament intends to cover the entire field, State laws become void immediately, even if the Central law is not yet operational. This reinforced Parliamentary supremacy and prevented States from circumventing Central legislation through delayed enforcement.

Key Tests for Repugnancy:

1. **Unresolvable Disagreement:** Direct contradiction rendering adherence to both regulations unfeasible.
2. **Occupying the Same Domain:** Central law should aim to comprehensively govern the

⁵ *Hoechst Pharmaceuticals Ltd. v. State of Bihar* 1983 AIR 1019

⁶ *State of Kerala v. Mar Appraem Kuri Co. Ltd.* 2012 (7) SCC 106

topic, allowing no space for State legislation.

3. Conflict Timing: Repugnancy occurs with the enactment of Central law, regardless of its enforcement.
4. Presidential Assent: State laws with assent prevail temporarily but remain subject to subsequent Parliamentary override.

These instances collectively highlight India's quasi-federal framework, maintaining a balance between State independence and the necessity for legislative consistency in concurrent issues. The judiciary has reliably maintained Central supremacy in instances of irreconcilable conflict while protecting State powers via procedural protections such as Presidential assent and the pith and substance doctrine.

President's Assent and Its Implications:

Procedural vs Substantive Assent and Its Role in Indian Federalism

The President's approval of legislation is a vital aspect of the Indian constitutional framework, encompassing both procedural and substantive elements. Although it appears to be a mere formality in the legislative procedure, this constitutional stipulation is essential in the allocation of legislative authority, particularly in a federal setting. According to Article 200 and Article 201, the Governor (representing the President) plays a role in the legislative process of State bills, especially when there is a possibility of conflict with central laws. Additionally, Article 254(2) of the Constitution states that if there is a conflict between a State law and a Parliamentary law on a subject from the Concurrent List, the State law can take precedence within that State if it obtains the President's approval. This brings up essential inquiries regarding the real nature of the President's approval: is it simply a procedural formality, or does it carry significant federal consequences? More crucially, is it a protection of federalism or a tool for the Centre to exercise control over the States? The responses can be found in the meticulous analysis of constitutional clauses, court decisions, and the operational dynamics of Indian federalism.

Procedural vs Substantive Assent: Understanding the Duality

At the heart of this discussion is the difference between procedural and substantive agreement.

Procedural assent denotes the official process in which a bill approved by a legislature is enacted into law following the approval from the President or Governor. In this context, it is merely the concluding phase of the legislative process, and the President's role is viewed largely as ceremonial or symbolic. This is particularly applicable to regular bills enacted by Parliament, which need the President's approval under Article 111 to take effect as law. In this situation, the President can either grant approval, refuse it, or, in certain instances, send the bill back for further review (unless it is a money bill).

Nonetheless, substantive assent pertains to situations where the President's approval influences both the enactment of the bill and its constitutional legitimacy and relevance, especially in federal matters. The most significant illustration of this can be seen in Article 254(2). If a state law enacted on a topic in the Concurrent List contradicts a Parliamentary law, it will typically be null to the degree of the contradiction according to Article 254(1). Nonetheless, if the State law has been approved by the President, it takes precedence in that State, regardless of any conflict. This enhances the President's function from merely procedural to fundamentally impactful, since their approval essentially legitimizes a law that would otherwise be unconstitutional.

Assent as a Safeguard of Federalism

The Constitution of India, while exhibiting a strong central tendency, incorporates federal protections to guarantee that States are not simply extensions of the Union. A key protection is the presidential assent mechanism outlined in Article 254(2). This clause acknowledges that specific needs of states might justify departures from national laws, thus allowing States the constitutional authority to create such laws, as long as they obtain the official consent of the Centre via the President. In principle, this equalizes the principles of federalism, allowing States to effectively utilize their legislative authority even in conflicts with national laws.

This factor is especially significant in a varied and pluralistic society like India, where uniform legislation frequently does not address regional disparities in language, culture, economy, and administrative requirements. For instance, regions like Tamil Nadu and Kerala have frequently pursued and secured presidential approval for laws that differ from national legislation in areas such as education, agriculture, and health. Consequently, the President's approval acts as a constitutional safeguard, averting excessive concentration of authority and maintaining the concept of cooperative federalism.

Additionally, by requiring the President's approval, the Constitution guarantees a thoughtful federal conversation. The Union Executive is anticipated to review the advantages of the State legislation and determine if it is in harmony with national interests while not unduly restricting local autonomy before granting approval. Consequently, when applied wisely and equitably, the procedure enhances the federal structure and guarantees that the Centre does not operate independently.

Assent as a Tool of Executive Control

Although it holds promise as a federal protection, in reality, the President's approval is frequently seen as a means of executive control by the Centre. As the President operates based on the guidance and recommendations of the Council of Ministers at the Centre in accordance with Article 74, the choice to give or deny assent is essentially a political choice made by the Union Government. Consequently, the procedure is prone to being swayed by partisan politics, particularly when the governing party at the Centre differs from the governing party in the relevant State.

This problem is intensified by the absence of timeframes for approving or denying consent. There have been cases where State laws have stayed unresolved for years without a decision, essentially constituting a pocket veto. This weakens the legislative independence of States, and has prompted critiques that the President's approval process is being employed to hinder instead of promote federalism.

Moreover, there is no legally binding duty for the President to give reasons for denying assent, and the State government has no available remedy in these situations. In *Hoechst Pharmaceuticals Ltd. v. State of Bihar (1983)*⁷ and *Kaiser-I-Hind Pvt. Ltd. v. National Textile Corporation (2002)*⁸, the Supreme Court affirmed the legitimacy of these assent processes without investigating their fairness or transparency. This results in a notable imbalance of power, allowing the Centre to indirectly reject State laws without formal responsibility.

Judicial Approach and Interpretative Challenges

The Indian judiciary has typically adopted a cautious stance when examining issues concerning

⁷ *Hoechst Pharmaceuticals Ltd. v. State of Bihar* 1983 AIR 1019

⁸ *Kaiser-I-Hind Pvt. Ltd. v. National Textile Corporation* 2002 AIR 2002

the President's approval. In the case of *Gram Panchayat v. Ujagar Singh* (2000), the Court noted that when assent is given under Article 254(2), it should be assumed that the President has considered the matter, and this assent cannot be contested based on non-consideration or insufficient reasoning. Although this maintains the integrity of the consent, it simultaneously restricts judicial review, which could lead to the abuse of this constitutional authority.

Conversely, certain rulings have emphasized the importance of transparency and constitutional impartiality in the procedure. For example, in *Kaiser-I-Hind*, the Court highlighted that presidential assent needs to be explicit, deliberate, and knowledgeable. Nonetheless, these principles are still more idealistic than actionable, since the actual procedure of giving approval remains unclear.

The judiciary's hesitation to intervene arises from the belief that issues requiring the President's approval belong to the political and executive sphere, making them non-justiciable. This understanding, although aligned with the principle of separation of powers, raises issues regarding the absence of checks and balances in a framework that provides the Centre substantial authority over State legislation.

Practical Scenarios of Conflict in Indian Federalism

The Indian Constitution establishes an organized system for legislative authority via the Union, State, and Concurrent Lists. Nevertheless, practical governance frequently encounters conflicting interests and varying priorities between the Union and the States, particularly in areas that entail shared responsibilities or have considerable regional influence. This has resulted in regular disputes, both political and legal, in critical sectors such as environmental legislation, education, labour regulations, and agricultural reforms.

A significant area of dispute is environmental law, positioned at the crossroads of development and sustainability. Although environmental protection is included in the Concurrent List, the Union has passed significant laws like the Environment Protection Act, 1986, along with the Air and Water Acts. Nevertheless, States frequently endure the worst effects of environmental degradation, and their ability to establish stricter regulations is limited by central legislation. Conflicts occur when States seek to enforce stricter environmental regulations—like regulating mining or deforestation—that contradict Union policies focused on industrial expansion. Additionally, the National Green Tribunal (NGT), created by the Centre, has frequently

overturned State decisions, leading to worries about the erosion of local environmental independence.

In the realm of education, the conflict between Centre and State became increasingly evident after the 42nd Amendment in 1976 shifted education to the Concurrent List. Although the Union government advocates for national initiatives such as NEP 2020 (National Education Policy), many States have raised issues regarding centralization and the enforcement of language and curriculum selections. For example, the advocacy for inclusion of Hindi and Sanskrit in educational curricula has encountered opposition from states such as Tamil Nadu and West Bengal, which see it as a violation of their cultural and linguistic heritage. Moreover, the matter of overseeing private universities and quotas in higher education has encountered conflicting state policies contested within central frameworks.

The recent revision of labor laws into four Labour Codes—concerning wages, social security, industrial relations, and workplace safety—has sparked discussions about federal overreach. Labour falls under the Concurrent List, and States have historically developed laws suited to their specific economic situations. Nonetheless, the main consolidation of 29 laws into 4 codes faced criticism for insufficiently involving State governments. States such as Kerala and Tamil Nadu expressed concerns, contending that the codes undermine worker protections and diminish their legislative flexibility, particularly regarding industrial relations and the regulation of contract labor.

The most controversial dispute in recent years arose concerning agricultural reforms, especially the trio of farm laws enacted by Parliament in 2020. Agriculture, as a subject of the State, has historically been regulated by APMC (Agricultural Produce Market Committee) Acts specific to each State. The agricultural laws aimed to establish a national market circumventing state-controlled mandis, sparking widespread protests and allegations of federal overreach. Regions such as Punjab and Chhattisgarh not only resisted the laws but also enacted counter-legislation, which was stalled at the approval stage, intensifying the federal discussion. Although the laws were subsequently revoked, the incident underscored the constraints of State legislative independence in politically and economically critical areas.

These situations illustrate the active and frequently strained relationship between the Centre and the States within India's federal system. Although central laws seek uniformity and efficiency, they need to be weighed against the regional diversity and autonomy that are

fundamental to Indian federalism. Addressing these disputes necessitates strong intergovernmental communication, legal clarity, and a mindset of collaborative federalism.

Comparative Analysis of Repugnancy in Federal Constitutions: India, Australia, and Canada

The principle of repugnancy is a crucial aspect of federal constitutions, utilized to settle disputes between laws enacted by various tiers of government. Although many federations possess tools to manage legislative overlaps, the manner in which they resolve these conflicts indicates the character of their federal frameworks—be it genuinely federal, quasi-federal, or unitary with federal characteristics. India's doctrine of repugnancy, outlined in Article 254 of the Constitution, has conceptual resemblances to Section 109 of the Australian Constitution and the Doctrine of Paramountcy within Canadian constitutional law; however, it differs markedly because of India's centralized and quasi-federal structure.

In Australia, Section 109 of the Constitution states that if there is a conflict between a State law and a federal law, the federal law takes precedence, making the State law invalid to the degree of the inconsistency. This provision is unconditional, with no exceptions or override system for State laws once a conflict with Commonwealth law is recognized. Australian federalism features a distinct separation of powers, and judicial interpretation has traditionally favored the supremacy of the Commonwealth. Nonetheless, there exists a significant tradition of States' rights, and the High Court has served a moderating function in preserving federal balance.

Likewise, in Canada, the Doctrine of Paramountcy serves to address disputes between federal and provincial legislation. When both tiers of government enact laws on intersecting issues, and there is a genuine operational clash or the federal law governs the area, federal legislation takes precedence. In contrast to Australia, Canada's federalism permits a somewhat wider scope for provincial independence. The Canadian courts implement the doctrine with a level of flexibility, taking into account not just clear contradictions but also cases where provincial law undermines the intent of federal law. However, in any instance like this, provincial law ceases to function to the degree of the conflict, reinforcing federal superiority.

In contrast, India's stance on repugnancy as outlined in Article 254 illustrates its quasi-federal nature, merging central authority with conditional autonomy for States. Article 254(1) reflects the principle observed in Australia and Canada—that when there is a clash between a State law

and a Parliamentary law regarding issues in the Concurrent List, the Union law takes precedence, rendering the State law invalid to the degree of the inconsistency. Yet, Article 254(2) presents a significant exception: if a state law, typically contradictory, gains the President's approval, it can take precedence in that State, despite an existing central law. This clause is missing in both Australia and Canada, marking it as a uniquely Indian innovation, intended to tackle the realities of India's varied and multicultural society.

The addition of Article 254(2) illustrates India's semi-federal framework, in which the Union is structurally more powerful, yet the States are granted conditional autonomy to enact laws on concurrent issues when regional needs emerge. The mechanism of presidential approval provides a means of balancing national unity and regional diversity. Nonetheless, the efficacy of this protection is diminished by the reality that the President operates based on the counsel of the Union executive, leading to worries regarding political centralization. This sets Indian federalism apart from the more judicially regulated federalism of Canada or the officially equal sovereignty of states in Australia.

Moreover, in contrast to Australia's strict Section 109 or Canada's court-established paramountcy doctrine, India's Article 254 provides for region-specific exceptions and also allows multiple laws on the same topic to exist simultaneously in various areas. For example, states like Tamil Nadu have implemented laws regarding education, reservations, and public health that differ from national standards—made possible by presidential approval. Consequently, India's framework is more adaptable and fluid, though it carries a risk of political exploitation.

In conclusion, while Australia and Canada adopt strict federal doctrines favouring federal supremacy in case of conflict, India's approach reflects its unique quasi-federalism, wherein the Centre enjoys dominance but the States are granted negotiated space through mechanisms like presidential assent under Article 254(2). This flexible yet hierarchical structure embodies the cooperative but asymmetrical federalism that defines the Indian constitutional system.

Repugnancy and Cooperative Federalism in India

The doctrine of repugnancy, as enshrined in Article 254 of the Indian Constitution, was designed as a conflict-resolution mechanism between laws enacted by the Union and the States on subjects in the Concurrent List. While its primary objective is to ensure legal clarity and

consistency, its relationship with the ideal of cooperative federalism is complex. At first glance, repugnancy appears to be an instrument of central dominance, as it allows Union legislation to override State laws in the event of a conflict. However, a deeper examination reveals that, when effectively balanced with institutional mechanisms for consultation and negotiation, the doctrine can support cooperative federalism—provided it is not misused as a tool of unilateralism.

Cooperative federalism emphasizes collaboration, mutual respect, and joint decision-making between the Centre and the States. In that sense, the repugnancy doctrine may appear to hinder cooperation if it is seen as a rigid rule that automatically invalidates State laws in favour of the Centre. This risk is especially high in India's quasi-federal structure, where the Union already holds more legislative and financial power. The disproportionate weight given to central legislation in Article 254(1) may discourage States from pursuing context-specific policies on concurrent subjects like education, labour, and public health—areas where regional variations are often essential. Furthermore, the requirement of Presidential assent under Article 254(2) for a repugnant State law to survive adds another layer of executive control, since the President acts on the advice of the Union Council of Ministers. In practice, this may reduce legislative autonomy and breed mistrust, particularly when State governments are led by political parties not in power at the Centre.

Nonetheless, it is also vital to acknowledge that the principle of repugnancy does not automatically inhibit collaboration. Rather, it creates a legal structure that can align with political and institutional systems for dialogue between governments. In this context, platforms such as the Inter-State Council, created under Article 263 of the Constitution, aim to promote consultation and coordination between the Union and the States concerning legislative and administrative issues. Although it is often not fully utilized, the Council has the capacity to serve as a pre-legislative platform for pinpointing and addressing potential legislative conflicts before they develop into constitutional issues.

The GST Council provides a more effective and contemporary illustration of established cooperative federalism. Established by the 101st Constitutional Amendment, the GST Council is a collective entity consisting of the Union Finance Minister alongside State Finance Ministers, responsible for making determinations regarding indirect taxation. In this context, choices are reached through consensus or a special majority, thus guaranteeing that States can

influence the formation of national economic policy. Despite encountering implementation issues, the GST framework represents a crucial advancement in collaborative lawmaking, decreasing the chances of conflicts related to repugnancy by proactively harmonizing the positions of the Union and the States.

Alongside these institutional frameworks, entities like zonal councils, NITI Aayog, and sector-specific standing committees (focused on education, health, etc.) offer additional opportunities for joint policy development. When used effectively, these platforms can allow the Centre and States to collaboratively discuss legislation, thereby reducing conflicts through consensus rather than through litigation or executive action.

Although the principle of repugnancy could obstruct cooperative federalism when applied in a unilateral, top-down fashion, it can also serve as a beneficial legal protection if it is integrated into a wider framework of institutional collaboration and reciprocal respect. The real challenge resides not in the doctrine alone, but in its application within the political culture of federalism. Enhancing intergovernmental institutions and fostering dialogue can guarantee that the doctrine acts as a safeguard, rather than an obstacle, to India's developing model of collaborative governance.

Conclusion

The principle of repugnancy, based on Article 254 of the Indian Constitution, is crucial for ensuring legislative clarity in India's intricate federal system. Our examination of its extent, judicial interpretation, and practical use reveals that the doctrine functions as a mechanism for resolving conflicts and illustrates India's quasi-federal nature. In contrast to federations like Australia and Canada—where federal authority is strict and upheld by the judiciary—India's framework permits State-specific exceptions with Presidential approval, though influenced by the Union executive. This framework highlights the twofold aspect of India's federalism: it stresses unity and consistency at the national level, while providing restricted autonomy to the States, especially regarding issues in the Concurrent List. Nonetheless, this equilibrium frequently shifts towards the Centre, prompting concerns regarding the vitality of cooperative federalism.

Judicial precedents and real-world disputes in areas such as environmental regulation, education, labor, and agriculture illustrate how differences in policy between the Centre and

States can create tension, particularly when political motivations take precedence over cooperative goals. Institutions such as the Inter-State Council and GST Council show that structured dialogue can reduce legislative conflicts and enhance mutual comprehension. Nonetheless, for these platforms to genuinely succeed, their advisory function must transition into equal decision-making, cultivating trust and collaborative governance.

In the future, India should aim to reconcile central authority with true state independence. This requires not only enhancing constitutional provisions such as Article 254 but also bolstering intergovernmental bodies and guaranteeing transparency and equity in the granting of Presidential assent. An inclusive and cohesive federalism will more effectively embrace India's diversity and enable States to innovate in alignment with national objectives—a framework in which conflicts are uncommon rather than a frequent requirement.