

## “COOPERATIVE FEDERALISM IN INDIA: CONSTITUTIONAL VISION, CONTEMPORARY PRACTICE, AND THE REALITY OF CENTRE–STATE RELATIONS”

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### ABSTRACT

Cooperative federalism in India represents a constitutional vision that seeks to harmonise the distribution of powers between the Union and the States while promoting coordination, mutual respect, and shared responsibility in governance. “The Constitution of India establishes a federal structure with a strong unitary bias, reflected in the division of legislative, administrative, and financial powers under the Seventh Schedule, the presence of a single Constitution, and emergency provisions.” Despite this structural asymmetry, the framers envisaged cooperation rather than competition as the guiding principle of Centre–State relations, recognising India’s socio-economic diversity and the need for national unity alongside regional autonomy. “Cooperative federalism in India is a concept where national, state, and local governments work together to address common problems.” In contemporary practice, cooperative federalism has evolved through institutional mechanisms such as the “Inter–State Council, Finance Commission, Planning Commission (and later NITI Aayog), and GST Council”, which aim to facilitate dialogue, fiscal coordination, and policy convergence between different levels of government. “Judicial interpretation has also played a crucial role in shaping cooperative federalism, with the Supreme Court emphasising federal balance, constitutional morality, and the importance of consultation in landmark cases concerning legislative competence, fiscal autonomy, and the use of central powers under Articles 256, 356, and 365”.

Thus, cooperative federalism in India remains a dynamic and contested concept, balancing constitutional ideals with political and administrative realities. Strengthening genuine dialogue, fiscal transparency, and respect for constitutional boundaries is essential to transform cooperative federalism from a normative aspiration into a lived constitutional reality.

**Keywords:** “Cooperative Federalism, Competitive Federalism, Indian Constitution, Centre–State Relations, NITI Aayog, Goods and Services Tax, Inter–State Council.”

### INTRODUCTION

*“The operations of the federal government will be most extensive and important in times of war and danger; those of the State governments, in times of peace and security.”*

A multi-tiered governance structure is established by the Indian Constitution, which

divides authority among the Union, State, and local governments. Effective governance and the advancement of the country depend on cooperation, even though the constitution favours a powerful central government. One of the main tenets of India’s political system is cooperative federalism, which involves the Union, States, and local entities cooperating to

solve common problems and accomplish common objectives while sharing duties rather than upholding strict authority divisions. In its traditional sense, “federalism refers to a form of governance in which two or more levels of government—typically a central authority and regional or state governments—each functioning within their respective spheres of competence, share constitutional powers.”<sup>404</sup> This division of powers is entrenched in a written constitution, and neither level can unilaterally alter the constitutional distribution of authority. “Federalism is not a set of fixed institutions. It is a process, a continuing search for a harmonious balance between unity and diversity.” – Daniel J. Elazar.

“Cooperative federalism in India refers to the collaborative relationship between the Union and State governments to address national challenges and pursue common developmental goals. This paper examines the historical and conceptual foundations of cooperative federalism in India, tracing its evolution from the Constituent Assembly debates to its current application in policymaking and implementation.” This competition is based on efficiency, innovation, and performance rather than dependence on central assistance. Competitive federalism encourages States to design policies suited to their local needs while striving to outperform others in indicators such as ease of doing business, infrastructure development, education, and health.<sup>405</sup>

India is neither strictly federal nor unitary. India's political structure can be referred to as quasi-federal, a harmonic blend of two. The federal units and the states have been granted significant independent powers under this form of governance, in addition to vast authorities to uphold the integrity of the country. The purpose of this research work is to comprehend the distinctive features of the quasi-federal system

of governance and how it is applied in India. It aims to investigate the historical context of the emergence and development of India's quasi-federal system of governance. “The aim is to understand the constitutional and legal framework, so that this system can be reformed to solve the issues present in its working. Ultimately, it aims to study the importance and relevance of India's Quasi-Federal form of governance.” India is often described as a “quasi-federal” state because, although it exhibits federal features, it also possesses strong unitary characteristics that tilt the balance in favour of the Centre. The term “quasi-federal” was notably used by K.C. Wheare and later acknowledged by the Supreme Court in “*State of West Bengal v. Union of India*”<sup>406</sup>, where “the Court observed that the Indian Constitution is not strictly federal.”<sup>407</sup>

Several constitutional provisions justify this characterisation. First, the Union Parliament has overriding legislative powers, particularly in the Concurrent List and during emergencies. Second, the Centre has control over state finances through centrally sponsored schemes, conditional grants, and taxation powers. Third, the office of the Governor, appointed by the Centre, acts as a constitutional link between the Union and the States, sometimes leading to political controversies. Fourth, emergency provisions under Articles 352, 356, and 360 enable the Centre to assume extensive control over State administration, effectively converting the federal structure into a unitary one during crises.

Moreover, India does not allow States the right to secede, and the Union has the power to reorganise State boundaries under Article 3 without the consent of the States, though consultation is required. These features distinguish Indian federalism from classical federations and reinforce its quasi-federal nature.

<sup>404</sup> Kirti Singh Chauhan & Arryan Mohanty, Cooperative Federalism: The Indian Way, 2 *Indian J.L. & Soc'y* 42 (2024).

<sup>405</sup> Avneesh Upadhyay, *Cooperative Federalism in India: Navigating the Interplay of Collaboration and Competition in a Diverse Nation*, Volume V Issue III *Indian Journal of Integrated Research in Law* 421 (May–June 2025).

<sup>406</sup> *State of W.B. v. Union of India*, A.I.R. 1963 S.C. 1241 (India).

<sup>407</sup> Navdeep Singh, *Quasi-Federal Nature of Indian State: A Constitutional Perspective*, *JusScholars* (Apr. 2, 2025), <https://juscholars.com/quasi-federal-nature-of-indian-state-a-constitutional-perspective/>

## Constitutional Framework of Federalism in India

The first significant step toward federalism was the Indian Councils Act of 1861, which introduced legislative councils and allowed limited participation of Indians in governance. Though not federal in nature, it marked the beginning of power-sharing between the Centre and provinces. The process of decentralisation continued with the Indian Councils Acts of 1892 and 1909, which expanded legislative functions and provincial autonomy to a limited extent. With the passage of the Government of India Act, 1919, responsible government was established in the provinces under a "diarchy," which distinctly separated the domain of the Centre from that of the Provincial Governments. Additionally, the provincial governments were permitted to use their financial, legislative, and administrative capabilities. In their report, the Nehru Committee (1928) recommended that India be referred to as "the Commonwealth of India," just like the Commonwealth of Australia. Additionally, it made reference to two schedules that listed the topics that each provincial council and Parliament would have legislative authority over. Additionally, a Supreme Court was to be created with original jurisdiction over disputes involving the Commonwealth and the Provinces. However, the idea of a federal set-up for the whole of India was suggested explicitly for the first time by the Simon Commission (1927-29) and then later on by the Butler Committee (1930). "Hence, the Federation of India, consisting of both the Princely States and British India, was proclaimed for the first time by the Government of India Act, 1935. It proposed the division of powers between the Union and the Provinces. Schedule VII consists of three lists (i) Federal List consists of 59 items, e.g., defense, external affairs, currency, railway, etc.; (ii) Provincial List consists of 54 items, e.g., public peace and order, jail, local government, public health and education, etc, and (iii) Concurrent List consists of 36 items, e.g., civil and criminal procedure, marriage and divorce, newspapers,

etc., while residuary powers are provided to the Governor-General."<sup>408</sup>

When India attained independence, "the framers of the Constitution had to balance the need for unity with regional diversity. The experience of partition, communal tensions, and the integration of princely states compelled them to adopt a strong Centre. Consequently, the Constitution of India established a quasi-federal system—federal in structure but unitary in spirit. Features such as a single Constitution, single citizenship, strong emergency powers, and the residuary powers vested in the Centre reflect this centralised bias."

India reflects the federal principle of decentralisation. However, the autonomy of States under the State List is not absolute, as the Constitution provides several exceptions where Parliament may intervene.

"The **Concurrent List (List III)** contains subjects on which both Parliament and State legislatures can legislate, such as criminal law, marriage and divorce, education, forests, trade unions, and labour welfare." This list promotes "cooperative federalism" by allowing both levels of government to work together on issues of common interest. However, under "**Article 254**, in case of inconsistency between Union and State laws on a concurrent subject, the Union law prevails unless the State law has received Presidential assent. This again reflects the constitutional tilt in favour of the Centre."

### Residuary powers:

"Residuary Powers with the Centre: Article 248 gives the Parliament residuary powers, enabling it to enact laws on subjects not covered by any of the three lists, in contrast to the United States, where residuary powers belong to the states." Emergency Provisions: In times of national, state, or financial emergency, the Union government may take over states under Articles 352, 356, and 360. India's centralised structure is shown

<sup>408</sup> Dr. R. Bagri, *Origin and Development of Indian Federalism*, in *International Journal of Humanities and Social Science Invention (IJHSSI)*, Vol. 9, Issue 1, Series 1, at 8–9 (Jan. 2020), [https://www.ijhssi.org/papers/vol9\(1\)/Series-1/B0901010809.pdf](https://www.ijhssi.org/papers/vol9(1)/Series-1/B0901010809.pdf)

by the frequent use of President's Rule (Article 356) to dissolve state governments. The distribution of residuary powers is a key component of India's federal system. "Article 248 of the Indian Constitution grants residuary powers solely to the Union, in contrast to certain traditional federations like the United States, where residuary powers are granted to the States."<sup>409</sup> This means that subjects not enumerated in any of the three lists fall within "Parliament's legislative competence". The rationale behind this provision was to equip the Centre to respond effectively to new and unforeseen matters, particularly in a rapidly evolving socio-economic and technological landscape. However, this has significantly curtailed the scope of State autonomy.

### Judicial Interpretation

In "*State of West Bengal v. Union of India* (1963)",<sup>410</sup> the Supreme Court addressed the extent of Union power over States. The case arose when the Union sought to acquire coal-bearing lands owned by the State of West Bengal under a central law. The State argued that such acquisition violated its sovereign rights within the federal structure. The Court rejected the claim of State sovereignty, holding that the Indian Constitution does not recognise absolute federal equality between the Union and the States." While affirming Union supremacy, the Court also emphasised that this supremacy exists within a constitutional framework designed to serve national unity. The judgment underscored that Centre-State relations must function harmoniously and that the Constitution envisages coordination rather than confrontation. Though often criticised for tilting towards central dominance, the decision laid the groundwork for understanding Indian federalism as cooperative, with both levels working within a single constitutional authority.<sup>410</sup>

The principle of cooperative federalism was more explicitly articulated in "*S.R. Bommai v. Union of India* (1994)". "This landmark case examined the misuse of Article 356, which allows the imposition of President's Rule in States." The Supreme Court held that federalism is a basic feature of the Constitution and that arbitrary dismissal of State governments undermines democratic and federal values. The Court imposed strict judicial scrutiny on the Centre's power under Article 356, requiring objective material and parliamentary approval. By protecting elected State governments from unjustified central interference, the Court strengthened State autonomy while maintaining constitutional unity. This judgment advanced cooperative federalism by insisting on mutual respect between the Union and States and by discouraging politically motivated central intervention.<sup>411</sup>

In "*Pradeep Jain v. Union of India* (1984)",<sup>412</sup> the Supreme Court dealt with the issue of domicile-based reservations in medical college admissions." Although primarily concerned with equality under Article 14, the Court made important observations on federal balance. It recognised that States have legitimate interests in providing opportunities to their residents, especially in areas like education and public services. At the same time, it cautioned against excessive regionalism that could fragment national unity. The Court's reasoning reflected cooperative federalism by advocating a balance between State preferences and national integration, emphasising that both objectives must coexist within the constitutional scheme.<sup>412</sup>

The foundation of cooperative federalism in judicial interpretation can be traced to "*Kesavananda Bharati v. State of Kerala* (1973)". "In this historic judgment, the Supreme Court propounded the basic structure doctrine, holding that Parliament's power to amend the Constitution does not extend to altering its

<sup>409</sup> Rohan Nagar & Pawan Kumar, *Constitutional Framework of Federalism in India*, Vol. 5, Issue 3, *International Journal of Advanced Legal Research* (Feb. 2025).

<sup>410</sup> *State of West Bengal v. Union of India*, AIR 1963 SC 1241.

<sup>411</sup> *S.R. Bommai v. Union of India*, (1994) 3 S.C.C. 1 (India).

<sup>412</sup> *Pradeep Jain v. Union of India*, (1984) 3 S.C.C. 654 (India).

basic features. Federalism was recognised as one such basic feature.” By limiting the amending power of Parliament, the Court ensured that the essential federal character of the Constitution—including the autonomy of States—cannot be destroyed by unilateral central action. “This judgment implicitly supports cooperative federalism by preserving a constitutional balance where both the Union and States operate within mutually respected limits.”<sup>413</sup>

### Mechanisms of Cooperative Federalism

#### Inter-State Council:

“Article 263 of the Indian Constitution, which gives the President the authority to form a council for improved coordination between the Union and the States, provides the constitutional foundation for the Inter-State Council (ISC).”

“The Interstate Council is supposed to meet regularly, but in 26 years, it has only met 11 times. The most recent meeting took place in 2016, following a ten-year hiatus. Despite these infrequent sessions, the council remains essential for fostering dialogue, aligning policies, and strengthening Centre-state relations in India.”<sup>414</sup> In accordance with this suggestion, the “Inter-State Council” was created in 1990 by an Article 263 presidential decree. Its meetings have been sporadic since then, but it has served as a forum for discussion on a range of topics of shared interest.

#### Zonal Councils:

“The States Reorganisation Act of 1956 established five Zonal Councils in accordance with the concept advocated by the then-prime minister Nehru.” Zonal Councils are not constitutional entities; rather, they are statutory ones. “The Northern Zonal Council, Central Zonal Council, Eastern Zonal Council, Western Zonal Council, and Southern Zonal Council are the five councils.”

The Zonal Councils do not include the

Northeastern States. “The North Eastern Council, established by the North Eastern Council Act of 1972, handles their particular issues.”<sup>415</sup>

“Each Zonal Council consists of:

- Union Home Minister as Chairman
- Chief Ministers of member States
- State Ministers and senior officials”

#### Finance Commission:

“The framers of our Constitution considered creating a non-political body to decide on the plan for the transfer of the Central revenue to the States because the States’ fiscal needs are enormous due to their responsibilities to provide welfare, development, and social service activities like housing, health care, and education.” However, “the scheme of allocation of taxing power provided in our Constitution fails to create financial equilibrium between the responsibilities and resources at the State level because the majority of the expansive and lucrative sources of taxation are at the State level.” One of India’s most important fiscal federal organisations is the “Finance Commission”, which was founded under “Article 280”. “It is appointed every five years to recommend:

- Distribution of taxes between the Centre and States
- Grants-in-aid to States
- Measures to improve State finances”

#### GST Council as an Example of Fiscal Federalism:

“The introduction of the Goods and Services Tax (GST) through the Constitution (One Hundred and First Amendment) Act, 2016, marked a historic transformation in India’s fiscal landscape. By subsuming multiple indirect taxes into a unified structure, the GST aimed to create a seamless national market while strengthening fiscal cooperation between the Union and the States.” “At the heart of this

<sup>413</sup> *Kesavananda Bharati v. State of Kerala*, A.I.R. 1973 S.C. 1461 (India).

<sup>414</sup> Aishwarya Agrawal, *Inter-State Councils*, LawBhoomi (June 20, 2025), <https://lawbhoomi.com/inter-state-councils/>

<sup>415</sup> Vajiram Content Team, *What is Zonal Council?*, Vajiram & Ravi (Mar. 19, 2023).

reform lies the GST Council, established under Article 279A, which serves as a constitutional forum for harmonising tax policies through dialogue and consensus.<sup>416</sup> “The GST Council, established under Article 279A, is a unique federal institution comprising:

- Union Finance Minister (Chairperson)
- Union Minister of State (Finance)
- Finance Ministers of all States”

It represents a **shared sovereignty model** in taxation. However, the Council's distinctive structure—which combines central influence with federal participation—has spurred heated constitutional discussion. This dispute was reinterpreted by the Supreme Court's ruling in “Union of India v. Mohit Minerals Pvt. Ltd. (2022)”, which made it clear that the Council's decisions are not legally obligatory. This reinforced India's quasi-federal character and reaffirmed the legislative autonomy of the States. In order to determine whether the GST Council truly symbolises cooperative federalism or represents a gradual shift toward fiscal centralisation, this study critically analyses the GST Council's constitutional framework and judicial interpretation.

#### **NITI Aayog Replacing Planning Commission:**

An important change in India's federal structure and governance occurred in 2015 when the Planning Commission was replaced by the NITI Aayog (National Institution for Transforming India). The evolution of centre-state relations, shifting economic realities, and an increasing focus on cooperative and competitive federalism were all reflected in this shift. India's economic planning and development were greatly aided by the establishment of the “Planning Commission” in 1950. But the “National Institution for Transforming India” (NITI) Aayog took its place in 2014. The goals of this change were to support cooperative federalism, enhance the governance framework, and meet

the changing demands of India's economy. The evolving dynamics of India's socioeconomic environment were mirrored in the move from a centralised planning paradigm to a more adaptable and inclusive approach. An executive resolution established NITI Aayog in 2015, departing from the Planning Commission's centralised, inflexible planning system. “NITI Aayog's main function is to serve as a think tank and a policy advisory body to the government, in contrast to the Planning Commission, which was concentrated on resource allocation.” Its main objectives are to support sustainable development, encourage innovation, and serve as a forum for cooperation between the federal government and the states. The more adaptable structure of NITI Aayog encourages cooperative federalism by giving the states more influence over decision-making.<sup>417</sup>

#### **Contemporary Practice: Challenges to Cooperative Federalism**

##### **Increasing Centralisation:**

One of the most debated trends in contemporary Indian federalism is the phenomenon of increasing centralisation, wherein the Union government has progressively expanded its influence over areas traditionally associated with State autonomy. India's constitutional structure exemplifies the nation's diversity and socio-political complexity by combining federalism and centralisation. Although India is referred to in the Constitution as a “Union of States,” “the Union List, State List, and Concurrent List of the Seventh Schedule” are examples of the quasi-federal model of power allocation between the Union and the states. Because of the Union's dominance over the States in the federal model, there has been some debate about whether state sovereignty is being undermined, especially when the Union takes action, especially during emergencies.<sup>418</sup> Two significant mechanisms through which this centralisation has occurred are the extensive

<sup>416</sup> Dr. Rajeev Kumar Singh & Harsh Jaiswal, *The GST Council as a Quasi-Federal Institution: Constitutional Design and Judicial Interpretation*, *Indian Journal of Law & Legal Research* (Nov. 12, 2025).

<sup>417</sup> Why did India replace the Planning Commission with NITI Aayog?, *Infospedia* (updated Apr. 17, 2025).

<sup>418</sup> K. Radhamani, *Federalism vs. Centralisation: The Power Shift in Indian Constitutional Law*, *Indian Journal of Law & Legal Research* (May 11, 2025).

use of Union List powers and the frequent amendment or overriding of laws under the Concurrent List. “The Union List (List I) under the Seventh Schedule confers exclusive legislative authority on Parliament over subjects of national importance such as defence, foreign affairs, currency, inter-State trade, and communications.” Over time, however, the scope of Union List powers has expanded not merely through formal constitutional amendments but also through **broad legislative interpretation and executive action**. Parliament has increasingly relied on its Union List competence to regulate sectors with deep implications for States, such as telecommunications, energy, and national infrastructure projects. The expansion of centrally sponsored schemes and regulatory bodies under Union List entries has further consolidated Union authority, often leaving States with limited discretion in implementation.

#### **Misuse of Constitutional Powers:**

The Indian Constitution confers extraordinary powers upon the Union to deal with situations threatening constitutional governance and national integrity. “Articles 352 (National Emergency), 356 (President’s Rule), and 365 (Failure of constitutional machinery)” were designed as exceptional safeguards. However, historical practice reveals that these provisions have often been **misused or politically employed**, particularly in Centre–State relations, raising serious concerns about federalism and democratic accountability.

#### **Political One-Party Dominance:**

Although political parties have been essential to social and political progress, party supremacy has also experienced significant shifts. Many of the numerous new parties that arose went on to win power at the federal, state, or both levels. The pluralistic and federal nature of India’s government rapidly became apparent in the decades that followed independence. When a single political party controls both the Union government and many State governments, this is referred to as political one-party rule. “In a

federal system like India, this phenomenon has important ramifications for federal negotiations, state autonomy, and the balance of power between the Centre and the States, even though it can bring administrative coherence and policy congruence.”

“In the initial decades after Independence, the Indian National Congress exercised near-complete dominance at both the Centre and in most States.” This period witnessed relatively smooth Centre–State coordination, largely because intergovernmental negotiations occurred within the party structure rather than through constitutional institutions. Chief Ministers and Union Ministers often belonged to the same ideological and organisational framework, reducing open confrontation.

#### **Fiscal Stress on States:**

A key component of India’s constitutional and economic structure is fiscal federalism, which permits “the Union and State governments” to share financial authority and responsibility fairly. “Fiscal federalism in India is premised on a balanced sharing of resources and responsibilities between the Union and the States.” While States are entrusted with major expenditure obligations—such as health, education, agriculture, and law and order—their revenue-raising powers are relatively limited. In recent years, States have increasingly faced **fiscal stress**, arising from a reduced effective share in taxes, unresolved GST compensation issues, and adverse findings in **CAG and RBI reports**. This stress has significant implications for cooperative federalism and the financial autonomy of States. “The Goods and Services Tax (GST), Direct Benefit Transfers (DBT), restructuring of Centrally Sponsored Schemes (CSS), and increased centralisation of fiscal authority are just a few of the revolutionary reforms that have significantly changed India’s fiscal landscape between 2014 and 2025.” Although the goal of these reforms was to increase accountability and efficiency, they have also sparked discussions about

cooperative federalism, fiscal autonomy, and financial governance transparency.<sup>419</sup>

### Case Studies Highlighting the Reality of Cooperative Federalism

#### Case Study 1: GST Council:

The “Goods and Services Tax (GST)” regime is often projected as the flagship example of cooperative federalism in India. “The Goods and Services Tax (GST), which was introduced by the replaced a variety of indirect taxes levied by the 101st Constitutional Amendment.” Centre and the States, aiding in establishing one, unified national market. At the core of this system is the GST Council, set up under Article 279A, which acts as a platform where the Centre and the States come together to make decisions. Even though the Council is an embodiment of the idea in theory of cooperative federalism, its actual operation, especially under the GST payment conflict between 2020 and 2022, has unveiled some tensions and brought up inquiries into the degree of the dominance of the Centre. In *Union of India v. Mohit Minerals Pvt. Ltd. (2022)*<sup>420</sup>, “the Supreme Court clarified that recommendations of the GST Council are not binding, affirming that both Parliament and State legislatures retain their constitutional authority.” While the judgment reaffirmed federal balance in principle, it did little to alter the economic reality of States’ dependence on the Centre under the GST regime.

#### Case Study 2: NCT of Delhi:

In India, the National Capital Territory of Delhi (NCTD) holds a special constitutional position. Although it lacks full statehood, it has a council of ministers and an elected legislature with authority under Article 239AA of the Constitution<sup>421</sup>(added by the 69th Amendment in 1991). Except for three particular topics—police, public order, and land—Delhi is given “special status” under this article, enabling it to enact laws on all

of the State and Concurrent Lists. The Chief Minister leads the elected administration, while the Lieutenant Governor (LG) is the constitutional leader representing the Centre. Although theoretically balanced, this dual authority has been at the centre of protracted governance disputes.

#### Case Study 3: COVID-19 Pandemic:

When the “COVID-19 pandemic” reached India in early 2020, the Government of India took decisive action to contain the spread of the virus. Among the legal tools invoked was the Disaster Management Act, 2005 (DMA) – a statute designed to provide a centralised framework for managing disasters, pandemic outbreaks included. On 24 March 2020, with just over 500 confirmed COVID-19 cases, the Union Government declared COVID-19 a “notified disaster” and imposed a nationwide lockdown under the DMA.

#### Case Study 4: Ayyappa Women’s Entry Issue:

One of India’s most significant current constitutional disputes is the Ayyappa women’s admittance issue, which centres on whether women of menstrual age (10–50) can join the Sabarimala Temple in Kerala. The conflict raises important issues regarding gender equality, religious freedom, and the relationship between societal norms, state governance, and the judiciary. “In this instance, the Supreme Court challenged the notion of necessary religious practices by using its writ power under Article 32 of the Constitution to issue a *ratio decidendi*.”

### CONCLUSION

Cooperative federalism in India represents a central constitutional vision aimed at balancing the imperatives of national unity with the country’s profound regional, linguistic, and cultural diversity. The framers of the Constitution consciously rejected a rigidly competitive federal model and instead envisaged a system in which the Centre and the States would operate as partners in governance. This partnership was institutionalised through a structured division of

<sup>419</sup> Dr. G. Yoganandham, *Fiscal Federalism and Transparency in Contemporary India (2014-2025): Safeguarding State Rights and Strengthening Centre-State Relations*, GIS Science Journal, Vol. 12, Issue 6, at 749 (2025).

<sup>420</sup> *Union of India & Anr. v. M/s Mohit Minerals Pvt. Ltd. & Ors.*, Civil Appeal No. 1390 of 2022, (2022) 10 SCC 700 (India).

<sup>421</sup> INDIA CONST. art 239AA.

legislative and executive powers, fiscal arrangements, and coordination mechanisms such as “the Inter-State Council, Finance Commission, and later bodies like the GST Council.”

However, the practical functioning of cooperative federalism has often fallen short of its constitutional promise. While institutional mechanisms for cooperation formally exist, their operation frequently reflects asymmetrical power relations rather than genuine collaboration. The Centre’s dominance in agenda-setting, legislative expansion through the Concurrent List, and increased reliance on executive instruments have gradually diluted the participatory role of the States. Cooperative bodies often function more as consultative platforms than as forums for shared decision-making, with outcomes shaped by political alignment and fiscal dependency rather than voluntary consensus. This divergence between constitutional intent and administrative practice has weakened trust, transforming cooperation into compliance in many instances.

In conclusion, cooperative federalism in India exists as a constitutional aspiration constrained by political and administrative realities. It is neither a mere illusion nor a fully institutionalised practice. While the constitutional framework provides a robust normative foundation for cooperation, its effectiveness ultimately depends on political will, fiscal equity, and institutional integrity. Unless Centre–State relations are guided by constitutional morality, mutual trust, and respect for autonomy, cooperative federalism will remain vulnerable during periods of conflict. For this vision to be meaningfully realised, cooperation must be treated not as a matter of convenience, but as a constitutional obligation—especially when consensus is difficult, and power asymmetries are most pronounced.