

JUDICIAL REVIEW AND CONSTITUTIONAL FEDERALISM - ANALYSING THE SUPREME COURT'S ROLE IN RESOLVING CENTRE-STATE POWER CONFLICTS IN INDIA

¹*Dr. Usha Bhonsle, ²Ashwath, ³Dakshnesh, ⁴Pramoth.C, ⁵Udhayachandar.T, ⁶D. Nishanth, ⁷Sarvesh

¹*Associate Professor, Saveetha School Of Law, E-mail ID: ushabhonsle.ssl@saveetha.com

²Scholar, Saveetha School Of Law, E-mail ID: ashwath0521@gmail.com

³Scholar, Saveetha School Of Law, E-mail ID: dakshnesh005@gmail.com

⁴Scholar, Saveetha School Of Law, E-mail ID: pramothkumar8081@gmail.com

⁵Scholar, Saveetha School Of Law, E-mail ID: Udhayachander68@gmail.com

⁶Scholar, Saveetha School Of Law, E-mail ID: nishadhana2004@gmail.com

⁷Scholar, Saveetha School Of Law, E-mail ID: sarvesh.gs.studio@gmail.com

ABSTRACT

India's constitutional framework establishes a distinctive model of federalism that combines a strong Union with constitutionally guaranteed powers of the States. Unlike classical federations, the Indian Constitution adopts a flexible federal arrangement that enables the Union to exercise wider authority during exceptional circumstances while preserving the autonomy of the States within their constitutionally assigned spheres. The Supreme Court of India occupies a central position within this constitutional design through its power of judicial review, acting as the guardian of the Constitution and the ultimate arbiter of disputes concerning the distribution of powers between the Union and the States. Over the decades, judicial interpretation has significantly influenced the evolution of constitutional federalism by clarifying legislative competence, limiting executive excesses, preserving democratic institutions, and reinforcing the doctrine of the basic structure. This paper critically examines the role of judicial review in resolving Centre-State power conflicts in India by analysing the constitutional framework, landmark judicial decisions, and contemporary federal disputes. It evaluates how the Supreme Court has balanced the competing constitutional objectives of national unity and State autonomy while adapting federal principles to changing political and administrative realities.

KEYWORDS - Judicial Review, Constitutional Federalism, Centre-State Relations, Supreme Court of India, Cooperative Federalism, Constitutional Interpretation, Basic Structure Doctrine

INTRODUCTION

Federalism constitutes one of the most significant constitutional mechanisms for governing diverse societies by distributing governmental authority between national and regional units. While classical federal systems generally provide relatively autonomous spheres of authority to constituent units, modern federations increasingly recognise that constitutional governance requires continuous coordination between different levels of government. Consequently, constitutional courts have assumed a pivotal role in interpreting federal arrangements, resolving institutional conflicts, and maintaining the constitutional balance envisioned by federal constitutions. Comparative constitutional scholarship demonstrates that judicial dialogue across jurisdictions has substantially influenced the development of federal doctrines, enabling courts to borrow constitutional principles while adapting them to domestic political and constitutional contexts (Jackson, 2004).

The importance of judicial interpretation within constitutional democracies extends beyond merely resolving disputes. Judicial review functions as a constitutional safeguard against legislative and executive excesses by ensuring that governmental actions remain consistent with constitutional limitations and democratic values. Modern constitutional theory therefore regards judicial review not simply as a procedural mechanism but as an essential component of constitutional governance that preserves the supremacy of the Constitution while protecting institutional balance and individual rights (Constitutional Fundamentals, 2020).

Within common law jurisdictions, judicial review has evolved through both constitutional provisions and judicial precedents, gradually expanding from a mechanism of administrative supervision into a broader constitutional doctrine governing the exercise of public power. Courts increasingly recognise that constitutional rights, institutional accountability, and federal balance are interconnected principles requiring purposive constitutional interpretation rather than rigid textual analysis (Moffett, Auburn, & Sharland, 2026). This broader understanding of judicial review has profoundly influenced constitutional adjudication in federal democracies, where disputes frequently involve competing constitutional claims by different organs and levels of government.

The evolution of judicial review also reflects changing conceptions of constitutional democracy. Rather than viewing courts as institutions that merely invalidate unconstitutional legislation, contemporary constitutional thought recognises

their role in facilitating constitutional deliberation, clarifying institutional boundaries, and reinforcing democratic governance. Judicial review therefore contributes to constitutional dialogue by ensuring that legislative and executive institutions operate within constitutionally prescribed limits while remaining accountable to the constitutional order (Judicial Review, 2004).

India presents one of the most compelling examples of this constitutional evolution. The Constitution of India establishes a federal structure characterised by an elaborate distribution of legislative, executive, and financial powers between the Union and the States. However, unlike the federal constitutions of the United States or Australia, the Indian Constitution deliberately incorporates several unitary features designed to safeguard national integrity, maintain administrative uniformity, and address extraordinary situations. This distinctive constitutional design has often been described as “quasi-federal” or “federation with a centralising tendency,” reflecting the Constituent Assembly’s intention to reconcile national unity with India’s extraordinary social, linguistic, cultural, and regional diversity.

The constitutional architecture governing Centre–State relations is primarily contained in Part XI, Part XII, and the Seventh Schedule of the Constitution. Legislative competence is distributed through the Union List, State List, and Concurrent List, while Art. 249, 250, 252, 253, and 356 permit varying degrees of Union intervention under specified constitutional circumstances. Although these provisions provide a detailed constitutional framework, they cannot anticipate every institutional conflict that may arise in practice. Consequently, constitutional interpretation by the Supreme Court has become indispensable for resolving disputes concerning legislative competence, executive authority, fiscal relations, emergency powers, and constitutional governance.

The significance of judicial review within this framework lies in its ability to preserve constitutional supremacy while preventing either level of government from exceeding its constitutional authority. As Barnett (2025) observes, judicial review constitutes one of the primary constitutional mechanisms through which courts maintain the rule of law by ensuring that governmental institutions exercise only those powers authorised by the Constitution. This principle assumes particular importance within federal constitutions because disputes frequently involve competing constitutional claims rather than simple questions of statutory interpretation.

The dynamic character of federalism further necessitates continuous judicial engagement. Federal constitutions must respond to changing political realities, economic transformations, technological developments, and evolving governance models without compromising their foundational constitutional principles. Comparative constitutional experience demonstrates that constitutional courts often become the principal institutions responsible for maintaining this equilibrium by adapting federal doctrines to contemporary governance challenges. Bateryakova (2024), while examining constitutional federalism within the Russian judicial framework, argues that constitutional courts play a decisive role in preserving federal integrity by harmonising constitutional principles with changing institutional realities. Although constitutional contexts differ considerably, this observation underscores the broader significance of judicial interpretation within modern federations.

Similarly, Koch (2001) argues that judicial review has emerged as an indispensable element of global federalism because constitutional courts increasingly perform the function of institutional arbitrators capable of balancing competing governmental interests while preserving constitutional legitimacy. The judiciary’s role therefore extends beyond dispute resolution to sustaining constitutional governance itself by ensuring that federal institutions remain faithful to constitutional principles despite changing political circumstances.

Within the Indian constitutional framework, this role has acquired even greater significance in recent decades. The emergence of coalition governments, strengthening of regional political parties, expansion of fiscal decentralisation, implementation of the Goods and Services Tax (GST), disputes concerning gubernatorial powers, and constitutional controversies surrounding Union Territories have generated increasingly complex Centre–State conflicts requiring judicial determination. Simultaneously, the Supreme Court has progressively developed constitutional doctrines such as cooperative federalism, constitutional morality, constitutional trust, and the basic structure doctrine to resolve disputes that cannot be adequately addressed through literal constitutional interpretation alone.

The expanding scope of judicial review, however, has also generated significant constitutional debates. While judicial intervention is often regarded as essential for protecting federalism, scholars caution that excessive judicial activism may inadvertently substitute judicial preferences for democratic decision-making. Contemporary constitutional scholarship therefore advocates a balanced understanding of judicial review that preserves constitutional supremacy without undermining democratic governance. This tension between constitutional oversight and institutional restraint remains one of the defining challenges of modern constitutional adjudication and provides the central context for analysing the Supreme Court’s role in resolving Centre–State power conflicts in India.

Accordingly, this paper examines how judicial review has shaped the evolution of constitutional federalism in India through the interpretation of constitutional provisions governing Centre–State relations. It analyses whether the Supreme Court has successfully balanced the constitutional objectives of national integration, State autonomy, democratic accountability, and constitutional supremacy while responding to the increasingly complex challenges confronting Indian federalism. Through an examination of constitutional provisions, judicial precedents, and contemporary federal disputes, the study seeks to evaluate the continuing significance of judicial review as the constitutional safeguard of India’s federal structure.

CONSTITUTIONAL FOUNDATIONS OF INDIAN FEDERALISM

Understanding Constitutional Federalism

Constitutional federalism is founded upon the principle that sovereignty is constitutionally distributed between two or more levels of government, each deriving its authority directly from the Constitution rather than from one another. Unlike

administrative decentralisation, federalism constitutionally entrenches the powers of constituent units and protects them from unilateral encroachment by the central authority. Judicial review serves as the institutional mechanism through which this constitutional distribution of powers is maintained, enabling constitutional courts to determine whether legislative and executive actions conform to constitutional limitations. As constitutional systems have evolved, federalism has increasingly become intertwined with democratic governance, making judicial enforcement indispensable for preserving constitutional equilibrium (Sirota, 2012).

The relationship between democracy and federalism is particularly significant because federal arrangements not only divide governmental authority but also protect political pluralism by enabling regional governments to respond to local aspirations. Judicial review therefore functions as a constitutional safeguard that prevents either level of government from undermining the democratic autonomy constitutionally guaranteed to the other. This understanding reinforces the proposition that judicial review does not weaken democratic governance; rather, it strengthens constitutional democracy by ensuring that governmental institutions remain within the boundaries established by the Constitution (Roznai & Jacobsohn, 2021).

Constitutional Basis of Indian Federalism

The Constitution of India adopts a distinctive federal model that reflects both federal and unitary characteristics. Art. 245 to 263, read together with the Seventh Schedule, establish the constitutional framework governing legislative, administrative, and financial relations between the Union and the States. Legislative powers are distributed through the Union List, State List, and Concurrent List, while residuary powers are vested in Parliament under Art. 248. At the same time, Art. 249, 250, 252, and 253 permit Parliament to legislate on matters ordinarily reserved for the States under specified constitutional circumstances, thereby reflecting the Constitution's preference for national cohesion during exceptional situations.

The constitutional validity of governmental action depends not merely upon procedural compliance but also upon adherence to constitutional limitations governing legislative competence. Consequently, judicial review enables constitutional courts to determine whether Parliament or State Legislatures have transgressed their constitutionally assigned fields of legislation. The recognised grounds for judicial review, lack of legislative competence, constitutional inconsistency, procedural irregularity, arbitrariness, and abuse of power, have become integral to preserving India's federal balance (Essential Constitutional Law, 2013).

Table 1 - Constitutional Distribution of Legislative Powers in India

List	Relevant Constitutional Provision	Nature of Legislative Power	Illustrative Subjects
Union List	Art. 246(1), Seventh Schedule	Exclusive power of Parliament	Defence, Foreign Affairs, Currency, Railways, Atomic Energy
State List	Art. 246(3), Seventh Schedule	Exclusive power of State Legislatures (subject to constitutional exceptions)	Police, Public Order, Agriculture, Public Health, Local Government
Concurrent List	Art. 246(2), 254	Both Parliament and State Legislatures may legislate; Union law prevails upon inconsistency	Education, Forests, Marriage, Criminal Procedure, Labour Welfare
Residuary Powers	Art. 248 & Entry 97, Union List	Parliament possesses exclusive authority over matters not enumerated elsewhere	Information Technology, Cyber Regulation, Emerging Technologies

JUDICIAL REVIEW AS THE CONSTITUTIONAL GUARDIAN OF FEDERAL BALANCE

The effectiveness of constitutional federalism depends not merely upon the textual allocation of powers but also upon an impartial institution capable of enforcing constitutional boundaries. Judicial review therefore occupies a central position within India's constitutional framework by enabling the Supreme Court to determine whether legislative or executive action violates constitutional limitations. Constitutional adjudication has consequently evolved beyond simple statutory interpretation to encompass broader questions concerning democratic accountability, constitutional morality, institutional competence, and federal balance.

The expanding scope of judicial review has simultaneously generated debates regarding judicial activism and constitutional restraint. While some scholars contend that active constitutional adjudication is necessary for preserving democratic institutions, others caution against excessive judicial intervention in matters possessing significant political dimensions. Judicial review must therefore remain grounded in constitutional principle rather than judicial preference, ensuring that constitutional courts preserve institutional balance without assuming legislative functions (Constitutional & Administrative Law Q&A 2003–2004, 2003).

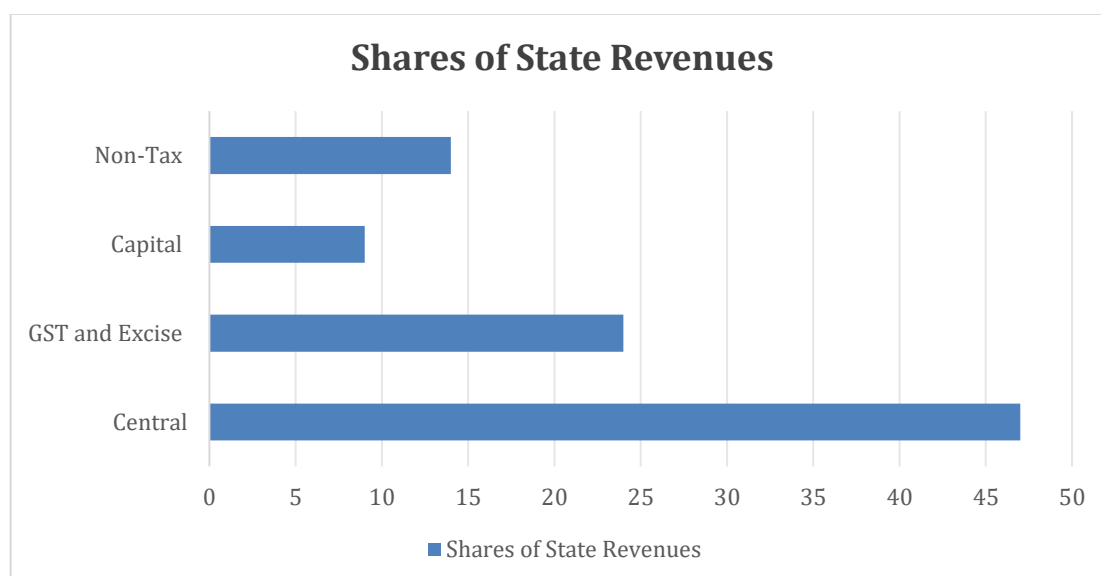
Similarly, contemporary constitutional scholarship emphasises that judicial review derives its legitimacy from constitutional interpretation rather than institutional supremacy. Courts exercise constitutional authority because the Constitution itself entrusts them with safeguarding constitutional limitations, not because they possess unrestricted policymaking authority. Consequently, judicial review functions most effectively when constitutional reasoning remains anchored in constitutional text, structure, history, and democratic values (Q&A Constitutional & Administrative Law 2013–2014, 2013).

Evolution of Judicial Review in Federal Constitutions

Modern federal constitutions increasingly recognise that judicial review constitutes an indispensable mechanism for preserving constitutional stability amidst changing political realities. The expansion of administrative governance, economic regulation, environmental protection, and technological innovation has produced complex jurisdictional disputes that constitutional framers could not have anticipated. Consequently, constitutional courts have progressively adopted purposive interpretative approaches capable of reconciling constitutional continuity with institutional adaptation. This evolution is equally evident within constitutional scholarship examining judicial review across common law jurisdictions. Rather than treating judicial review as an exceptional remedy, contemporary constitutional jurisprudence increasingly regards it as an ordinary constitutional mechanism through which governmental accountability is maintained. Judicial review thus protects constitutional supremacy while facilitating institutional dialogue among the legislature, executive, and judiciary (Q&A Constitutional & Administrative Law 2009–2010, 2009; Q&A Constitutional & Administrative Law 2011–2012, 2013).

Centre–State Litigation Before the Supreme Court

Official statistics demonstrate that federal disputes constitute a significant component of the Supreme Court’s constitutional jurisdiction. According to the Supreme Court of India’s Annual Report 2023–2024, numerous matters invoking the Court’s original jurisdiction under Art. 131 and its constitutional jurisdiction concerning legislative competence, taxation, inter-governmental disputes, and constitutional interpretation remained pending before Constitution Benches during the reporting period. The Court also continued hearing significant federal matters concerning the powers of Governors, the legislative competence of Parliament and State Legislatures, the constitutional validity of taxation measures, and disputes arising from the implementation of the Goods and Services Tax framework. These figures illustrate that constitutional federalism remains a contemporary judicial concern rather than merely a historical constitutional issue. Data released by the Fifteenth Finance Commission (2021–26) indicates that approximately 41% of the divisible pool of central taxes is constitutionally devolved to the States, reflecting the continuing importance of fiscal federalism in India’s constitutional framework. In addition, Union Budget documents demonstrate that transfers to States through tax devolution, Finance Commission grants, and centrally sponsored schemes collectively amount to several lakh crore rupees annually, making financial relations one of the most significant dimensions of Centre–State interaction. Consequently, disputes concerning revenue distribution, GST compensation, borrowing powers, and conditional grants increasingly acquire constitutional significance, requiring judicial interpretation to preserve the balance between national fiscal coordination and State financial autonomy.



Source - Chandrasekhar (2021)

JUDICIAL REVIEW AND CENTRE–STATE POWER CONFLICTS - JUDICIAL TRENDS AND CONTEMPORARY CHALLENGES

The Supreme Court has consistently employed judicial review to define the contours of Indian federalism while ensuring that constitutional amendments, legislative enactments, and executive actions remain consistent with the Constitution. The evolution of the Basic Structure Doctrine has substantially strengthened constitutional federalism by recognising federalism as an immutable constitutional value that cannot be abrogated even through Parliament’s constituent power. Consequently, judicial review has become an instrument for preserving constitutional identity alongside constitutional supremacy. Buri (2022) argues that judicial scrutiny of constitutional amendments safeguards the Constitution’s identity by preventing alterations that fundamentally distort its federal character.

The Court’s jurisprudence has progressively shifted from viewing federalism merely as a division of powers towards recognising it as a constitutional value promoting democratic governance, cooperative administration, and institutional accountability. Similar observations emerge from comparative constitutional scholarship, where Bateryakova (2024) notes that constitutional courts increasingly perform an integrative function by harmonising constitutional principles with evolving federal realities. Likewise, Karmakar (2026) demonstrates that Indian environmental governance has expanded the scope of cooperative federalism, with constitutional courts encouraging coordinated action between the Union and States in addressing environmental challenges.

From a comparative perspective, judicial review has become a defining characteristic of federal constitutionalism across democratic jurisdictions. Koch (2001) observes that constitutional courts increasingly function as guardians of federal equilibrium by preventing institutional overreach while facilitating constitutional dialogue. Within India, this approach has enabled the Supreme Court to reconcile competing constitutional interests in matters concerning taxation, emergency powers, legislative competence, and inter-governmental relations. Recent scholarship similarly concludes that judicial review has substantially influenced constitutional interpretation by expanding the principles of constitutional morality, federal balance, and democratic accountability (Jagde, 2025; Boiragi, 2025).

Table 2 - Landmark Supreme Court Decisions Shaping Indian Federalism

Case (APA Citation)	Constitutional Issue	Principle Established	Impact on Federalism
State of West Bengal v. Union of India, AIR 1963 SC 1241	Distribution of legislative powers	Strong Union under the constitutional framework	Affirmed constitutional federalism while recognising constitutional limits on State sovereignty
Kesavananda Bharati v. State of Kerala, (1973) 4 SCC 225	Scope of Parliament’s amending power	Federalism forms part of the Basic Structure of the Constitution	Limited Parliament’s power to alter the federal structure
S.R. Bommai v. Union of India, (1994) 3 SCC 1	Proclamation of President’s Rule under Art. 356	Judicial review of Art. 356 and federalism as part of the Basic Structure	Strengthened State autonomy and restricted arbitrary Central intervention
Government of NCT of Delhi v. Union of India, (2018) 8 SCC 501	Distribution of executive powers in the National Capital Territory	Cooperative federalism and constitutional morality	Reinforced representative governance and constitutional accountability
Government of NCT of Delhi v. Union of India, 2023 SCC OnLine SC 606	Control over civil services in the National Capital Territory	Executive authority of the elected government over civil services (subject to constitutional limitations)	Clarified the federal relationship between the Union and the elected Government of NCT Delhi

EMERGING CONSTITUTIONAL CHALLENGES

Despite its robust jurisprudence, judicial review continues to confront significant constitutional challenges. Fiscal federalism, the growing use of centrally sponsored schemes, disputes relating to Governors’ discretionary powers, environmental governance, and increasing legislative overlap frequently generate constitutional controversies. Sirota

(2012) contends that effective federalism depends upon judicial protection of institutional autonomy, while Kaur and Prabhakar (2025) emphasise that constitutional review of legislative and constitutional amendments remain indispensable for preserving democratic federalism.

Simultaneously, expanding judicial intervention has generated debates concerning judicial activism. Gul, Farid, and Khan (2021) argue that constitutional courts often confront complex political disputes where judicial intervention is unavoidable to preserve constitutional governance. Conversely, Bhuwania (2025) cautions that excessive judicial populism may blur the distinction between constitutional adjudication and policymaking, necessitating a careful balance between constitutional enforcement and democratic legitimacy.

These concerns are closely connected with broader constitutional ethics. Redish and Bobbitt (1984) maintain that judicial review derives legitimacy from adherence to constitutional ethics rather than institutional supremacy, while Allan (2017) argues that constitutional rights acquire practical significance only when supported by effective judicial remedies. Similarly, Jeon (2023) highlights that judicial activism should remain constitutionally disciplined to preserve institutional legitimacy and democratic accountability.

CONCLUSION

Judicial review has evolved into the constitutional cornerstone of Indian federalism by preserving the balance between Union authority and State autonomy while safeguarding the Constitution's basic structure. Through landmark decisions concerning constitutional amendments, legislative competence, emergency powers, and executive accountability, the Supreme Court has transformed federalism from a formal distribution of powers into a substantive constitutional principle grounded in democratic governance, constitutional morality, and cooperative federalism.

REFERENCES

1. Jackson, V. C. (2004). Comparative constitutional federalism and transnational judicial discourse. *International Journal of Constitutional Law*, 2(1), 91–138. <https://doi.org/10.1093/icon/2.1.91>
2. Constitutional fundamentals. (2020). In *Judicial Review Handbook*. Hart Publishing. <https://doi.org/10.5040/9781509922864.0013>
3. Moffett, J., Auburn, J., & Sharland, A. (2026). Common law constitutional rights. In *Judicial Review* (2nd ed., pp. 680–696). Oxford University Press. <https://doi.org/10.1093/law/9780198817253.003.0024>
4. Judicial review. (2004). In *Constitutional Deliberation in Congress* (pp. 31–61). Duke University Press. <https://doi.org/10.1215/9780822385677-003>
5. Barnett, H. (2025). Judicial review. In *Constitutional and Administrative Law* (16th ed., pp. 591–628). Routledge. <https://doi.org/10.4324/9781003519027-31>
6. Bateryakova, A. I. (2024). Federalism in view of the Russian judicial constitutional doctrine. *Constitutional and Municipal Law*, 36–40. <https://doi.org/10.18572/1812-3767-2024-6-36-40>
7. Koch, C. H. (2001). Judicial review and global federalism. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.288390>
8. A constitutional guarantee. (2020). In *Judicial Review Handbook*. Hart Publishing. <https://doi.org/10.5040/9781509922864.0007>
9. Judicial review. (2004). In *Cavendish: Constitutional Lawcards* (4th ed., pp. 125–159). Routledge-Cavendish. <https://doi.org/10.4324/9781843145486-10>
10. Dixon, R., & Landau, D. (2021). Abusive judicial review. In *Abusive Constitutional Borrowing* (pp. 81–115). Oxford University Press. <https://doi.org/10.1093/oso/9780192893765.003.0005>
11. Marmor, A. (2016). Randomized judicial review. In *Democratizing Constitutional Law* (pp. 13–28). Springer International Publishing. https://doi.org/10.1007/978-3-319-28371-5_2
12. Singh, O., & Sihag, N. (2026). Constitutional federalism and the abrogation of Article 370: A review of judicial reasoning and constitutional morality in India. *International Journal of Multidisciplinary Research in Arts, Science and Technology*, 4(3), 95–102. <https://doi.org/10.61778/ijmrast.v4i3.251>
13. Gardbaum, S. (2016). Decoupling judicial review from judicial supremacy. In *Democratizing Constitutional Law* (pp. 93–118). Springer International Publishing. https://doi.org/10.1007/978-3-319-28371-5_5
14. Judicial review. (1999). In *Constitutional Law for the Criminal Justice Professional* (pp. 59–66). Routledge. <https://doi.org/10.1201/9781439821848-8>
15. Judicial review. (1999). In *Constitutional Law for the Criminal Justice Professional*. CRC Press. <https://doi.org/10.1201/9781439821848.ch5>
16. Alder, J. (2015). Judicial review remedies. In *Constitutional and Administrative Law* (pp. 425–445). Macmillan Education UK. https://doi.org/10.1007/978-1-137-47492-6_19
17. Parpworth, N. (2012). Judicial review remedies. In *Constitutional and Administrative Law* (pp. 322–332). Oxford University Press. <https://doi.org/10.1093/he/9780199698332.003.0014>
18. Gupta, B. K. (2021). Judicial review: A tool to shape constitutional jurisprudence. In *Judicial Review* (pp. 127–144). Cambridge University Press. <https://doi.org/10.1017/9781108870184.009>
19. Khurshid, S. (2021). Constitutional morality and judges of the Supreme Court. In *Judicial Review* (pp. 384–410). Cambridge University Press. <https://doi.org/10.1017/9781108870184.022>
20. Sirota, L. (2012). Federalism and democracy: A defence of federalism-based judicial review. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.2162161>

21. Roznai, Y., & Jacobsohn, G. J. (2021). Judicial activism, courts, and constitutional revolutions: The Israeli case. In *Judicial Review* (pp. 163–187). Cambridge University Press. <https://doi.org/10.1017/9781108870184.011>
22. Grounds for judicial review. (2013). In *Essential Constitutional Law* (pp. 83–87). Routledge-Cavendish. <https://doi.org/10.4324/9781843142188-14>
23. Judicial review. (2003). In *Constitutional & Administrative Law Q&A 2003–2004* (pp. 227–266). Routledge-Cavendish. <https://doi.org/10.4324/9781843144984-12>
24. Judicial review. (2013). In *Q&A Constitutional & Administrative Law 2013–2014* (pp. 173–196). Routledge. <https://doi.org/10.4324/9780203083932-14>
25. Judicial review. (2009). In *Q&A Constitutional & Administrative Law 2009–2010* (pp. 245–274). Routledge-Cavendish. <https://doi.org/10.4324/9780203868058-11>
26. Judicial review. (2013). In *Q&A Constitutional & Administrative Law 2011–2012* (pp. 157–177). Routledge. <https://doi.org/10.4324/9780203828595-14>
27. Judicial review and federalism. (2024). In *Law, Politics, and the Judicial Process in Canada* (5th ed., pp. 362–422). University of Calgary Press. <https://doi.org/10.2307/jj.16040332.10>
28. Judicial review and federalism. (2018). In *Law, Politics, and the Judicial Process in Canada* (4th ed., pp. 405–452). University of Calgary Press. <https://doi.org/10.1515/9781552389911-010>
29. Judicial review and federalism. (n.d.). In *Law, Politics and the Judicial Process in Canada* (pp. 423–478). University of Calgary Press. <https://doi.org/10.2307/j.ctv6cfpf3.13>
30. Judicial review and federalism. (n.d.). In *Law, Politics, and the Judicial Process in Canada* (4th ed., pp. 405–452). University of Calgary Press. <https://doi.org/10.2307/j.ctv56fggn.12>
31. Redish, M. H., & Bobbitt, P. (1984). Judicial review and constitutional ethics. *Michigan Law Review*, 82(4), 665. <https://doi.org/10.2307/1288663>
32. Allan, T. R. S. (2017). Constitutional rights and judicial review. *Jurisprudence*, 9(1), 138–145. <https://doi.org/10.1080/20403313.2017.1331634>
33. Jeon, S.-H. (2023). Constitutional review and judicial activism. *Korean Constitutional Law Association*, 29(1), 1–42. <https://doi.org/10.35901/kjcl.2023.29.1.1>
34. The constitutional foundations of Mexican judicial review: Auxiliary constitutional defenses. (1971). In *Judicial Review in Mexico* (pp. 79–89). University of Texas Press. <https://doi.org/10.7560/701052-004>
35. Childs, D. (1983). Federalism and judicial review in West Germany. *International Affairs*, 59(3), 524–525. <https://doi.org/10.2307/2618868>
36. Clokie, H. McD. (1942). Judicial review, federalism, and the Canadian Constitution. *The Canadian Journal of Economics and Political Science*, 8(4), 537. <https://doi.org/10.2307/136922>
37. Justifying judicial review. (n.d.). In *The Constitutional Foundations of Judicial Review*. Hart Publishing. <https://doi.org/10.5040/9781472559043.ch-001>
38. Luthra, S., & Mukhija, N. (2021). The need for reinventing the Supreme Court as a constitutional court. In *Judicial Review* (pp. 225–235). Cambridge University Press. <https://doi.org/10.1017/9781108870184.014>
39. Parpworth, N. (2022). Judicial review remedies. In *Constitutional and Administrative Law* (pp. 361–374). Oxford University Press. <https://doi.org/10.1093/he/9780192856579.003.0015>
40. Parpworth, N. (2020). Judicial review remedies. In *Constitutional and Administrative Law* (pp. 354–366). Oxford University Press. <https://doi.org/10.1093/he/9780198847120.003.0015>
41. Parpworth, N. (2016). Judicial review remedies. In *Constitutional and Administrative Law* (pp. 333–344). Oxford University Press. <https://doi.org/10.1093/he/9780198747529.003.0014>
42. Chandrasekhar, C. P. (2021, January 26). Wrecking fiscal federalism. *Network Ideas*. <https://www.networkideas.org/2021/01/26/wrecking-fiscal-federalism/>
43. Buri, A. K. (2022). Constituent power and constitutional identity: Judicial review of constitutional amendments in India. *Qubahan Political Journal*, 1(3), 1–8. <https://doi.org/10.48161/qpj.v1n3a4>
44. Bateryakova, A. I. (2024). Federalism in view of the Russian judicial constitutional doctrine. *Constitutional and Municipal Law*, 36–40. <https://doi.org/10.18572/1812-3767-2024-6-36-40>
45. Karmakar, A. (2026). Navigating green federalism: A study of constitutional provisions and judicial interventions in post-independence India. *Journal of Humanities and Social Thought*, 2(1), 23–28. <https://doi.org/10.21474/jnhst01/109>
46. Koch, C. H. (2001). Judicial review and global federalism. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.288390>
47. Jagde, S. (2025). Judicial review and its impact on constitutional interpretation in India. *International Journal for Multidisciplinary Research*, 7(1). <https://doi.org/10.36948/ijfmr.2025.v07i01.36425>
48. Boiragi, A. (2025). Judicial review in India: Harmonizing constitutional authority with democratic governance. *International Journal for Multidisciplinary Research*, 7(1). <https://doi.org/10.36948/ijfmr.2025.v07i01.35063>
49. Sirota, L. (2012). Federalism and democracy: A defence of federalism-based judicial review. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.2162161>
50. Kaur, T., & Prabhakar, D. (2025). Judicial review of legislative and constitutional amendment acts: India vs USA. *International Journal of Research Publication and Reviews*, 6(11), 10784–10794. <https://doi.org/10.55248/gengpi.06.1125.40104>
51. Gul, N., Farid, N., & Khan, M. S. (2021). Judicial activism and constitutional challenges in India. *Global Legal Studies Review*, 6(1), 117–125. [https://doi.org/10.31703/glsr.2021\(vi-i\).16](https://doi.org/10.31703/glsr.2021(vi-i).16)

52. Bhuwania, A. (2025). Constitutional roots of judicial populism in India. *Law & Social Inquiry*. Advance online publication. <https://doi.org/10.1017/lsi.2025.10091>
53. Redish, M. H., & Bobbitt, P. (1984). Judicial review and constitutional ethics. *Michigan Law Review*, 82(4), 665. <https://doi.org/10.2307/1288663>
54. Allan, T. R. S. (2017). Constitutional rights and judicial review. *Jurisprudence*, 9(1), 138–145. <https://doi.org/10.1080/20403313.2017.1331634>
55. Jeon, S.-H. (2023). Constitutional review and judicial activism. *Korean Constitutional Law Association*, 29(1), 1–42. <https://doi.org/10.35901/kjcl.2023.29.1.1>
- 56.