Seventh Schedule

Basic Structure Traps (1-10)

Trap 1: Administrative Relations

❌ **Seventh Schedule** deals with **administrative relations**.

✅ It deals with **distribution of legislative subjects** between **Union** and **States** (**Art. 246**).

Trap 2: Four Lists

❌ There are **four lists** in the **Seventh Schedule**.

✅ Only **three lists** — **Union**, **State**, and **Concurrent**.

Trap 3: Article 243

❌ **Article 243** defines the **lists**.

✅ **Article 246** governs **legislative powers distribution**.

Trap 4: Constitutional Absence

❌ The word "**Seventh Schedule**" is absent in the **Constitution**.

✅ It's explicitly mentioned in **Art. 246** and other **articles**.

Trap 5: Equal Authority

❌ All **lists** have equal authority.

✅ **Union List** has **supremacy** in case of **conflict** (**Art. 254**).

Trap 6: Rigid Lists

❌ The **three lists** are **rigid** and **mutually exclusive**.

✅ There is **overlap**, particularly between **State** & **Concurrent Lists**.

Trap 7: Administrative Subjects

❌ The **lists** are **administrative subjects**.

✅ They are **legislative subjects**.

Trap 8: Equal Application

❌ Both **Union** and **State laws** apply equally in **Concurrent List conflicts**.

✅ **Union law prevails** (**Art. 254**).

Trap 9: Parliament Amendment

❌ **Parliament** alone can **amend** the **Seventh Schedule**.

✅ **Constitutional amendment** under **Art. 368** needed.

Trap 10: State Addition

❌ **State Legislatures** can add new subjects to the **Lists**.

✅ Only **Parliament** by **amendment** can **alter Lists**.

Union List Traps - Part I (11-20)

Trap 11: Original Count

❌ **Union List** has 97 subjects since 1950.

✅ Originally 97, now 100 (after **amendments**).

Trap 12: National Nature

❌ **Union List** deals with subjects purely national in nature.

✅ Yes — includes defence, foreign affairs, currency, atomic energy, communication.

Trap 13: Territorial Limits

❌ **Parliament** cannot legislate beyond India's territory.

✅ It can for citizens and entities abroad (**Art. 245**).

Trap 14: List Hierarchy

❌ **Union List** is subordinate to **State List**.

✅ Supreme in hierarchy.

Trap 15: UT Limitation

❌ **Parliament** can legislate only for **Union Territories** from **Union List**.

✅ Can legislate for whole or any part of India.

Trap 16: Emergency Powers

❌ **Parliament's power** on **Union List** ends during **Emergency**.

✅ Continues; may even expand to **State subjects**.

Trap 17: Residuary Powers

❌ **Residuary powers** are part of **Union List**.

✅ Separate power under **Art. 248** (**residuary legislative power**).

Trap 18: Unchangeable Subjects

❌ **Union List** subjects are unchangeable.

✅ Can be **amended** by **constitutional amendment**.

Trap 19: Police Placement

❌ **Police** is in **Union List**.

✅ In **State List** (**Entry 2**).

Trap 20: Public Order

❌ **Public order** is a **Union subject**.

✅ **State subject** (**Entry 1, List II**).

Union List Traps - Part II (21-30)

Trap 21: Atomic Energy

❌ **Atomic energy** is in **State List**.

✅ **Union List**, **Entry 6**.

Trap 22: Banking Regulation

❌ **Banking regulation** is **concurrent**.

✅ **Union List**, **Entry 45**.

Trap 23: Insurance

❌ **Insurance** is **State subject**.

✅ **Union List**, **Entry 47**.

Trap 24: Railways

❌ **Railways** is **concurrent subject**.

✅ **Union List**, **Entry 22**.

Trap 25: Defence Industries

❌ **Defence industries** fall under **State List**.

✅ **Union List**, **Entry 7**.

Trap 26: Citizenship

❌ **Citizenship** and **naturalization** are in **Concurrent List**.

✅ **Union List**, **Entry 17**.

Trap 27: Agricultural Income Tax

❌ **Union List** contains **taxation on agricultural income**.

✅ **Agricultural income** is **State List**, **Entry 46**.

Trap 28: Fisheries

❌ **Fisheries** is a **Union subject**.

✅ **State subject** (**Entry 21**, **List II**) except **deep sea fishing** (**Union jurisdiction**).

Trap 29: Criminal Law

❌ **Criminal law** is in **Union List**.

✅ **Concurrent List** (**Entry 1–2**).

Trap 30: Foreign Loans

❌ **Foreign loans** and **borrowing** are in **State List**.

✅ **Union List**, **Entry 37**.

State List Traps - Part I (31-40)

Trap 31: Original Count

❌ **State List** originally had 60 subjects.

✅ 66 subjects originally, now reduced to 61 (post **42nd Amendment**).

Trap 32: Rural Governance Only

❌ **State List** deals only with rural governance.

✅ Includes **law & order**, **agriculture**, **police**, **trade**, **local government**, **health** etc.

Trap 33: Central Immunity

❌ **State List** subjects are immune from central interference.

✅ **Parliament** can legislate on them under certain conditions (**Arts. 249, 250, 252, 356**).

Trap 34: Emergency Legislation

❌ **Parliament** cannot legislate on **State subjects** during Emergency.

✅ Can legislate during **National Emergency** (**Art. 250**).

Trap 35: Immediate End

❌ **Parliament's emergency laws** on **State List** end immediately when Emergency ends.

✅ Continue for 6 months after cessation.

Trap 36: Foreign Affairs

❌ **State List** includes "**foreign affairs**".

✅ **Union subject**.

Trap 37: Public Health

❌ "**Public health**" is a **Union subject**.

✅ **State List**, **Entry 6**.

Trap 38: Prisons and Police

❌ "**Prisons**" and "**police**" are **concurrent subjects**.

✅ **State List**, **Entries 2 & 4**.

Trap 39: Electricity

❌ "**Electricity**" is a **State subject**.

✅ Now in **Concurrent List** (**Entry 38**) after **42nd Amendment**.

Trap 40: Agriculture Movement

❌ "**Agriculture**" moved to **Concurrent List** under **42nd Amendment**.

✅ Still **State List**, **Entry 14**.

State List Traps - Part II (41-55)

Trap 41: Excise Duty

❌ **State** can levy **excise duty** on all goods.

✅ Excluding alcohol & narcotics only (**Entry 51**).

Trap 42: Forests

❌ Forests are purely **State subjects**.

✅ Moved to **Concurrent List** (**42nd Amendment**).

Trap 43: Education

❌ **Education** is purely **State subject**.

✅ Now **Concurrent List** (**42nd Amendment**).

Trap 44: Fisheries and Water

❌ **Fisheries** and **water** are **concurrent subjects**.

✅ **State List**, except inter-state waters (**Union control**).

Trap 45: Betting and Gambling

❌ **Betting and gambling** are in **Concurrent List**.

✅ **State List**, **Entry 34**.

Trap 46: Mineral Regulation

❌ **State** has power over **mineral regulation** completely.

✅ **Union control** via **Entry 54** (regulation of mines).

Trap 47: State Law Override

❌ **State law** on **State List** cannot be overruled.

✅ Can be superseded by **central law** during **Emergency**.

Trap 48: Markets and Fairs

❌ **Market and fairs** are in **Concurrent List**.

✅ **State List**, **Entry 28**.

Trap 49: Land Revenue

❌ **Land revenue** is **concurrent subject**.

✅ **State List**, **Entry 45**.

Trap 50: Public Order Control

❌ **Public order** can be regulated by **Parliament**.

✅ Only during **emergency** or **national interest resolution**.

Trap 51: Police Reforms

❌ **Police reforms** are controlled by **Parliament**.

✅ **State subject**, though Centre issues advisories.

Trap 52: Law and Order

❌ **Law and order** come under **Concurrent List**.

✅ **State List**, **Entry 1**.

Trap 53: Criminal Procedure

❌ **State legislatures** can make **criminal procedure laws**.

✅ **Concurrent List** — can legislate but subject to **Parliament's override**.

Trap 54: Agriculture Income Tax

❌ **Agriculture income tax** is shared with Centre.

✅ Solely **State power** (**Entry 46**).

Trap 55: Residuary Powers

❌ **State List** has **residuary powers**.

✅ **Residuary powers** rest with **Parliament** (**Art. 248**).

<u>Concurrent List</u> Traps - Part I (56-65)

Trap 56: 1976 Origin

❌ **Concurrent List** existed since 1976.

✅ Existed since 1950, expanded by **42nd Amendment**.

Trap 57: Original Count

❌ **Concurrent List** originally had 52 subjects.

✅ 47 originally, now 52.

Trap 58: Unlimited Concurrency

❌ **Union** and States legislate concurrently without limitation.

✅ **Union** law prevails in conflict (**Art. 254**).

Trap 59: State Prohibition

❌ States cannot legislate on **Concurrent** subjects at all.

✅ Can, but subject to **Union** supremacy.

Trap 60: Marriage and Divorce

❌ Marriage and divorce are **State subjects**.

✅ **Concurrent List**, Entry 5.

Trap 61: Criminal Law Separation

❌ Criminal law and procedure are separate lists.

✅ Both in **Concurrent List**, Entries 1 & 2.

Trap 62: Trade Unions

❌ Trade unions are **Union List** subjects.

✅ **Concurrent List**, Entry 22.

Trap 63: Economic Planning

❌ Economic planning is **State subject**.

✅ **Concurrent List**, Entry 20.

Trap 64: Labour Welfare

❌ Labour welfare was moved to **Union List**.

✅ **Concurrent List**, subject to state-specific laws.

Trap 65: Population Control

❌ Population control is a **State matter**.

✅ **Concurrent List**, Entry 20A (added by **42nd Amendment**).

Concurrent List Traps - Part II (66-75)

1   Trap 66: Forests Status

❌ Forests are still **State subjects**.

✅ **Concurrent List** now.

2   Trap 67: Education Control

❌ Education is exclusively under **Union control**.

✅ **Concurrent List** (post **42nd Amendment**).

3   Trap 68: Social Security

❌ Social security is only a **Union matter**.

✅ **Concurrent List**, Entry 23.

4   Trap 69: Electricity Regulation

❌ Electricity regulation is in **State List**.

✅ **Concurrent List**, Entry 38.

5   Trap 70: Weights and Measures

❌ Weights and measures are **concurrent subjects**.

✅ **Union List**, Entry 50.

6   Trap 71: Drugs and Poisons

❌ Drugs and poisons are **concurrent subjects**.

✅ **Concurrent List**, Entry 19.

7   Trap 72: Environmental Protection

❌ Environmental protection is **State subject**.

✅ **Concurrent List**, Entry 17A.

8   Trap 73: Population Control Correct

❌ Population control and family planning are **concurrent**.

✅ ✅ Correct — Entry 20A.

9   Trap 74: Trade and Commerce

❌ Trade and commerce are only **Union matters**.

✅ **Concurrent List**, Entry 33 (certain goods).

10   Trap 75: Succession and Contracts

❌ Succession and contracts are **Union List**.

✅ **Concurrent List**, Entries 6–7.

Residuary, Overlaps & Exceptions (76-90)

1

Trap 76: State Residuary Powers

❌ **Residuary powers** lie with the **States**.

✅ **Centre** has **residuary powers** (**Art. 248**).

2

Trap 77: Amendment Requirement

❌ Only **Union Parliament** decides **residuary** matters by **constitutional amendment**.

✅ Ordinary law under **Art. 248** sufficient.

3

Trap 78: Cyber Laws

❌ "Cyber laws" are in **Concurrent List**.

✅ **Residuary subject** → **Parliament** enacted **IT Act, 2000**.

4

Trap 79: UT Limitation

❌ **Parliament** cannot legislate on **residuary subjects** for **UTs**.

✅ Can legislate for entire **India** including **UTs**.

5

Trap 80: 42nd Amendment Origin

❌ **Residuary powers** existed from **42nd Amendment**.

✅ Present since 1950 (**Art. 248**).

6

Trap 81: Nuclear Energy

❌ "**Nuclear energy**" is **residuary**.

✅ Explicitly in **Union List**, **Entry 6**.

7

Trap 82: Delegation

❌ **Residuary powers** can be delegated to **States**.

✅ Cannot be delegated.

8

Trap 83: Dual Control

❌ Overlap between **Union** & **State Lists** creates dual control.

✅ Resolved by **Art. 254**: **Union supremacy**.

9

Trap 84: Computer Software

❌ "**Computer software**" is **Concurrent List** subject.

✅ **Residuary** (**Union jurisdiction**).

10

Trap 85: Governor Permission

❌ **State** can legislate on **residuary subjects** by **Governor's permission**.

✅ No provision for that.

11

Trap 86: Presidential Decision

❌ **President** decides inter-list disputes.

✅ **Supreme Court** interprets list boundaries.

12

Trap 87: Judicial Review

❌ **Parliament's residuary power** is **judicially unchecked**.

✅ Subject to **judicial review** (**Kesavananda Bharati**).

13

Trap 88: GST Council Transfer

❌ **Residuary powers** transferred to **GST Council**.

✅ Still with **Parliament**.

14

Trap 89: Space Technology

❌ "**Space technology**" is **concurrent subject**.

✅ **Residuary** → **Union**.

15

Trap 90: Artificial Intelligence

❌ "**Artificial intelligence**" policy is under **State List**.

✅ **Residuary** → **Parliament's power**.

Amendments & Modern Developments (91-100)

Trap 91: **42nd Amendment** Scope

❌ **42nd Amendment** only changed **Fundamental Rights**.

✅ Also shifted subjects (education, forests, population control) to **Concurrent List**.

Trap 92: **101st Amendment**

❌ **101st Amendment** modified only **taxation system**.

✅ Also affected **7th Schedule** — merged entries for **GST**.

Trap 93: **44th Amendment**

❌ **44th Amendment** expanded **State List**.

✅ It restored **Centre–State balance**, not list content.

Trap 94: **73rd & 74th Amendments**

❌ **73rd & 74th Amendments** modified **7th Schedule**.

✅ No — they added **11th & 12th Schedules** separately.

Trap 95: **GST** Impact

❌ **GST** removed **Concurrent List** completely.

✅ **Concurrent List** intact.

Trap 96: **Article 254** Scope

❌ **Art. 254** applies only to **Union List**.

✅ Applies to **Concurrent List** conflicts.

Trap 97: **State List** Permanence

❌ **State List** subjects are frozen permanently.

✅ Can be shifted via **amendment** (**Art. 368**).

Trap 98: **42nd Amendment** Effect

❌ **42nd Amendment** reduced **Union dominance**.

✅ It increased **Union dominance** by transferring more subjects.

Trap 99: **GST Residuary Change**

❌ **Residuary powers** changed after **GST**.

✅ Still with **Parliament** (**Art. 248**).

Trap 100: **Federal Scheme** Nature

❌ **7th Schedule** is a static **federal scheme**.

✅ Dynamic and amendable — reflects evolving Indian **federalism**.

Key Takeaways for Prelims Success

Mastering these 100 platinum traps will significantly enhance your performance in UPSC Prelims. The **Seventh Schedule** is a critical component of Indian federalism and frequently appears in examinations.

Critical Points to Remember

- **Union List** has supremacy over all other lists
- **Article 246** governs legislative distribution, not Article 243
- Residuary powers rest with Parliament under **Article 248**
- **42nd Amendment** significantly expanded **Concurrent List**
- Emergency provisions allow Parliament to legislate on **State subjects**

Common Exam Patterns

- Subject placement questions (which list contains what)
- Amendment impact on list transfers
- Conflict resolution between lists
- Emergency powers and legislative jurisdiction
- Residuary powers and modern subjects

Remember: The **Seventh Schedule** is not static but dynamic, reflecting the evolving nature of Indian federalism. Understanding these traps will help you navigate the most challenging questions in **constitutional law**.