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**Q- How many doctrine in subject matter?
Describe in details.**

Ans:-

There are three doctrine about the subject matter:-

1. Doctrine of colourable legislation
2. Doctrine of Pith and Substance
3. Doctrine of Repugnancy

1-Doctrine of Colourable Legislation:-

The doctrine of colourable legislation refers to the question of competency of the legislature while enacting a provision of law. The doctrine of colourable legislation is based on the maxim that "what cannot be done directly cannot also be done indirectly." The doctrine becomes applicable when a legislature seeks to do something in an indirect manner when it cannot do it directly. Thus it refers to the competency of the legislature to in act a particular law.

State of Bihar V/S Kameshwar Singh AIR-1952 SC:-

In this case where a law has been declared invalid on the ground of colourable legislation. In this case the Bihar Land Reform Act-1950 was held void on the ground that through the apparently it promoted to lay down any such principal and thus indirectly to deprived the petitioner of any compensation. Thus the true principal of colourable legislation is- it is not permissible to do indirectly what prohibited directly.

Relation between Colourable Legislation and Legislative

Accountability:-

It is very clear that the legislature can only make laws with in its legislative competency if a statue is found to be invalid on the ground of the legislative competence.

In this manner the doctrine of colourable legislation is related to legislative accountability. Among the various federal constitution all over the world we have selected Canadian structure where the distribution of legislative power is quite similar like Indian Constitution.

2-Doctrine of Pith and Substance:-

This doctrine primarily used when a law is challenged on the basis that one level of government has encroached upon the exclusive jurisdiction of another level of government. Pith and Substance means the true nature of law. The real subject matter is challenged not incidental effect another field. The doctrine of Pith and Substance is applied legislative competence of a legislature with regard to a particular enactment to challenge with reference to the entries in different legislative list because law dealing with the subject in one list encroaches upon the subject in another list. This doctrine says that where the questions arises of determining whether a particular law relates to a particular subject. The court look to the substance false within one list than the incidental encroachment by the law on another list does not make it invalid.

Profulla Kumar Mukherjee V/S Bank of Khulna AIR-1947 PC:-

In this case the validity of Bengal money lender Act-1946 was challenged which limited the amount and rate of interest recoverable by a money lender on any loan. It was argued that promissory note was a central subject not a state subject. It was held by the privy council that the act was in Pith and Substance a law in respect of money lending an money lenders was a state subject and was valid even if it incidentally trespassed upon 'Promissory Note'. E.g. Central Subject.

State of Bombay V/S F.N. Balsara AIR-1951 SC:-

In this case the Bombay Prohibition Act was challenged, which prohibited sale and possession of liquor in the state, was challenged on the ground that it incidentally encroached upon import and export of liquor. Across borders, which was a central subject. The act was held valid by the court as it was felt that act was in its Pith and Substance fell under the state list. Even though such act may impact in the import of liquor.

Need of Doctrine of Pith and Substance:-

The reason for adoption of this doctrine is that if every legislation were to be declared invalid on the grounds that it was encroaches the powers of legislature would be rigid scheme of distribution of power.