

Union Government – Structures of the Union Government and Functions

Functions and responsibilities of the union and the states

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Description of the above segments has been laid down below.

Introduction

The Constitution of India provides a dual polity with a clear division of powers between the Union and the States, each being supreme within the sphere allotted to it. The States in India are not the creation of the Centre nor do they draw their authority from the Union Government. On the other hand, like the Union Government, they draw their authority directly from the Constitution and are free to operate in the field allocated to them by the Constitution. At the outset, it may be noted that the Constitution of India has made most elaborate provisions regarding the relationship between the Union and the States. This was done with a view to minimizing the conflicts between the Centre and the States. But the actual operation of the Centre-State relations for all these years has given rise to a controversy about the wisdom of arrangements made under the Indian Constitution. Critics have expressed doubts about the existing arrangements and demanded re-allocation and adjustment of the Centre-State relations. The relations between the Centre and the States can be conveniently studied under the following centres.

FAQ about Functions And Responsibilities Of Union And States

Q1

What are the main functions of union government?

Union has jurisdiction over subjects of national importance such as defence of the country, foreign affairs, banking, communications and currency and also subjects present in concurrent list.

Q2

What are the main functions of state government?

States have jurisdiction over education, agriculture, public health, sanitation, hospitals and dispensaries and many other departments. The state governments also have to maintain the internal security, law and order in the state.

Functions and Responsibilities of the Union and the States: Federal Structure, Functions of State Government

The **Functions and Responsibilities of the Union and the States** are noticeably different. India's union and state governments have been granted constitutional authority over the country's politics. India's legal system may appear to be a federal one. The system, though, tends more toward a unitary one. **Functions and Responsibilities of the Union and the States: Overview**

Since India's political authority and administration qualify for the unitary and federal government structures, the Indian power system is called the [quasi-federal system](#). The [Indian Constitution](#) also declares that "India, that is, Bharat, shall be a union of states."

The constitutional power division between the state and the union was diplomatic. The state governments are never descendants of the central power and do not need the centre's approval to exist.

▀ [Who Described the Indian Constitution as Quasi-Federal?](#)

However, the centre has been assigned the power to rule the territory by the constitution. **Three lists** specify the functions and responsibilities of the union and states across the country.

- The union list pinpoints the responsibilities of the union government.
- The state list identifies the state's functions and responsibilities.
- The third list is the [concurrent list](#), which applies to both governments.

The power of the Constitution has delegated the Functions and Responsibilities of the Union and the States. The union government's functions and responsibilities include forming and implementing public policies and reviewing their outcome. Union

governments also prepare and supervise the policy agenda, which uses statutory enactments to implement the government's policies.

Functions and Responsibilities of the Union

The union government also establishes coordination among the different ministries, ensuring smooth system flow. Executive control over administration, rule-making to run the country, natural and political crises and disasters, financial management by fiscal supervision, and budget presentation also fall under the union's responsibilities.

▮ Union Executive

Functions of State Government

The state government is entitled to ensure the proper implementation of law and order within the territory. The police and public order ensure that the state runs internal security. The state government runs the educational and agricultural sectors and adopts strategic goals to boost the country's overall growth.

▮ Economic Growth and Development

In conclusion, properly executing the Functions and Responsibilities of the Union and the States is crucial to ensuring the optimal growth of the country.

7th Schedule of the Indian Constitution

The division of powers between the union and the states is addressed in the Seventh Schedule of Article 246 of the constitution. Union List, State List, and Concurrent List are the three lists that are included.

- The union list outlines the topics that Parliament may legislate on.
- The individuals covered by state legislatures are listed by state.
- On the other hand, the concurrent list includes topics within the purview of the state legislatures and the Parliament. However, in a conflict, the Constitution grants federal supremacy to Parliament on concurrent list items.

It is evident from the preceding system that the **Union List** includes matters of national importance and those that call for national legislation to be uniform. In the **State List**, issues of regional and local significance are mentioned as that allow for diverse interests. The **concurrent list** includes the topics where having uniform laws across the nation is desired but unnecessary. As a result, it supports both consistency and diversity.

Federal System of Government

A federal government is one in which the Constitution divides the Functions and Responsibilities of the Union and the States, each of which is in charge of its

territory. The Dual Polity, Division of Powers, [Written Constitution](#), [Independent Judiciary](#), and Supremacy of the Constitution are the federal elements of the Indian Constitution.

However, because of a power lean toward the centre in the Indian [federal form of government](#).

Functions and Responsibilities of the Union and the States UPSC

The functions and responsibilities of the Union and the States are covered under the Indian Polity section of the [UPSC Syllabus](#). The topic is important, specifically for the [UPSC Prelims](#). One can refer to the [Polity Books for UPSC](#) to study more about the topic.

Functions and Responsibilities of the Union and the States UPSC Questions

Question: In a Unitary form of government:

1. All the power is divided between the center/union and the state provincial government.
2. All the power is with the citizens.
3. State Government has all the powers
4. Power is concentrated with the Central Government.

Answer: Option D

Question: Who has special power in administering the Union Territories in India?

1. Central Government
2. Chief Minister
3. President
4. Governor

Answer: Option A

FAQs on Functions and Responsibilities of the Union and the States

What are the Functions and Responsibilities of the Union and the States towards their citizens?

The **Functions and Responsibilities of the Union and the State**

Governments towards their citizens include providing benefits to the citizens to earn a better livelihood, safeguarding the citizens, and protecting laws and order and fundamental rights of the citizens. The citizens are also liable to respect the law and orders implemented by the governments, protect the constitutions, pay taxes honestly, etc.

What are the main functions and responsibilities of the Union government?

National matters that have a pivotal role in establishing sovereignty mostly fall under the responsibilities of the Union government. The country's defense, foreign affairs, communications, and currency are some of the matters that belong to the union list. Adding to that, the union government also functions to fulfill the responsibilities affiliated with the concurrent list.

What are the main functions of state government?

The **state government** is liable to protect law and order as well as the internal safety of the state territory. Education, agriculture, public health, sanitation, hospitals, and dispensaries are some departments for which the state governments take responsibility.

What is the federal structure of government?

Federalism is a form of government in which two levels of authority share control over the same region. Larger territorial areas are typically governed more broadly by an overarching national government, while smaller subdivisions, states, and cities handle local concerns.

Centre State Relations: Legislative, Administrative, Centre State Relations UPSC

Centre State Relations is an important part of Indian Polity as it allows us to learn about the dual quality of having the division of power between the Centre and the state. The Centre and the state are considered supreme in their sphere. To regulate various dimensions of Central state relations, the constitution contains elaborate provisions for the same, which will be discussed in this topic.

Centre State relations require maximum cooperation and coordination for the federal system to work properly. As a result, the Constitution has many clauses to ensure this. According to the Indian Constitution, there is a distinct **separation of powers between the Union and the States**, each

in charge of its own particular domain. Centre state relations is a lengthy yet very interesting topic from the Indian Polity Syllabus.

Centre State Relations

The Indian Union did not result from an agreement between autonomous units, and its constituent parts are incapable of separation. As a result, the **Constitution** has complex rules that govern many aspects of the interaction between the Center and the States.

All the legislative, executive, and financial authorities in **India are divided between the center and the states as per the constitution**. The federal system should function with the maximum possible coherence and coordination between the federal government and each state. There are many provisions in the Constitution to accomplish this.

The three categories under which center-state relations can be better understood are **legislative relations, administrative relations, and financial relations**.

Types of Centre State Relations

Centre-State relations in India are characterized by a distribution of powers and responsibilities between the central government and state governments. These relations are governed by the Constitution and play a crucial role in the functioning of the federal system. The Centre State relations are majorly divided into three roles which are-

- Legislative relations Between Centre and State
- **Administrative relations Between Centre and State**
- **Financial relations Between Centre and State**

Legislative Relations Between Centre and State

The **legislative relations between the Centre and the state** are discussed in Articles 245 to 255. As ideal federalism should go, the Centre and state are discussed in Articles 245 to 255. There are four aspects of Legislative relations.

Territorial Extent of Centre and State Legislation

- The Parliament of India is authorized to make the laws that will be implemented on the entire territory or some parts of the territory of

India. This territory of India includes all the states, union territories, and the areas included in the territory of India tentatively.

- The state can make and impose laws within the boundaries of a state. The implied law can be applied to either the whole of the state or part of it.
- The parliament is authorized to make extraterritorial laws that can apply to Indian citizens and their property in any part of the world.

Exceptions to the laws of Parliament

The [President of India](#) can make the legislation keeping the peace, [good governance](#), and progress in the 5 union territories. These are Daman and Diu, Ladakh, Andaman and Nicobar Islands, Lakshadweep, Dadra, and Nagar Haveli. The legislation made by the president is equal to that of Parliament. The president can repeal or make amendments to any of the acts implemented by the Parliament of India concerning these 5 [union territories](#).

Distribution of Legislative Subjects

The constitution of India has provided a three-fold distribution of Legislative subjects between the Centre and the state. These are based on List 1, which deals with the Union, List 2, which deals with the state, and List 3, which deals with the [concurrent list](#) in the [7th schedule](#).

- The Parliament of India has the authority and powers to make the laws concerning matters like defense, banking, communication, trading, audit, Foreign Affairs, etc., enumerated in the union list.
- The [state legislature](#) has the power to make losses related to the matters like maintaining law and order, public health and sanitation, agriculture, police, etc.
- The Parliament and the state are eligible and authorized to make laws concerning matters like criminal law, civil procedure marriages, divorce, population control, electricity, social planning, drugs, etc.
- The **Constitution of India gives predominance to the union list over the state and concurrent list**. And similarly to that of the concurrent list over the state list. Thus, if a situation of overlapping occurs between the Union and State, the former would be given preference. The former will prevail again if the concurrent and union lists overlap.

Parliamentary Legislation in Centre State Relations

The constitution gives powers to the parliament to make the laws on any matter in the state list under the five extraordinary circumstances.

- **When Rajya Sabha Passes a Resolution:** If [Rajya Sabha](#) mandates the Parliament to make laws for the state in matters like [GST](#), then in such cases, the Parliament of India becomes competent to make any type of law in such related matters. This type of resolution needs to be passed with the majority of two-thirds of the votes of members in the parliament.
- **During National Emergency:** The proclamation of legislation during a [National Emergency](#) is operational. However, the laws get into operation 6 months after the ceasing of the emergency.
- **When State Makes a Request:** When two or more States want to pass a resolution on some common matter, then in that case, they can request the Parliament to enact those laws in the state list for regulating the matter. It should be noted that the law passed will be applied and enacted in the states who have passed the resolutions.
- **To Implement International Agreements:** The Parliament has the authority to make and enact laws on international treaties, conventions, and agreements. The central government can fulfill its international commitments and obligations with this authority.
- **During President's Rule:** If the [President's rule](#) is imposed in a state, the Parliament still has the power to make the laws on any matter related to the state. The law made by the parliament will be operative even when the president's rule is over. Here it should be remembered that such loss can be altered or re-enacted by the state legislature.

Centre's Control Over State Legislation

Apart from the parliament, the constitution allows the central government to exercise some control over state legislation.

- The [Governor](#) has the right to reserve the bills passed by the state legislature. These bills are presented for the president's consideration (where the president has an absolute zero veto on them.)
- The Centre is authorized to instruct or direct the states to reserve the [financial bill](#). The state legislature passed this bill to keep them under the president's consideration during a [financial emergency](#).
- The bills on some issues enumerated in the state list can be introduced in the state legislature only with the former sanctions of the President.

Administrative Relations Between Centre and State

Administrative relations between the Centre and State in India refer to the system of coordination and cooperation in administrative matters between

the central government and state governments. These relations involve the sharing of administrative responsibilities, decision-making, and implementation of policies and programs. Check the detailed Centre State Relations in the administrative roles below.

Distribution of Executive Powers

Executive powers have been divided between the Centre and the state. These extend to the whole of India on two major grounds:

- On the matters in which the Parliament has the exclusive power of Legislation.
- For exercising the rights, the jurisdiction and authority conferred on it by some agreements.

The Obligation of States and Centre

The Constitution has placed restrictions on the states for the executive powers to leave room for the central government to exercise and implement their executive powers unrestrictedly. Therefore, the executive powers of the state should be practiced to ensure coordination with the laws made by the Parliament of India. It should not impede the executive powers of the central government in the state.

Centre's Direction to States

The central government has got the right to direct the state to exercise the executive powers in the following cases:

- The construction of the means of communication is important from the national or defense point of view.
- Cases related to the protection and maintenance of the Railways in the states.
- Allowing usage of the common language (mother tongue) to the students at the primary age of schooling.
- Preparation and application of the schemes related to the [scheduled tribes](#) in the states.

All-India Services

In a federal country like India, there is a separate administration system. The state and the Centre have separate administrative bodies for maintaining law and order. However, the most important administrative bodies- the [IAS](#), IPS, [IFS](#), and IES serve the state and Centre, turn by turn.

Indian Civil Services was replaced by the Indian Administrative Services, and Indian Police was replaced by the [Indian Police Services](#) in 1947. The third major category was added in 1966, i.e. the [Indian Forest Services](#).

Exception for the All India Services-

The provision of the All India Services is against the rule of [federalism](#), but still, it is supported by the facts that-

- The All India Services help balance the administration at the Centre and state levels.
- All India Services helps maintain the administration's uniformity throughout the country.
- All India Services facilitate the liaison on the issues of the common interest of the State and Centre.

Public Service Commissions

Public Service Commissions are specially created for the state. Therefore, the working bandwidth of the Public Service Commissions administrators is limited to states.

- There are mixed roles of the Centre and state in PSC, as the governor of the state appoints the chairman and the commission members, but the President of India can remove them.
- On the special requests made by two or more states, there is a provision in the constitution that empowers the parliament to create a Joint Public Service Commission(JPSC) whose chairman and members will be appointed by the President.
- The UPSC can assist the Public Service Commission if the governor makes a special request (only with the consent of the President).
- The [Union Public Service Commission](#) helps the states to frame and Operate the scheme of joint recruitment for any services.

Integrated Judicial System

Earlier in this article, we discussed that there is no provision for the decentralization of powers in the [Judiciary System](#). Still, the constitution has established the [Supreme Court](#) at Union and state high courts. This step was taken to reduce the diversities in the remedial procedures.

The President of India appoints the [High Court](#) Judges after consultations with the Chief Justice of India and the Governor of State. Interestingly, there is a provision for establishing a common High Court for two or more

states. For example, - Maharashtra- Goa, and Punjab-Haryana have common High Courts.

Financial Relations Between Centre and State

Financial relations between the Centre and State in India pertain to the distribution and management of financial resources between the central government and state governments. These relations involve the allocation of funds, revenue sharing, and financial transfers to support various developmental activities and welfare programs. The Centre State Financial Relations are divided on certain parameters as:

Allocation of Taxing Power

The taxation powers between the Centre and state are divided in the following ways:

- The Parliament can levy taxes on the 13 subjects enlisted in the union list.
- The state can levy taxes on 18 subjects on the state list.
- The concurrent jurisdiction isn't available for taxation.
- A special exception tax for the Goods and Services Tax has been added to the 101st Amendment Act of 2016.

Distribution of Tax Revenues

The distribution of taxes between Centre and state is as follow:

- Taxes are levied by the Centre but collected by the states under Article 268. The taxes under this category include the stamp duty on bill exchanges, cheques, transfer of shares, etc.
- Taxes are levied and collected by the Centre but are assigned to the states under Article 269 on sales and purchase of goods or consignment of goods in commerce.
- Imposing and collection of GST in the course of interstate commerce under article 269A.
- The taxes are divided and collected by the Centre but distributed among the state and Centre under [Article 270](#).
- The taxes which are imposed are collected and kept with the state itself.

Distribution of Non-Tax Revenues

Centre State Relations for non-tax revenues are mentioned below.

For the Centre

- Banks
- Information and broadcasting
- Currencies
- Post and telegraphs
- Railways
- Central and public sector enterprises
- Escheat and lapse
- Other types of non-taxes revenue

For the States

- Irrigation
- Fisheries
- Forest
- Public sector enterprises
- Escheat and lapse
- Other types of non-taxes revenue

GST

The goods and services tax was implemented with the [101st Amendment Act](#) of 2016. It aims to make the administration of goods and services smooth and efficient process. The President of India is empowered to constitute a [GST council](#) under Article 279A. The GST council is a joint forum for Centre State at common ground.

Finance Commission

The [finance commission](#) is a judicial body under [Article 280](#). The finance commission is constituted after every 5 years by the president of India with some recommendations. It is important to add recommendations in each revision. The Constitution considers the finance commission to be the balancing wheel of fiscal federalism.

What are Centre State Relations in India?

The Constitution of India follows the federal structure and divides all of its power between the Centre and the states. The powers are divided between Centre State Relations in executive, legislative, and financial powers. The government of India is divided according to the constitution into three levels: the **central government**, the **state government**, and the **local organization** or **panchayat**. In India, three categories of legislative

relations, financial relations, and administrative relations can be used to classify the relationship between the Center and the states.

Centre State Relations UPSC

Centre State Relations topic is part of Indian Polity and is covered comprehensively in the [UPSC Polity books](#) like M. Laxmikanth. With a leaning toward the center, center-state relations deal with the division of authorities in legislative, administrative, and financial terms. The topic holds great importance for the [UPSC exam](#).

Centre-State relations involve the distribution of powers between the central government and state governments in India. Solving [UPSC previous year question papers](#) can help candidates understand the dynamics of this topic and the types of questions asked.

Centre State Relations UPSC Questions

Candidates aiming for the [IAS exam](#) can go through comprehensive information about the topic to understand its fundamental concepts. As the Centre State Relations is an important topic covered in the [UPSC syllabus](#). Candidates can check the sample question on Center State Relations below.

Question: Which article of the Indian Constitution deals with the intergovernmental relations between the Centre and the States? (A) Article 256, (B) Article 282, (C) Article 356, (D) Article 365

Answer: (A) Article 256

Question for UPSC Mains: Discuss the role of the Inter-State Council in strengthening Centre-State relations in India. Illustrate with examples.

Question for UPSC Mains: Assess whether Article 246 is the cornerstone of Centre-State relations. Discuss if the concurrent list muddled the scope of the federal government's and the state's legislative authority.

Question for UPSC Mains: Describe briefly the Centre-States Relations as it is described in the Constitution.

The Union executive consists of the President, the Vice-President, and the Council of Ministers with the Prime Minister as the head to aid and advise the President.

President

The President is elected by members of an electoral college consisting of elected members of both Houses of Parliament and Legislative Assemblies of the states in accordance with the system of proportional representation, by means of single transferable vote. To secure uniformity among state inter se, as well as parity between the states as a whole, and the Union, suitable weightage is given to each vote. The President must be a citizen of India, not less than 35 years of age, and qualified for election as member of the Lok Sabha. His term of office is five years, and he is eligible for re-election. His removal from office is to be in accordance with procedure prescribed in Article 61 of the Constitution. He may, by writing under his hand addressed to the Vice-President, resign his office.

Executive power of the Union is vested in the President, and is exercised by him either directly or through officers subordinate to him in accordance with the Constitution. Supreme command of defence forces of the Union also vests in him. The President summons, prorogues, addresses, sends messages to Parliament and dissolves the Lok Sabha, promulgates Ordinances at any time, except when both Houses of Parliament are in session, makes recommendations for introducing financial and money bills and gives assent to bills, grants pardons, reprieves, respites or remission of punishment or suspends, and remits or commutes sentences in certain cases. When there is a failure of the constitutional machinery in a state, he can assume to himself all, or any of the functions of the government of that state. The President can proclaim emergency in the country if he is satisfied that a grave emergency exists, whereby security of India or any part of its territory is threatened, whether by war or external aggression or armed rebellion.

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Vice-President

The Vice-President is elected by members of an electoral college consisting of members of both Houses of Parliament in accordance with the system of proportional representation by means of single transferable vote. He must be a citizen of India, not less than 35 years of age, and eligible for election as a member of the Rajya Sabha. His term of office is five years, and

he is eligible for re-election. His removal from office is to be in accordance with procedure prescribed in Article 67 b.

The Vice-President is ex-officio Chairman of the Rajya Sabha and acts as President when the latter is unable to discharge his functions due to absence, illness or any other cause, or till the election of a new President (to be held within six months when a vacancy is caused by death, resignation or removal or otherwise of President). While so acting, he ceases to perform the function of the Chairman of the Rajya Sabha.

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Council of Ministers

There is a Council of Ministers headed by the Prime Minister to aid and advise the President in exercise of his functions. The Prime Minister is appointed by the President, who also appoints other ministers on the advice of Prime Minister. The Council is collectively responsible to the Lok Sabha. It is the duty of the Prime Minister to communicate to the President all decisions of Council of Ministers relating to administration of affairs of the Union and proposals for legislation and information relating to them.

The Council of Ministers comprises Ministers who are members of Cabinet, Ministers of State (independent charge), Ministers of State and Deputy Ministers.

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