

1. B.com.LL.B five years
course second semester
constitution -2
(29-3-2020)
UNIT-2
Relation between the
union and the state

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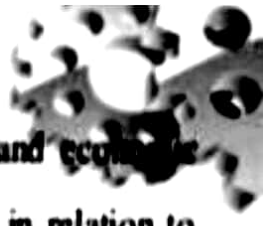
INTRODUCTION



"The time has come to pool our collective experiences and move forward to realize the objective of a vibrant Panchayati Raj, within the broader objective of improved Centre-State relations. Centre-State relations can improve only if there is a feeling of being one and being together, jointly striving to solve the many economic, social, and political problems that face us. A continuous system of consultation with the States is, therefore, necessary.

--5th Inter-State Council Meeting, Atal Bihari Vajpayee, Prime Minister of India

- **The union and the states derive their authority from the constitution which divided all powers - legislative, executive and financial as between them.**
- **The Indian constitution defines the division of responsibilities between the national and state governments.**



- **The central government enjoys exclusive control over defence, foreign affairs, and economic policy. Central control over finances has greatly reduced the state's powers, even in relation to subjects they administer.**
- **States look after agriculture, education, and law and order.**
- **Part XI & Part XII of the constitution running from Article 245 – 293 deals with centre – state relations in India.**
- **The constitution under Part XI deals with legislative and administrative relations.**
- **And Part XII deals with Financial relations between the two levels of governments. Thus, our constitution itself has clearly divided and distributed the legislative, executive & financial powers between the centre & states.**

- ***In Jayantilal Amratlal v. F.N. Rana AIR 1964***, the distinction has been drawn between :-
- **Functions vested in the union and exercisable by the president on behalf of the union, and**
- **Functions entrusted to the president by express provisions of the constitution.**
- **Only the former function, but not the latter can be entrusted to the states under Art. 258.**

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