

Administrative Relations

The distribution of legislative authority has resulted in a shared executive branch between the federal government and the states.

Article 256 to 263 of the constitution deals with the administrative relation between the Centre and States.

Distribution of Executive Powers

The centre's power encompasses the entire nation when it comes to matters over which it has exclusive jurisdiction (union list), as well as when it exercises any rights, jurisdiction, or authority granted to it by a treaty or agreement.

The subjects listed in the state list fall under the state's purview.

The states have the executive authority in matters involving the concurrent list.

The state's executive branch must act in a way that ensures the laws established by Parliament are upheld.

A state's executive power may not be interfered with or affected in any way.

The Obligation of States and the Centre

The constitution has placed two restrictions on the executive power of the states in order to give ample scope to the centre for exercising its executive power in an unrestricted manner.

- The state's executive branch must act in a way that ensures the laws established by Parliament are upheld.
- As not to prejudice the executive power of the centre in the state.

In both cases, the executive power of the Centre extends to giving such directions to the state as are necessary for the purpose.

The sanction behind these directions of the Centre is coercive in nature.

Thus, **Article 365** says that where any state has failed to comply with any directions given by the Centre, it will be lawful for the President to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution. It means that, in such a situation, the President's rule can be imposed in the state under **Article 356**.

Centre's Direction to the States

In Centre-State Relations, the following circumstances are where the Centre may provide advice to states:

Construction and maintenance of communication systems deemed to be of national or military importance by the government.

Actions to be taken to guarantee the state's railways are safe.

Provision of enough resources for students from linguistic minority groups to receive elementary school instruction in their home tongue.

The creation and execution of specific initiatives for the ST's welfare in the various states.

Mutual Delegation of Functions

To decrease rigidity and prevent a deadlock, the constitution permits intergovernmental delegation of executive authorities.

With the state government's approval, the president may delegate the union's executive functions to it.

The governor may delegate the executive responsibilities of the state to the union with the approval of the federal government.

This agreement to share authority may be either conditional or unconditional.

The constitution also permits the state to provide the union executive authority without the state's consent.

But such delegations are made by Parliament, not by the President. The executive authority of a state, however, cannot be transferred in the same manner.

Cooperation Between Centre and States

The following provisions have been included to ensure cooperation and coordination between the centre and the states.

Parliament has the authority to rule on any dispute or grievance involving the use, distribution, and management of any interstate river's and river valleys' water resources.

The President has the power to convene an inter-state council to examine and deliberate on subjects of common interest between the centre and the states.

All of India is required to provide full faith and credit to the public actions, records, and judicial proceedings of the federal government and each state.

In order to carry out the constitutional requirements relating to interstate trade, commerce, and intercourse, Parliament has the authority to designate the proper authorities.

All India Services

In 1947, [the colonial Indian Civil Service \(ICS\)](#) and Indian Police (IP) were replaced by the Indian Administrative Service (IAS) and Indian Police Service (IPS).

As the third all-India service in the nation, the Indian Forest Service (IFS) was founded in 1966.

The members of All India Services occupy the top positions under both the Centre and States. But they are recruited and trained by the centre.

The ultimate control lies with the central government while immediate control vests with the state governments.

Article 312 of the Indian constitution gives Parliament the authority to create an all-India service provided the Rajya Sabha passes a resolution to that effect.

With the combination of these three services, a single service is created with uniform pay schedules, rights, and status.

All India Services is required for:

- Assist in maintaining the federal government and the states' administrative standards high.

- Aid in ensuring that the administrative framework is consistent throughout the nation.
- They enhance communication, collaboration, coordination, and cooperative action between the federal government and the states on issues of shared concern.

Public Service Commission

The centre-state relationships in this area are as follows:

- The state public service commission's chairman and members are chosen by the governor, but only the president has the authority to remove them.
- The President appoints the chairman and members of the state public service commission in cases when two or more states request that Parliament establish a combined public service commission.
- The President's approval is required for [UPSC](#) to help the state public service commission at the governor's request.
- In order to create and implement joint recruiting plans for any services that require candidates with certain qualifications, the UPSC works with the states.

Integrated Judicial System

Despite its dual polity, India has built an integrated judicial system.

This unified judicial system is in charge of enforcing both federal and state laws.

The judges of a high court are appointed by the President of India, in consultation with the Chief Justice of India and the governor of the state.

The President has the power to transfer or remove them.

Parliament has approved the creation of joint high courts for two or more states.

Relation During Emergency

During a national emergency, The centre has the authority to provide directives to the state on any matter.

The State governments are brought under the complete control of the centre, though, they are not suspended.

When President Rule is imposed in a state, the president may exercise the duties and authority vested in him and powers vested in the governor or any other administrative authority in the state.

During a Financial Emergency, The President may also give other crucial orders, such as lowering the salaries of high court judges and state personnel. The centre may require states to abide by financial propriety canons.