

- 1. "ALTHOUGH THE DISTRIBUTION OF POWERS BETWEEN TWO GOVERNMENTAL UNITS (NATIONAL AND REGIONAL) APPEARS TO BE SAME IN BOTH INDIA AND UNITED STATES, YET THERE ARE SOME APPARENT DISTINCTIONS BETWEEN THE TWO." EXPLAIN.**

Answer

Both the US and India have federal system of governance. The distribution of powers between the federation and its units in the two is constitutionally defined. The Constitution of India in Seventh Schedule has made elaborate mechanism for distribution of power between Union of India and its constituents. In contrast, in the USA few expressly mentioned matters are with the federal government and the rest of matters are with the State governments. Three Lists provided in the Constitution of India are exhaustive in nature and contain important subjects of national and inter-state importance in the Union List, subjects of regional importance in the State List and subjects of common interest in the Concurrent List. The subjects not mentioned in the Three Lists rest with the Union Parliament. In other word, the residuary legislative power in the USA lies with the States whereas in case of India it lies with the Parliament. In the USA many powers belonging to the federal government are shared by state governments. Such powers are called concurrent powers. In India parliament can make laws on state lists in certain circumstances like emergencies, giving effect to international treaties. No such power is enjoyed by US federal government. States in India enjoy less autonomy in financial matters than those of the USA.