

Seventh Schedule of Indian Constitution - Article 246

The 7th Schedule of the Indian Constitution deals with the division of powers between the Union government and State governments. It is a part of [12 Schedules of Indian Constitution](#). The division of powers between Union and State is notified through three kinds of the list mentioned in the seventh schedule:

1. Union List – List I
2. State List – List II
3. Concurrent List – List III

Union List, State List, Concurrent List – Introduction

As mentioned earlier, Article 246 deals with the 7th Schedule of the Indian Constitution that mentions three lists named as Union List, State List and Concurrent List which specify the divisions of power between Union and States.

The key features of Union List, State List & Concurrent List are mentioned in the tables below:

7th Schedule of Indian Constitution – Union List
It originally had 97 subjects. Now, it has 100 subjects
Centre has exclusive powers to makes laws on the subjects mentioned under the Union List of Indian Constitution
The Union List signifies the strong centre as it has more subjects than state list
It contains more important subjects than included in any of the other two lists
All the issues/matters that are important for the nation and those requiring uniformity of legislation nationwide are included in the Union List
The dominance of Union List over State List is secured by the Constitution of India as in any conflict between the two or overlapping, the Union List prevails
Law made by the Parliament on a subject of the Union List can confer powers and impose duties on a state, or authorise the conferring of powers and imposition of duties by the Centre upon a state
There are 15 subjects in the Union List on which Parliament has an exclusive power to levy taxes
88th Amendment added a new subject in the Union List called 'taxes on services.'
Supreme Court 's jurisdiction and powers with respect to matters in the Union list can be enlarged by the Parliament

7th Schedule of Indian Constitution – State List

It has 61 subjects. Earlier, it had 66 items.

[42nd amendment Act 1976](#) shifted below mentioned five subjects from State list to Concurrent List:

- Education
- Forests
- Protection of wild animals and birds
- Weights and measures and
- Administration of justice, constitution and organisation of all courts except the Supreme Court and the High Courts

The laws can be made on the subjects enumerated under the State List of the Indian Constitution exclusively by the State legislatures. However, all these can be done only under 'Normal Circumstances.'

Article 249 gives Parliament the power to legislate concerning a subject enumerated in the State List in the national interest

Parliament can legislate on subjects that are enumerated under the State List on three conditions:

- When [Rajya Sabha](#) passes resolution
- During a national emergency (Article 250)
- When two or more states pass a resolution requesting Parliament to legislate on subjects under State List

Note:

1. On states' resolution, the law made is only applicable to such states that passed a resolution. However, other states can too adopt it by, passing the same resolution.
2. The law made by the Parliament on States' resolution can be amended or repealed by the Parliament only and not the states:
 - For the implementation of International Agreements
 - During President's Rule

The matters of regional and local importance and the matters which permits diversity of interest are specified in the State List

There are 20 subjects in the State List on which states' legislatures have an exclusive power to levy taxes

The 69th Constitutional Amendment Act of 1991 made special provision in relation to National Capital. Laws cannot be made by Delhi government on three subjects under State List named as – Public Order, Police & Land

7th Schedule of Indian Constitution – Concurrent List

It has 52 subjects enumerated under it

42nd amendment Act 1976 shifted below mentioned five subjects from State list to Concurrent List:

- Education
- Forests
- Protection of wild animals and birds
- Weights and measures and
- Administration of justice, constitution and organisation of all courts except the Supreme Court and the High Courts

The concept of 'Concurrent List' in the Indian Constitution has been borrowed from the Constitution of Australia

Central Government and State Government both can make laws on the subjects mentioned under the Concurrent List

While both Central and State Government can legislate on subjects mentioned under Concurrent List, however, in case of any conflict, the law made by the Central Government prevails

The matters on which uniformity of legislation throughout the country is desirable but not essential are enumerated in the concurrent list

There are 03 subjects in the Concurrent List on which both Central and state governments have the power to levy taxes

Subjects under Union List, State List and Concurrent List

The subjects that are enumerated under the Union List are mentioned below. Aspirants should know the Union List subjects, State List subjects and Concurrent Lists for the prelims and mains exam.

Union List Subjects:

Some of the important subjects are:

1. Defence
2. Army
3. International Relations
4. Ports
5. Railways
6. Highways
7. Communication

State List Subjects:

Some of the important subjects are:

1. Public order
2. Police
3. Public health and sanitation
4. Hospitals and dispensaries
5. Betting and gambling

Concurrent List Subjects:

Some of the important subjects are:

1. Education
2. Forest
3. Trade unions
4. Marriage
5. Adoption
6. Succession

Candidates reading this topic, '7th Schedule of the Indian Constitution', can also read the below-mentioned articles for Indian Polity preparation:

10th Schedule of the Indian Constitution	Sources of Indian Constitution	Preamble to the Indian Constitution
Important Amendments in Indian Constitution	President's Rule – Article 356	44th Amendment Act 1978