

# CENTRE-STATE RELATIONS IN INDIA: ISSUES AND CHALLENGES

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**Abstract:** The constitution of India has classified the legislative, executive and financial powers between the centre and the states, which gives the constitution a civic character whereas judiciary is incorporated in a categorised structure. The centre-state relations are distributed into three parts, such as (A) Legislative Relations (B) Administrative Relations (C) Financial Relations. Article 245 to 255 of the constitution elucidates the legislative relations between them. While, Article 256 to 263 describe the administrative relations and Article 268 to 293 explained about financial relations between centre and state government. Several committees and commissions constituted for constitutional amendments for strengthening the centre state relations through decentralized the powers to state government. 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendments decentralized the power to state through local governance. This present paper attempts to find out the outlines of Issues and Challenges of Centre-State relations in India through descriptive research methods along with collected secondary sources from books, journals, magazines, government gazette reports and various commissions and committees report and etc.

**Index Terms - Centre-State relations, Constitutional Amendments, Decentralized, Legislatures.**

## I. INTRODUCTION

The constitution of India has classified the legislative, executive and financial powers between the centre and the states, which gives the constitution a civic character whereas judiciary is incorporated in a categorised structure. The centre-state relations are distributed into three parts, such as (A) Legislative Relations (B) Administrative Relations (C) Financial Relations. Article 245 to 255 of the constitution elucidates the legislative relations between them. While, Article 256 to 263 describe the administrative relations and Article 268 to 293 explained about financial relations between centre and state government. In the framework of centre-state relations, an assessment of the federal structure of government in the Constitution is very essential. In fact a centralized structure is a design of government in which there is separation of power on regional basis between the centre and states. This parameters the attention of power and authority in the hands of only one government as the country's powers get divided between the centre and states. Thus both are limited governments (Ashok Chandra, 1965).

India is the seventh biggest country in the world in terms of area. Independent India faced demands of better autonomy and departure by our modern states, the seeds for which were sown during the British period. In this context the centre-state relations acquire vital significance. Given the over demeanour unitary features in the Indian constitution which obviously states that India is an union of states not a federation of states, the Indian state have materialized to be 'quasi-federal' in structure. This setup has been a cause of tension between the powerful centre and relatively weaker states. When alliance politics has been developed, states have been attained an essential role, through their provincial parties to have a greater say in the national decision making. States today act not only as a force group but are at the forefront for trade, business and increasingly play a crucial role even in foreign policy (Jain, Kashyap and Srinivasan, 1972).

## II. CONSTITUTIONAL PROVISION FOR CENTRE-STATE RELATIONS

The Constitution of India is decentralized in form but is more unitary in character. Reinforcement the federal system is compulsory for meeting the goals of the people who are administered through state governments and for stabilising the accord of India. The Indian Constitution makers also accepted the federal arrangement for the supremacy as India had got freedom after a long struggle for independence of the country and liberty of the people. The Constitutional frame workers, who conscripted it, safeguarded limited government by accepting the federal construction of governance without mentioning to the term federation. The Constitution of India came into force on January 26, 1950.

## III. DIFFERENCE BETWEEN INDIAN CONSTITUTION SETUP AND USA

But the Constitutional frame workers of India differed from the USA's federal system and combined it with the parliamentary form of government. In the USA's federal system there is no provision for national emergency in peacetime which can only be declared in times of emergency or war.

When the peacetime the USA's government cannot be dissolved in a fashion similar to India. In the Indian federal system there is the provision of imposition of national crisis that could also be executed in case of internal disturbance in the States. Along with the national crisis, there is a provision of President's Rule in the States, if the constitutional mechanism miscarries in States. The Alternative Power has been used 126 times and also been misused for the political purpose to have a favourable government in the States or to displace unfavourable governments led by opposition parties (Basu, D.D, 2011).

The centre-state relations, i.e. the arrangements between the union government and the states in regard to their powers, functions and responsibilities, have always been a crucial issue. The basic structure remains to be one where legislative, administrative and financial powers are disproportionately concentrated in the union government with the states having a large number of responsibilities without sufficient autonomy. Along with significant socio-economic and political changes occurring in the post-independence period, centre-state relations have also undergone some changes (Report of the study team on centre state relations, 1968).

#### IV. DIFFERENT COMMITTEES AND COMMISSIONS CONSTITUTED FOR CENTRE- STATE RELATIONS

The following committees and commissions instituted for different periods in connection with the centre-state relations.

- P.V.Rajamannar Committee
- Anandpur Sahib Resolution
- West Bengal Memorandum
- R.S.Sarkaria Commission
- M.M. Punchhi Commission
- National Commission to review the working of the Constitution (Justice MNR. Venkatachaliah Commission)
- First Administrative Reforms Commission
- Second Administrative Reforms Commission and etc. (R.Kajendran, 2019).

##### 4.1. Formation of Constitutional Amendments for Decentralized the Power to State

After several decades recommendations of various commissions the administrative matters were divided into the centre and the state, with state subjects further divided into transferred and reserved. The transferred subjects were to be governed by the governor in conjunction with the ministers of the legislative council. The act also empowered provinces to prepare budgets, levy taxes and include elected members in the Upper and Lower Houses. Despite this division of powers, it was not a truly federal in nature, since all residual powers were left with the centre, and those with the states were not constitutionally granted, but were through the largesse of the central government. Further-more various commissions and teams visited in India when the first Prime Minister of Jawaharlal Nehru after wards then the Prime Minister Indira Gandhi and etc for the constitutional amendments particularly formations of decentralized the strengthen the hands of the states in carrying out their local functions.

To achieve these changes the constitution was amended in 1993, under the 73<sup>rd</sup> and 74<sup>th</sup> amendments. The significant changes under these two were as follows:

- Accord to municipal corporations and panchayats constitutional status.

Provide the structure of urban local bodies; provides for their regular, free and fair elections; makes provision for reservation of seats for SC, ST and OBCs; fixes their term to five years; protects them against indiscriminate dissolution, specifies their powers and responsibilities; and attempts to strengthen the financial base of the urban local bodies. Their significance was that it strengthened administrative federalism by encouraging the delegation of administrative and financial powers from the states to the local bodies. It made India into a 'federation of federations' by scattering hundreds of thousands of constitutionally valid local governance units across the country. The quantum of aid provided to the states during this period also increased in an effort to reduce the debt deficit and these in turn made the states much more powerful than they earlier were. What also helped the cause of the states was the growing clout of the regional parties which were prominently gaining in strength. Following the Sarkaria commission report, the centre created the Inter-State Council (ISC) which was chaired by the prime minister and consisted of all the state chief ministers and six members of the union cabinet (Mahajan, 2017). The rise of these regional parties based on linguistic, regional and caste identities allowed them to gain significant electoral successes, which further consolidated their power with coalition governments being formed at the centre. According to Christophe Jaffrelot, the smaller parties served, at least theoretically, as a balance against the excessive concentration of authority in Delhi (Jefrolot, 2012).

The tensions between the centre and the states were progressively becoming more complex, as further explained in this paper. Challenges remain on three pertinent arguments.

- a) Retaining the present federal structure,
- b) Redefining the federal structure and
- c) Reassessing the Constitution which means redefining federalism and also changing the form of government at the Centre (Singh and Misra, 2013).

##### 4.2. Constitution arrangement between the Centre and the State

The constitution lays down the division of powers between the Centre and the states in the Seventh Schedule in three lists exhausting "all the ordinary activities of government.

- a. Union List
- b. State list
- c. Concurrent list.

The Union List gives the Centre exclusive authority to act in matters of national importance and includes among its nearly 100 items defense, foreign affairs, currency, banking duties and income taxation.

The State List, with 66 items includes public order and police, welfare, health, education, local government, industry, agriculture, and land revenue.

The Concurrent List contains 47 items over which the Centre and the states share authority.

Relationship between Centre and States in India establish the essential elements of the federalism. The Union and State Government collaborate for the welfare and well-being of the citizens of India. The works together in the field of environmental protection, terror control, family control and socio-economic planning. The Indian constitution aims at reconciling the national unity while giving the power to maintain state to the state governments. It is true that the union has been assigned larger powers than the state governments, but this is a question of degree and not quality, since all the crucial structures of a coalition are contemporary in the Indian constitution. This is frequently clear to be quasi-federal in nature. Thus, it can be securely said that Indian Constitution is mostly centralized in nature even though it has exclusive features that enable it to assume unitary features upon the time of need. Federal but its spirit is unitary.

## V. CONCLUSION

After various agitations, conflict, and controversial between central and state government during several decades by different central and state political parties ruled the government. A long and recent past state facing the threat from the centre especially in state's autonomy, Anti Hindi agitation, all India services, misuse of article 356, revenue sharing between centre and states, Appointment of governor, River Water Crisis(Cauvery and Mullaperiyar River water sharing issue), problems for Indian Diaspora, Jallikattu protest in Tamil Nadu, Katchathevu issue, Sethusamuthram project, drought relief, disaster management, crisis regarding the powers and position of governor, centrally sponsored programmes, Food Security Act 2013, Central allocation for PDS in Tamil Nadu, issues of development projects i.e, ONGC oil plant at Neduvasal and Kathiramangalam, sterlite copper industry at Tuticorin, Kudangulam Nuclear Power station, ban of Dam 999, Atomic research centre at Theni district, GST, infrastructure development and environmental degradation etc., The study is effusively focused on the legislative relations between Tamil Nadu state and the centre (Kajendran, 2019).

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