
UNDERSTANDING OF CENTRE – STATE RELATIONS: A PERSPECTIVE FROM THE CONSTITUTION OF INDIA AND THE PRESENT REALITY

Dr. Salu Dsouza

*Assistant professor in Political Science, Symbiosis Law School,
Symbiosis International (Deemed University), Wathoda, Nagpur, Maharashtra State, India
Email:saludsouza@yahoo.com*

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Abstract: The USA is the best example for federal system of government; where else the United Kingdom has unitary system of government. India follows a quasi-federal structure, where central government gets more power than the state governments. However, in India, it is interesting to see three lists, namely, Central list, State list and the Concurrent list in which legislative subjects are mentioned. Based on this structure, Indian political system has been functioning since independence. The Congress political party has ruled over India both at central and state levels for decades. As dissidence emerged in 1970s, Congress lost its control over the party that eventually gave rise to opposition parties. The parties formed their own governments at central and state levels. The big Banyan tree, as it was once called, the congress party gradually lost its hold over the states and at the central level, there by other political parties who were victorious formed the government and forced the Grand Old Party, the Congress, to sit in the opposition.

Whichever political party formed the government at New Delhi, it started to utilize the services of the state governors to topple the governments that were of different political parties. Thus, the tussle between centre and states resulted in the deterioration of centre-state relations. The relations were largely functional on three aspects. Legislative, Administrative, and Financial. The part XI of Indian constitution with various articles speaks of centre-state relations. My research paper looks at how we can understand centre – state relations in the present political scenario and the constitutional provisions that are available for the smooth functioning of centre and the states irrespective of which political party forms the government at centre and at state level. The paper also tries to elaborate with evidences how central government can remove the state governments through various means especially by asking a report from the state governor.

Keywords: Centre, Sate, Relations, Governor, Opposition, Party, Politics.

Introduction: Indian constitution has adopted the quasi-federal and the quasi-unitary system of political structure in which we can see the states should function as per the instructions of the central government. However, of late, the central government which belong to one particular political party troubling the states which has government formed by other political parties. The central government very often meddles with states through the office of the governor or by sending notes time to time. Having said this, if we see the political history of India, the Congress party ruled over India for many years beginning with 1947. During those days, the Congress party had no opposition and most of the states had governments ruled by

congress party. Hence, there was no problem. Gradually, Congress party members who were senior in age and experience started to question the grand old party's policies, nepotism and corruption. The members who were loyal to Nehru and Indira Gandhi either expelled such members or suspended their membership for few years. Such members who were humiliated by the Congress party formed their own political party at national and regional level.

Starting from 1967, in some of the states, other political parties formed the governments. The Communist Party came to power in the state of Kerala. However, at the centre Congress party remained in power. During those years, the centre state relations diluted. It was not only the political reasons that fueled the centre-state relations but also other reasons such as imposition of Hindi language in South India, especially in the state of Tamil Nadu, where massive protest took place in 1960s under Karunanidhi also strained Centre-State relations. The relations among states also had its effect on the central government. For instance, the long-standing Kaveri water-sharing problem between the states of Karnataka and Tamil Nadu had its own relationship impact on the centre because of the different state governments ruling in Tamil Nadu, Karnataka and at the centre. In Tamil Nadu, it was regional political parties such as AIADMK and DMK ruling over the state and in Karnataka; it was most of the years Congress, then Janata Dal and later came the BJP. Given these scenario at states, the Centre had the upper hand by sending the governor of its choice to trouble the state governments.

The framers of Indian Constitution had foresightedness, thereby, adopted the provisions of Centre-State relations. Thus, Part XI of the constitution of India specifically speaks about Centre – State Relations in Legislative, Administrative and Financial spheres.

The Background for the Straining of Centre – State Relations: As I have mentioned in the previous paragraph, the Centre had Congress political party as ruling party for India. The Indian Independent struggle was mostly concentrated in the North Indian states; hence, the most of the members of the grand old congress party were from Northern states and were loyal to Nehru-Indira family. Till 1967 there was no opposition as such to the congress party. Steadily, the opposition grew up at different states, as the Centre started to interfere with the local issues. It was in 1977, where the Janata party governed the centre and many of the states in Indian union had congress government. During these years, there were strained relations between the centre and the states. Janata party went one-step further, removed all the congress ruled governments by dissolving the state assemblies, and won the elections when there was elections again. Thereby stabilizing the centre state relations.

After this situation, in 1980 there were elections to Loka Sabha where Congress party came to power. Here again the situation worsened because in many states Janata party was ruling. The relations started deteriorating, the congress dissolved nine states and other opposition controlled states. In the re-election, the congress won the states and the relations were restored. This went on for decades till the commission was formed with the mandate to suggest the ways and means of cooperation between centre and the states particularly when there were two different political parties ruling at the Centre and various state governments.

If we look at the Constitution of India, the chairman of the constitution drafting committee Dr. B. R. Ambedkar, once made mention of India as one nation, he commented as, "Though the country and the people may be divided into different states for convenience of

administration, the country is one integral whole, its people a single people living under a single imperium derived from a single source.” (Dr. B. R. Ambedkar).

While analyzing the above statement of Dr. B.R. Ambedkar on the administration of whole of India and that of different states, Ambedkar clearly showed that the Central government is supreme. Unlike USA where the federating units have the right to go away from the federation, in India the states have no right to declare independence or go away from the union of India. We do hope this situation does not arise though we have diversified interests at different places in India. States were created based on language and most recently, the state of Telangana was created on the basis of region. Regional disparities and local issues might become cause of disagreement between states and centre. For example, one such issue came up as soon as BJP government formed its rule at the centre in 2014. It was reported that Centre sent a note to the states to follow Hindi language while communicating with the centre. Immediately this issue flared up in southern states where Tamil Nadu and other southern states deplored upon the action of the central government. Later the issue was put to rest with the central government issuing a statement that it would not insist on Hindi language while states communicate with the centre.

The recently concluded election campaign brought out a whole list of regional issues especially between the nationalist party BJP and the TMC in West Bengal state. The friction between the central government led by the BJP and the TMC in Bengal would further escalate in the coming months that would surely give fodder to the mass media and the intellectuals keep commenting on the centre – state relations.

Centre – State Administrative Relations: It is not only that the majority central government threatening to state governments through the office of the state governor, it can also create problems for the states by bringing about administrative hurdles. Here is an example where we saw that in 2014 general elections Telugu Desam Party headed by Andhra Pradesh Chief Minister Shri Chandra Babu Naidu extended support to BJP at the Centre. TDP MP was also a minister in the NDA II government. Shri Chandra Babu Naidu went on reminding the BJP led NDA government to give special status to Andhra Pradesh state by giving a large sum of money to construct the state capital at Amaravati. However, centre brought out administrative hurdles and declared Andhra Pradesh would not get the special status. Hence, TDP came out from the NDA II government and there were always tensions between Andhra Pradesh and the Centre. The tension became more visible during the election campaigning in the May 2019 general elections by hurling accusations.

Many a time state passes laws though the governor should assent, give consent to those laws, his office reserves some of these laws, and send them to the President of India for his assent. In this way centre can delay any popular laws of the states and thereby bring out administrative hurdles to those states who are ruled by opposition parties. For example, when BJP was in power in the state of Karnataka, it passed a bill seeking a ban on cow slaughter. At that time centre was ruled by UPA, hence, the governor of Karnataka did not assent the bill but sent that bill to the president of India for his consent. The bill was not passed during the BJP tenure in Karnataka.

The Present Situation about The Centre - State Relations: As of now, there are few opposition ruled states. At the centre BJP along with its allies have good mandate to rule for another five years. The states like Rajasthan, Madhya Pradesh, Karnataka, and Chhattisgarh

could not send MPs as expected by them. This would definitely have repercussions on centre – state relations. Whenever state governments ask for more money to be released for any projects, the centre might completely turn down the project, release less money, or even make the project delayed by not giving sanctions. Whenever there is any natural calamity, the central team comes for assessment. Meantime, state governments assess the damage and ask the money from the centre. However, central government do not release the money in lump sum. When there was heavy rain and flood in the state of Kerala in the year 2018, the state government asked the centre to release Rupees twenty eight thousand crores. But the centre did not release that much of money. The government of UAE offered help but the BJP led central government refused to accept that grant from a foreign government. We need to keep in mind that there are majority of migrants working and doing the development of UAE are from the state of Kerala. Yet another example we can give of the recent cyclone Fani that battered the North Eastern states especially Odissa and West Bengal. The state government of Odissa welcomed the Prime Minister’s tour of cyclone-hit places and got some money from the centre. However, Mamata Banerjee led government of West Bengal did not bother to welcome the Prime Minister for doing aerial assessment of the damage. We need to see how the NDA III government would deal with opposition ruled states in India.

Suggestions to Improve Centre – State Relations: As we know that if the states and the centre ruled political party is the same then the problem of mistrust would not crop up. However, when opposition parties rule the state and one or a coalition partners rule the centre then the problem of friction in centre state relations happen. The constitution makers visualized this and there are enough mechanisms in the constitution to deal with this. The state as well as central governments formed few commissions in the past to look into the centre-state relations and suggest remedies. Among all the commissions, Sarkaria Commission is the best one that had enumerated various suggestions to improve centre state relations and avoid the frictions. How far the suggestions have been followed by every successive central government is a different question?

If the centre and the states think about the national development as their main goal then the problem of centre – state friction would not arise. But, as experience shows that the political parties who are ruling over are obsessed with the dynastic politics and favouring their own kith and kin. This also somewhat leads the bad mouthing and thereby friction happens. However, the present Prime Minister of India who had coined a slogan, “Sabka Saath, Sabka Vikas and Sabka Viswas” will see to that, there might not be problems with the centre while dealing with opposition led state governments. As the grand old party Congress has less number of its MPs in the Parliament, it would be interesting to see how the states led by congress would conduct themselves.

Though the constitution of India speaks about the cordial centre state relations through various articles in Part XI, in reality the relations are not cordial. In this development, the various committees that were set up had come up with the suggestions. The centre should implement these suggestions. National development should be given priority over the desire of forming governments by few political parties at any cost must be avoided.

Conclusion: The centre state relations in the coming months and years will improve further as the BJP is going to win most of the state assemblies. In case any regional parties form the governments in any states such as in the present scenario, the Chief Minister Y. S. Jagan Mohan Reddy of YSR Congress heads the state of Andra Pradesh, party could try to normalize

the situation by extending support to BJP government at the centre. In 2020, the elections for the Tamil Nadu government is going to be held. In this state, in case the DMK – Congress alliance forms the government then the normalization of the centre-state relations would be difficult. Having said so, the present TMC led government at the state of West Bengal had acrimonious scenes with the BJP where the caption of ‘tight slap of democracy’ was used by Mamata Banerjee was strongly objected by the External affairs minister Mrs. Sushma Swaraj who in her tweet mentioned, “Mamataji, you have crossed all limits today. You are the chief minister of a state while Modi is the prime minister of the country. Tomorrow you have to talk to him only...” (Hindustan Times, 08 May 2019). This shows that states should at least maintain decorum in their conduct while there are many chances to meet the central ministers and administrators. It is to be watched on how the coalition government of JD(S) and the Congress of Karnataka would conduct itself with the central government.

There are other congress ruled states in Rajasthan, Madhya Pradesh, Chhattisgarh, communist ruled state in Kerala, TRS in Telangana, Patnaik at Odisha would manage to maintain harmonious relations with the BJP ruled central government. It is also interesting to note that the diminished Congress MPs in the Parliament might not act as a check and balance between the Centre and the state. Given the present scenario, time might arise where one political party or a coalition that supports central government rules centre and the states. However, central government still can control the state governments’ thorough legislative, administrative and financial aspects. Though the constitution provisions speak about the cordial centre – state relations, in reality there is no good relations between states and the centre if different political parties rule at different states and at the centre. The national goal, determination to develop every sector within the set time frame would only help the relations to normalize.

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