

2.3 Friction Points in Federal Relations and their Management

2.3.01 The Indian Constitution has functioned without any serious impediment during the last 60 years and more, which shows the strength of its fundamentals. Of course, there were difficulties experienced which were overcome either through judicial interpretations or conventions or through Constitutional amendments. The need to quicken the pace of socio-economic transformation and the compulsions to preserve the unity and integrity of the Nation did throw up challenges to the harmonious development of Centre-State relations. The Parliamentary system of democracy could resolve some of those challenges and keep the country together on the path of economic progress and social well-being.

2.3.02 The first Commission on Centre-State Relations (Sarkaria Commission) appointed by the Government in 1983 to examine and review the working of the existing arrangements between the Union and the States made certain significant recommendations to address several points of friction having direct impact on Union-State relations. These include emergency provisions, the role of the Governor, deployment of Union Armed Forces in a State for public order duties, inter-state river water disputes, economic and social planning, All India Services etc. It is interesting to note that these are the very same items which continue to plague Centre-State relations and they form the terms of reference of the present Commission as well. In addition, the issues of control of prolonged communal conflicts, effective decentralization of powers through Panchayats/Municipalities and the development of common market are the additional terms referred for examination. This is indicative of the fact, either of the inadequacy of the measures recommended (assuming that they have been honestly implemented) or that the circumstances have changed warranting fresh solutions to restore the balance in federal governance.

2.3.03 It is important to notice that between the two Commissions on Centre-State Relations (first one in 1983 and the present one in 2007) there has been another National Commission to Review the Working of the Constitution appointed in 2000 (Venkatachaliah Commission) which submitted its report in 2002 containing several recommendations to smoothen Union-State relations. The points of friction identified also broadly coincided with those referred to the Second Commission on Centre-State Relations. Given the continuing tensions around the same issues, it is necessary to think of some permanent solutions in the interest of the federal polity, good governance and