



SNS COLLEGE OF ENGINEERING



An Autonomous Institution

Accredited by NBA – AICTE and Accredited by NAAC – UGC with ‘A’ Grade
Approved by AICTE, New Delhi & Affiliated to Anna University, Chennai

**DEPARTMENT OF ELECTRONICS AND COMMUNICATION
ENGINEERING**

Centre State Relations

Sub: Indian Constitution
Subcode:23MCT002
Unit-II
System of Government



Centre government

- **In India, before the formation of the federation the States were not sovereign entities. As such, there was no need for safeguards to protect States. On account of the exigencies of the situation, the Indian federation has acquired characteristics which are quite different from the American model.**



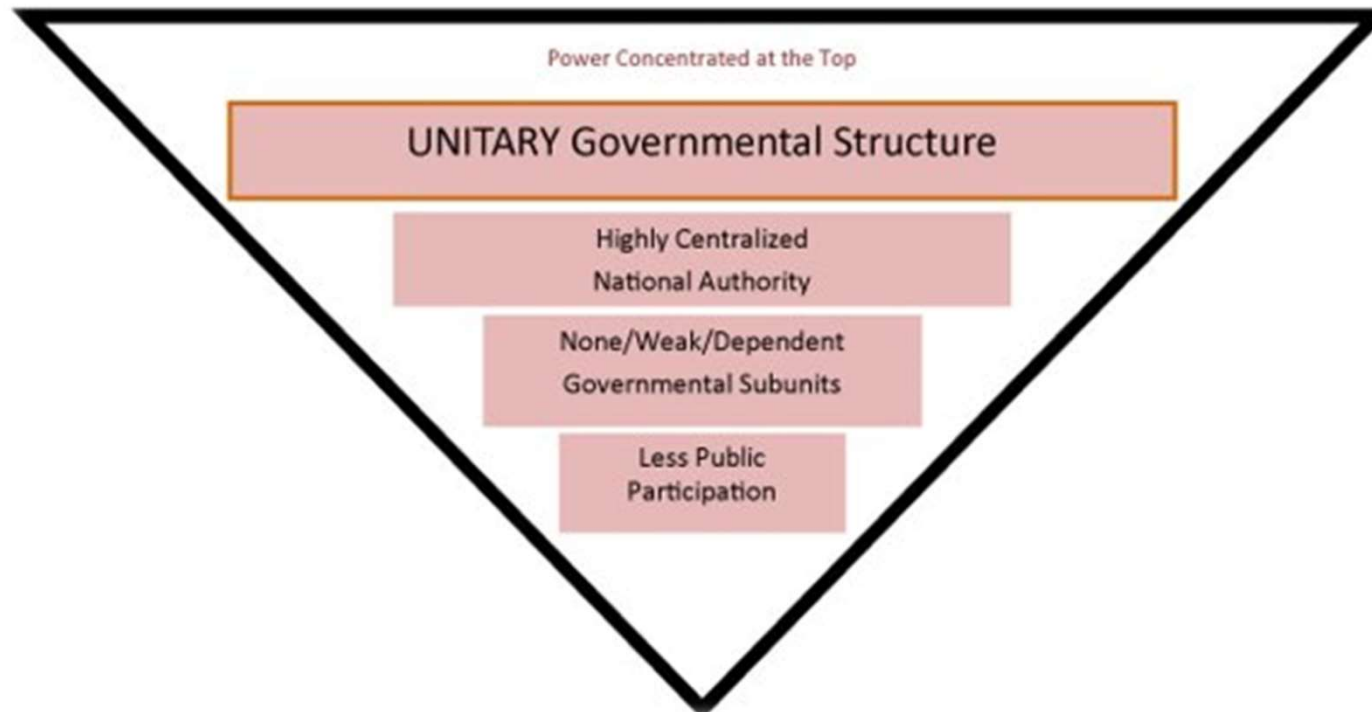
Centre State Relations

The Constitution of India provides a dual polity with a clear division of powers between the Union and the States, each being supreme within the sphere allotted to it. The Indian federation is not the result of an agreement between independent units, and the units of Indian federation cannot leave the federation.

Thus the constitution contains elaborate provisions to regulate the various dimensions of the relations between the Centre and the states.

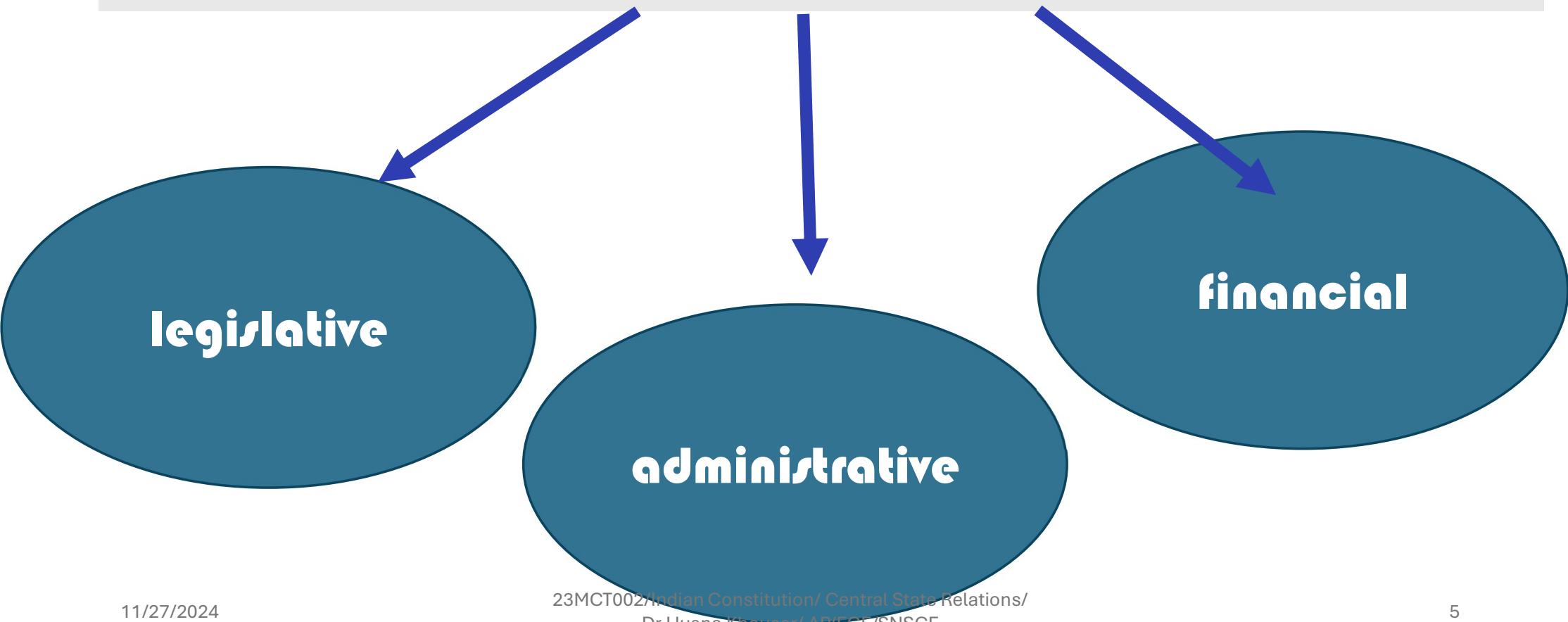


3 Structures of Government





The relations between centre and state are divides as:





Legislative relations

Articles 245 to 255 in Part XI of the Constitution deal with the legislative relations between the Centre and the State. Besides this there are some other articles dealing with same subject.

Thus, there are four aspects in the Centre-State legislations

- Territorial extent of Central and State legislation.
- Distribution of legislative subjects.
- Parliamentary legislation in the state field and
- Centre's control over state legislation.



Administrative relations

Articles 256 to 263 in Part XI of the Constitution deal with the administrative relations between the Centre and the states. In addition,

There are various other articles pertaining to the same matter

- Distribution of Executive Powers
- Obligation of States and the Centre
- Centre's Directions to the states
- Mutual Delegation of Functions
- Cooperation between the Centre and States
- Relations during emergencies



Financial Relations

Articles 268 to 293 in Part XII of the Constitution deal with Centre-state financial relations. Besides these, there are other provisions dealing with the same subject. These together can be studied under the following heads.

- Allocation of Taxing powers
- Distribution of Tax Revenues
- Grants-in-Aid to the States
- Protection of the State's Interest
- Effects of emergencies

Difference b/w Central & State government

Central Government	State Government
➤ A political authority that governs an entire country or nation is a central government.	➤ A unit of government that is specific for a state is a state government.
➤ The government for the entire country.	➤ The government of a specific state
➤ Regulates the trade between the states and with other countries	➤ Regulates the trade within the state borders
➤ Deals with national security and international diplomacy	➤ Related with the progress, development, law, and order
➤ Do not have to obey the instructions of State Government	➤ Obeys the instructions of central government
➤ Has a president to execute all operations at the central level	➤ Has a governor to execute all operations at the state level



Powers of central government

Some of the major powers of central government are as follows:

- Create and maintain armed forces
- Establish foreign policies
- Establish post offices
- Declare wars

Powers of State Government

Some of the major powers of state government are:

Issues permits and licenses.

Conduct elections.

Establish local government

Regular commerce within the state.

Constitutional Provisions relating to Centre-state relations

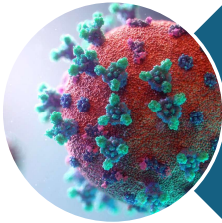
- ARTICLE 246-The provision deals with the subject matters on which the Centre and states can make laws. List-I deals with the subjects on which the Centre can make laws. List-II deals with subjects on which states can make laws. List-III deals with subjects on which both can make laws.
- ARTICLE 246A-The provision relates to GST. No authority had the had the power to levy GST since the same was not mentioned in the 7th schedule.
- ARTICLE 256-This provision makes it an obligation on part of the state governments to ensure compliance with laws made by the Parliament and also gives power to the Central Government to give directions to states as it may deem necessary.
- ARTICLE 258-The provision empowers the Centre to confer and entrust powers to a state even in matters where the Union has executive powers.

Impact on good governance

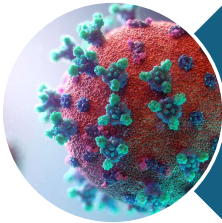
- This relationship of trust and faith between the Centre and states would lead India towards becoming a cooperative federal nation. The separation of powers on different matters would yield better results since it would not lead to the overlapping of activities and thus, a proper mechanism would be in place. It will maintain:
 - Harmony between Centre and state
 - Better role of states
 - Lesser burden on the Centre
 - Inclusion of different sections of society



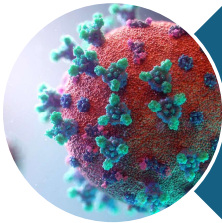
IMPACT OF COVID-19 on Centre State relations



The COVID-19 has severely strained federal relations in certain aspects. In the context of finance, PM-CARES Fund was brought under the ambit of CSR, however, the same was not done for state-based funds. As a result, companies were more inclined to make donations to the Centre than states which led to a financial crisis for many states. Moreover, the GST dues of states not being paid by the Centre added to the problem.



In terms of administrative relations, many states felt that there has been discrimination by the Centre in terms of distributing medical equipment and vaccines, though the truth cannot be established.



Further, as regards the legislative relations, states were not consulted in many matters which were stipulated in the statutes; they were bound to follow the orders of the Centre which strained the relations between the Centre and states.

Conclusion

- Ø India has a federal structure but also has huge regional disparities. In this sense, different authority at Centre and state was necessary to cater to the needs of the country which would have not been possible if it had been a unitary government. Accordingly, certain provisions of the Indian Constitution provide for centre-state relations. These Centre-State relations have been instrumental in developing the country as already discussed above. It has helped in better governance of the country, a better mechanism for administration and inclusion of different groups into the mainstream society.
- Ø Moreover, in contemporary times, an active role is played by the state which further leads to better administration. The different provisions of the Constitution have also played an important role since, without these provisions, there would have been a lot of chaos in relation to the distribution of powers between the Centre and states.
- Ø To conclude, it is hopeful that the Centre-state relations strengthen with time and there is enhanced cooperative federalism since it is an important factor for determining the governance of the country.

REFERENCES

- *https://legislative.gov.in/sites/default/files/COI_1.pdf*
- *Mahendra Pal Singh, V.N. Shukla's Constitution of India, (13th ed., 2017)*
- *Mamta Rao, Constitutional Law, (2nd ed., 2021)*