

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1080
ANSWERED ON:01.03.2011
COMMISSION ON CENTRE STATE RELATIONS
Sharma Shri Madan Lal;Siricilla Shri Rajaiah

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Union Government has constituted Committees/Commissions/Expert Groups to examine the issue relating to Centre-State relations;
- (b) if so, the details thereof alongwith the composition and terms of reference thereof;
- (c) whether such Committees/ Commissions/Expert Groups have submitted its reports;
- (d) if so, the details of recommendations made, accepted, not accepted and implemented by the Union Government;
- (e) if not, the reasons therefor and the time by which such reports are likely to be submitted;
- (f) whether the Union Government has convened any meeting with the State Governments on Centre-State relations during each of the last three years and the current year; and
- (g) if so, the details thereof and the issues discussed alongwith the action taken by the Union Government thereon?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI GURUDAS KAMAT)

(a) & (b): A Commission under the chairmanship of Shri Justice Madan Mohan Pundhi (Retd.), former Chief Justice of India was constituted to review the issues pertaining to Centre-State relations vide Gazette notification dated the 27th April, 2007. The other Members of the Commission were S/ Shri Dharendra Singh, Vinod Kumar Duggal, Dr. N.R. Madhava Menon and Vijay Shanker, IPS (Retd.)

The details of the terms of reference of the Commission are annexed.

(c) to (e): The Commission has submitted its report to the Government of India on 19.04.2010. The report is available on the website of Inter-State Council Secretariat (ISCS) <http://interstatecouncil.nic.in>. ISCS has been asked to examine the report and furnish its views to the Union Government to take a view on the report.

(f): No, Madam.

(g): Does not arise.

ANNEX

Annexure in reply to parts (a) and (b) of Lok Sabha Unstarred Question No. 1080 for 01.03.2011

Terms of Reference of the Commission on Centre-State Relations

(i) The Commission will examine and review the working of the existing arrangements between the Union and State as per the Constitution of India, the healthy precedents being followed, various pronouncements of the Courts in regard to powers, functions and responsibilities in all spheres including legislative relations, administrative relations, role of governors, emergency provisions, financial relation, economic and social planning, Panchyati Raj institutions, sharing of resources; including inter-state river water and recommend such changes or other measures as may be appropriate keeping in view the practical difficulties.

(ii) In examining and reviewing the working of the existing arrangements between the Union and States and making recommendations as to the changes and measures needed, the Commission will keep in view the social and economic developments that have taken place over the years particularly over the last two decades and have due regard to the scheme and framework of the Constitution. Such recommendations would also need to address the growing challenges of ensuring good governance for promoting the welfare of the people whilst strengthen the unity and integrity of the country, and of availing emerging opportunities for sustained and rapid economic growth for alleviating poverty and illiteracy in the early decades of the new millennium.

(iii) While examining and making its recommendations on the above, the Commission shall have particular regard, but not limit its mandate to the following:-

(a) The role, responsibility and jurisdiction of the Centre vis-à-vis States during major and prolonged outbreaks of communal violence, caste violence or any other social conflict leading to prolonged and escalated violence.

(b) The role, responsibility and jurisdiction of the Centre vis-à-vis States in the planning and implementation of the mega projects like the inter-linking of rivers, that would normally take 15-20 years for completion and hinge vitally on the support of the States.

(c) The role, responsibility and jurisdiction of the Centre vis-à-vis States in promoting effective devolution of powers and autonomy to Panchayati Raj Institutions and Local Bodies including the Autonomous Bodies under the 6th Schedule of the Constitution within a specified period of time.

(d) The role, responsibility and jurisdiction of the Centre vis-à-vis States in promoting the concept and practice of independent planning and budgeting at the District level.

(e) The role, responsibility and jurisdiction of the Centre vis-à-vis States in linking Central assistance of various kinds with the performance of the States.

(f) The role, responsibility and jurisdiction of the Centre in adopting approaches and policies based on positive discrimination in favour of backward States.

(g) The impact of the recommendations made by the 8th to 12th Finance Commissions on the fiscal relations between the Centre and the States, especially the greater dependence of the States on devolution of funds from the centre.

(h) The need and relevance of separate taxes on the production and on the sales of goods and services subsequent to the introduction of Value Added Tax regime.

(i) The need for freeing inter-State trade in order to establish a unified and integrated domestic market as also in the context of the reluctance of State Governments to adopt the relevant Sarkaria Commission's recommendation in chapter XVIII of its report.

(j) The need for setting up a Central Law Enforcement Agency empowered to take up suo moto investigation of crimes having inter-State and/or international ramifications with serious implications on national security.

(k) The feasibility of a supporting legislation under Article 355 for the purpose of suo moto deployment of Central forces in the States if and when the situation so demands.