
Message from the Executive Board

Respected Members of Parliament,

The Executive Board of the All-India Political Parties Meet being simulated at ODM MUN 2025 welcomes your participation in this conference. We plan to channelize our efforts in making this a big learning experience.

Considering the nature of the conference, we look forward to making this more of a learning engagement while keeping up the spirit of competition and the essence of debate. We expect the debate to comprise of substantive points, logical analysis of facts and suggestions and advancement of political opinion. The meet is an endeavour to emulate the socio-political realities of India by bringing to light the various layers of polity and governance. With this committee, we aim to give you an insight into the complex political realities, the powers and responsibility of a stakeholder towards the Nation and above all bring out the leader within you.

The stakeholders should remember that not only a thorough and in-depth research, but a sense of political acumen and lobbying skills will be their key to success in this meeting. You should not only restrict your research to the recent developments but also dig the history and get acquainted with the whole concept since the agenda in hand is a crucial one. The portfolios are expected to be well versed with their party policies and understand the alignments prevailing in the country.

This guide, although very comprehensive and factual, provides a basic idea of the topics likely to be argued upon and may vary from those of the respective party or portfolio's ideologies. In no way is this guide to confine a participant's research. The guide consists of subjective and factual data with legal arguments, but this is just to make the participants understand the ways in which they must make their addresses.

We expect you to revert to us for any help with understanding or proceeding with the research in case you have any doubts or contentions till the end of the conference. Wishing you the very best,

Abhisek Khuntia

Moderator

Suhani Mishra

Co-Moderator

Debating Federal Autonomy: Center-State Relations in Law and Governance

Introduction

India's federal structure, often described as quasi-federal, balances national unity with regional diversity. The Constitution of India (1950) establishes a framework where the Central (Union) government holds significant authority, yet States retain autonomy in specific domains. The debate on federal autonomy centers on the distribution of powers, financial resources, and administrative control between the Centre and States. Tensions arise when the Centre's dominance, such as through emergency provisions or resource allocation, clashes with States' demands for greater independence. This background check provides a detailed analysis of center-state relations, supported by constitutional provisions, laws, data, a landmark case study, and questions for debate in the All India Political Parties Meet (AIPPM).

Constitutional Framework:

The Constitution of India governs center-state relations through Parts XI and XII, supplemented by emergency provisions and the Seventh Schedule.

Legislative Relations

- Articles 245-255: These articles outline the distribution of legislative powers. The Seventh Schedule divides subjects into:
 - Union List (List I): 97 subjects, including defense, foreign affairs, and banking, exclusive to Parliament.
 - State List (List II): 66 subjects, such as police, public health, and agriculture, exclusive to State legislatures.
 - Concurrent List (List III): 47 subjects, like education and criminal law, where both can legislate, but Parliament's laws prevail in case of conflict.
- Parliament's Overriding Powers: The Centre can legislate on State List subjects during emergencies (Article 356), with State consent, or to implement international agreements.
- Conflict Resolution: Article 254 ensures that Union laws prevail over conflicting State laws on Concurrent List subjects.

Administrative Relations

- **Articles 256-263: These define executive powers and coordination mechanisms.**
 - Centre's Directives: Article 256 allows the Centre to issue directions to States to ensure compliance with Union laws.
 - All-India Services: Services like the Indian Administrative Service (IAS) and Indian Police Service (IPS) are controlled by the Centre but operate in States.
 - Inter-State Council: Established under Article 263, it facilitates coordination but has been underutilized, with only 10 meetings between 1990 and 2020.
- **Governor's Role:** Appointed by the President, Governors act as a link between the Centre and States, but their discretionary powers often spark controversy.

Financial Relations

- **Articles 264-293:** These govern tax distribution, grants-in-aid, and financial coordination.
 - **Tax Distribution:** The Finance Commission recommends the share of central taxes for States. The 15th Finance Commission (2021-2026) allocated 41% of the divisible tax pool to States.
 - **Grants-in-Aid:** The Centre provides grants to States for development and fiscal stability.
 - **Finance Commission:** Constituted every five years, it ensures equitable resource allocation, though States often demand a higher share.

Emergency Provisions

- **National Emergency (Article 352):** Allows the Centre to assume control over State function
- **President's Rule (Article 356):** Permits the Centre to dismiss a State government if constitutional machinery fails, subject to parliamentary approval.
- **Financial Emergency (Article 360):** Enables central control over State finances during a financial crisis.

Key Laws and Amendments

- Constitution of India (1950): The foundational legal framework for center-state relations.
- Inter-State River Water Disputes Act (1956): Facilitates resolution of inter-state water disputes, with the Centre mediating.
- 42nd Amendment (1976): Shifted subjects like education to the Concurrent List, enhancing central authority.
- 44th Amendment (1978): Limited the duration of President's Rule and introduced checks to prevent misuse.

Case Study: S.R. Bommai v. Union of India (1994)

Background

In 1989, the Karnataka government, led by Chief Minister S.R. Bommai, was dismissed by the Centre under Article 356, citing a breakdown of constitutional machinery. Bommai challenged the decision, arguing it was politically motivated.

Key Issues

- Was the imposition of President's Rule arbitrary and unconstitutional?
- Does secularism constitute a basic feature of the Constitution?
- Is the President's proclamation under Article 356 subject to judicial review?

Judgment

The Supreme Court's nine-judge bench ruled:

- President's Rule must be based on objective material and cannot be imposed arbitrarily.
- Secularism is a basic feature of the Constitution, and actions undermining it are unconstitutional.
- The President's proclamation is subject to judicial review on grounds of mala fides, arbitrariness, or irrationality.
- The Court outlined situations where President's Rule is appropriate, such as a hung assembly or failure to form a government.

Significance

- **Strengthened Federalism:** The judgment curtailed the Centre's ability to dismiss State governments for political reasons.
- **Judicial Oversight:** Established the judiciary's role in reviewing Article 356 proclamations.
- **Impact on Usage:** Data shows a decline in President's Rule post-1994, from 2.5 times per year (1950-1994) to about once per year (1995-2021).

Data and Facts

Aspect	Data/Fact
President's Rule	Imposed 100 times (1950-1994); 29 times (1995-2021).
Financial Distribution	15th Finance Commission (2021-2026): 41% of central taxes to States, up from 29.5% (1995-2000).
Inter-State Council	Only 10 meetings held (1990-2020), indicating limited activity.
Union List Subjects	97 subjects, including defense and foreign affairs.
State List Subjects	66 subjects, including police and agriculture.
Concurrent List Subjects	47 subjects, including education and criminal law.

Perspectives for Debate

- **Central Government:** Emphasizes national unity, security, and economic stability, justifying stronger central control, especially during emergencies.
- **State Governments:** Advocate for greater autonomy in legislative, financial, and administrative matters, citing regional diversity and local needs.
- **Judiciary:** Acts as a neutral arbiter, ensuring constitutional compliance and protecting federal principles, as seen in the Bommai case.

Questions for Debate

1. Constitutional Balance: How do the provisions of Parts XI and XII balance central authority with state autonomy?
2. Legislative Powers: Does the current division of powers (Union, State, Concurrent Lists) adequately address modern governance challenges?
3. Conflict Resolution: Are existing mechanisms for resolving Union-State law conflicts effective?
4. Inter-State Council: Why has the Inter-State Council been underutilized, and how can its role be strengthened?
5. Financial Equity: Is the Finance Commission's allocation of resources fair, and how can disputes over tax distribution be resolved?
6. President's Rule: What safeguards can further prevent the misuse of Article 356, post-Bommai?
7. Judicial Role: How has the S.R. Bommai case shaped center-state relations, and what further judicial interventions are needed?
8. Contemporary Challenges: How do recent issues, such as GST implementation or vaccine distribution during COVID-19, reflect ongoing tensions in center-state relations?

Recent Developments

- Tamil Nadu Committee (2025): Tamil Nadu formed a committee led by Justice Kurian Joseph to review center-state relations, citing erosion of state rights.
- COVID-19 Tensions: States criticized the Centre for unequal vaccine and oxygen distribution, highlighting challenges in cooperative federalism.

Conclusion

The debate on federal autonomy in India's center-state relations is a critical issue, reflecting the tension between national unity and regional diversity. The Constitution provides a robust framework, but challenges like resource allocation, emergency provisions, and political differences persist. The S.R. Bommai case underscores the judiciary's role in safeguarding federalism, while ongoing developments, such as Tamil Nadu's committee, highlight the need for continued dialogue. AIPPM delegates can explore these issues through the lens of the Centre, States, and judiciary to propose solutions for a balanced federal structure.

References

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- https://www.thestudyias.com/blogs/federalism-funding-and-autonomy-navigating-indias-governance-challenges/?utm_source

VALID SOURCES

1. Government Reports (Each ministry publishes its own reports including External Affairs Ministry)
2. PTI, PIB
3. Government Websites
4. Government run News channels i.e., RSTV, LSTV, DD News
5. Standing Committee Reports/ Commission Reports
6. RTI Proofs
7. Parliamentary Standing Committee reports
8. Research paper and Surveys.
9. Questions and Answers of the parliament

