



REPORTS OF COMMITTEES & COMMISSIONS ON THE UNION- STATES LEGISLATIVE RELATIONS: AN ANALYSIS

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Abstract

The constitution is not a force, but a life, a character, that responds to the changing needs and problems of society in future generations. To safeguard the Constitution, various commissions were set up which gave different views on the relationship between the states and the Centre. Indeed, these committees have put forward various proposals to stop the erosion of the legal relationship between the Center and the states. The recommendations of the committees are in line with the provisions of the Constitution and are aimed at ensuring the unity and harmony of the country. Specifically, the comments and recommendations of the Committee on Territorial Affairs explicitly support the protection of national sovereignty enshrined in the Federal Constitution. However, the central government rejected these proposals. Rajeev Dhawan and Jeetanjali Ghoul said that some celebrities disapprove of these ideas as they have voluntarily accepted them. But the question raised by Rajamanari keeps coming up. the creation of the Center and states and the absence of a federalist government." This decision was never implemented.

1 Introduction

The Constitution of India is federal in nature but procedural. Government empowerment encourages the people to control the state government and maintain the unity of India. In other words: the relationship between the Union and the State. For states and local governments, the mandate, responsibility and accountability of planning is important. By 1967, state relations were so good that most unions and states were controlled by Congress. Then there was a gradual change: the Faith Congress abolished the majority government and the opposition established several government offices in the country. In 1977, the Congress lost power at the Center and the Janata government lost power at the Centre. The coming to power of the Janata government ended the Congress movement in nine states. But in 1980, the Congress took control of the Center and started the Janata movement in nine states. Jammu and Kashmir, West Bengal, Kerala, Punjab, Maharashtra, Andhra Pradesh, Tamil Nadu and others have called for reforms in the communal system. Since the establishment of the Dvehiraji Constitution, many attempts have been made to address this issue.

Various commissions and committees were established to study the functioning of the Constitution and the relationship between the Center and the States. These agencies and committees developed mechanisms to regulate the legal relationship between the Union and the States. Notwithstanding these efforts, the question of legal relationship between the Union and the States remains vital. This Article is intended to respond to important committees like the Scararia Committee, Panch Madan Mohan Committee and others working to amend the Constitution relating to the social welfare provisions of the company. Its aim is to systematically analyze all issues related to the relationship between the two spheres and

demand others in the form of legal reforms. The main focus of this study is the present relationship between the states of the Union.

2 The Centre State Relations Inquiry Committee, 1971

After the fourth general election, the question of the relationship of the Union government became a major factor in national opinion. Therefore, the D.M.C. Dr. A.S. as. How can it be done. In this way, it's. In this way, it's. He was appointed by the Government of Tamil Nadu on July 22, 1969 to study and review the relationship of the State. P.S. In 1990. Pakala Venkataramana Rao Rajamana was the first Indian judge to sit in the Madras High Court after independence. P.S. In 1990, the President... Dr. That's right. Rajamana and other members. A. Laxman Swami Mudalia and Shri P. Chandra Reddy. The board decided firmly on the independence of this land and its connection to the cause. The Committee has given its report to the Government of Tamil Nadu on practical recommendations, some of which are given below.

“The conditions and provisions in List 7 of the Constitution. So a committee of senior judges with administrative experience, lawyers and senior government officials will be formed. However, the bill is mostly the committee's List I of the July Government Act.” of India, but some provisions of the State Legislature, now of the United Legislature and future work are being retained.

2.1 Recommendations with respect to Union List

The statement in Entry 7 of the Federal Chart is incorrect; This is a very true statement. This clause allows the government to legislate in areas other than defence. Under this Act Parliament may make necessary laws for defense or war on either side. However, the clause does not mention or refer to acts promulgated by Parliament. The Commission has therefore determined that it is necessary to replace this Article with a more detailed definition of “business protection”.

Article 32 in List I grant independence to Parliament. In addition to the law, the local legislature can make laws about “public property.” According to Article 35 of the Constitution, the State is the “property of the State.” Also, according to Article 286 of the Constitution of India, state property is exempt from state taxes. The Committee therefore recommended removing the exemption from Article 286 for public property.

2.2 Recommendations with respect to State List

The Commission does not require information to be transferred from the National Register to the Register or Register of Companies. But while the list of states below is the list of states of 1935. In the Government of India Act. Some Entry on the event list can be changed in different ways. Many local names were abandoned for use in the Union, and sometimes in the United States. Some of them are mentioned below.

“Manufacturing, manufacturing, warehousing, transportation, sales and marketing” under Article 8 of the Constitution. Article 31 of the National Census Act. Now to the weapons list, the constitution must be written.

“Land, Land Ownership, Lease, Transfer and Transfer of Agricultural Land Act” under the Government of India Act, 1935. However, the Constitution of India is a

requirement related to the names of countries and the names of countries. Comparison the powers vested in the Congress under the 1935 Act are therefore vested in the Congress.

“Minerals, Minerals and Petroleum” is defined in Article 23 of the Constitution of Orissa, 1935. However, it is included in Article 23 of the State Register and Article 53 of the Federal Constitution Register.

2.3 Recommendations With Respect to Concurrent List

The reconstruction, carried out in 1935, was included in the same list in the Government of India Act. Under Article 100(2) of the Act, the Federal and Provincial Legislatures have the power to grant the title even if they repeal an Act of Parliament on the matter. At the same time, the challenge falls into two broad categories. There is no legal guarantee. The federal government in the Constitution of India is based on is the Dhveh Government Act. Under Article 246 of the Constitution, the House of Representatives and the State Legislature have the power to enact laws on this list. However, Article 254 of the Constitution already provides for states. Some federal jurisdictions, such as Canada, have different requirements than the current list. While the full list applies to many Australians, the rest of the rules are left to the states. There is no equivalent title in the United States, but the Supreme Court grants similar powers to the federal government.

2.4 Other Services

The Government of India Act, 1935 gave powers to the Prime Minister over the Union or the States, The primary guarantor, the governor of the federal government or the state legislature, can approve the contingency. He has no right to question the Union Minister in implementing his proposal. For a given site on our list, there seems to be a limit left and the ability to use its services. Others are laws and regulations mentioned in the constitutions of the United States, Australia, and Switzerland. Thus, all federal jurisdictions are subject to corporate law. The Committee therefore recommended that the new legislative and financial powers conferred by Articles 248 and 97 of the Constitution be transferred to the State Legislature. Regarding the list of remaining companies, management decided that no changes were necessary.

2.4 Residuary powers

Under Article 200, the Governor can submit legislation to the President only after two legislative bodies of the province approve it. This is just a list, but not exhaustive, because the governor can give his assent or the president can approve the bill. The second part of this Article is a requirement that the Head of State must be approved by the President to cancel the program. Articles 200 and 201 provide that if the governor has a law with the consent of the president, the president cannot veto the bill and remove it even if the state legislature approves the bill. See the Law of Kings. This is against Article 111 of the Constitution. The commission noted that these rules would help the governor approve the law, which would have to be approved by the president.

1. The President shall not depend upon the support and advice of the Executive Committee in achieving the objects of the Association.

2. There is no presidential deadline for legislation. You can permanently close your account if you wish.
3. No state constitution has a presidential veto. Your relationship should and should not justify the decision to exercise.

2.6 Repugnancy

If a law made by the State Legislature is inconsistent with an Act of Parliament the President may suspend the operation of that law with the leave of the President under Article 254 of the Constitution. The President is the ratifying law of the state. The provisions of the Central Act apply only to the States over which the Federal Government is supreme. Article 254 of the Constitution confers this power to amend, amend, amend or repeal any law of the Provincial Legislature which may from time to time be passed by Parliament. I understand that the Committee rejected this request. Under Article 254(2), the President has access to all our proposals to the Joint Committee and all legislation we submit to Parliament. There is no federal law providing oversight of federal state laws. Article 254, Clause 2 may be repealed. According to Article 264, Clause 2, these provisions are invalid and the Committee is declared null and void.

2.7 Ordinance Making Power of the Governor need for Previous Instructions from the President

Sometimes a bill must be approved by the president before it can move to the state legislature. However, if the governor makes a decision based on these conditions, the president's approval is not required. Therefore, the committee will seek the approval of the President and the President to oversee the state budget before sending it to the state legislature. Under Article 288.2, the provisions of Article 213 of Part 1 of the Code may be modified in accordance with the conditions set forth in Article 288 of the Code.

2.8 Other Provisions¹

1. Article 164, Articles 2 and 6: Parliament may approve executive orders of the President. Parliament or Parliament can use these laws without the consent of the government. Therefore, the legislatures should seek permission from the state government before delegating this power/function to a competent judicial person, the committee said.
2. Article 169 (1) means "to repeal and establish laws of the State". The House of Representatives may, in accordance with this Article, frame an unconstitutional Constitution or repeal the existing State Constitution by order. Exercise of this power by the General Assembly requires only the consent of the State Legislature. In the United States, Australia, and Switzerland, the federal government does not have the power to restrict housing under state law; It determines the number of government offices in the White House. As a result, the Commission amended Article 169(1) and advised the State Legislature to enact or repeal the Act.

2.9 Criticisms of Rajamannar Committee Report

¹ Report of the Centre State Relations Inquiry Committee, Madras, Government of Tamil Nadu, 1971, p. 44-48

The criticism of the Rajamna Commission was widely criticised. Originally written by M.T. Determine the PV setalward. Commissioner Rajamani. There are many dangers and regions that are created from time to time by religion, language, race and other ideas; Change can affect the process of nation building and national integration. Many Indian businesses, including some interest groups, oppose these measures. It is also important to note that some local organizations like Akali Dal and National Congress opposed the proposal. The administration also denied the PV request. Commissioner Rajamani. Also, the committee is appointed by the local government and does not need departmental approval.

3 West Bengal Memorandum 1977

The 1977 election changed the political map of India. After the elections, the CPM led by West Bengal Chief Minister Jyoti Basu started working for the independence of the state. Such politics have encouraged some circles to demand a new idea about the relationship between the central powers. On December 1, 1977, the West Bengal-led state approved a 2,500-word memorandum on the relationship between the Center and the states. According to the article, the unity and harmony of the country depends on the rapid growth of the larger society. This cannot be achieved by using all the powers and resources of the Center and ensuring that state governments receive the assistance and benefits of the Centre.

The purpose of this work is to understand the Constitution and use it to support democratic standards. He argues that the relationship between government and business was important during the American political revolution, when multiple political parties were in power. The plan is a welcome change in a one-party congressional system. Key changes highlighted in the text include;

4 Anandpur Sahib Resolution, 1973

July 1973. There was much confusion over the interpretation of the Akali's position as the 18th All India Akali Conference held at Anandpur took a different decision. The bill was signed by Shiromani Akali Dal Sant president Harchand Singh Langowal. Shiromani Akali Dal had its rights and programs in Sri Anandpur Sahib in 1973. The resolutions passed on October 16 and 17 were aimed at ensuring the independence of all states, education and finance. He called on the government to retain the remaining powers. In September 1981, the Akali Dal Committee submitted 45 demands to the Centre. Later in the 1980s, regional units came together to demand independence from the government. The central government does not allow this. He held 'talks' in Delhi, Bengaluru, Vijayawada and Srinagar and demanded a review of Centre-state relations. Following this meeting in 1983, the Minister set up a committee called the Sakaria Committee to consult with the State Assembly.

5 Commission on Centre-State Relations (Sarkaria Commission) 1988

Set up in 1983, the commission was set up by the government in June last year under the chairmanship of R.S.Sakaria. In this new economy, Sakaria has to monitor the implementation of agreements between the Union and governments, members as B. Sivaraman; Member of SR Sen. The role of the Board is to examine and review the agreements between the Central and State Governments regarding the powers, duties and

responsibilities of all parties and suggest appropriate changes or other measures. The implementation of agreements between the Center and the States has been recorded and monitored. Well-drafted laws and legal systems to safeguard the independence, unity and stability are the foundation of the country's development.

In 1988, the commission submitted its 1,600-page final report. The final report contains 247 detailed recommendations, divided into 19 Entries, some of which are legislative. The Conference welcomes statesmen, politicians and dignitaries from all parts of India to represent the provisions under the Union Act and parts of the Indian Constitution. After receiving input from various groups, the committee was divided into four groups.

6 The National Commission to Review the Working of the Constitution 2002

In the 1990s, constitutional leaders were making important decisions about various aspects of our political system. The S.L. Shekdar, V.M. and S. (1999). Tarkunde, Karan Singh, Subhash, K.S. It is the world and the world. This is why the National Democratic Union (NFÜ) raised the question of constitutional review in its report on the 13th parliamentary elections assessing the work of the past 50 years.

The President's speech in Parliament was very good. On 22 January 2000, the Government of India announced that the Minister of Law, Justice and Commerce, in a resolution, had set out the work done so far after the general elections for the bicameral elections. A "National Constitutional Review Committee" was appointed. This decision was quashed by the Government by notices dated 17.3.2000 and 27.3.2000.

6.1 Observations of the Commission with respect to Distribution of Legislative Relations

The Committee considered the transfer of legislative powers between the Union and the States, taking into account the social, economic and political changes that have taken place since the commencement of the Constitution. The Commission believes that Articles 245 and 246 are consistent with the comprehensive mechanism of the Supreme Order of the Union Act. The Constitution recognizes that the federal government and the states have two legislative powers: local and special. Legal matters are accounted for by three different registers: the Union register, the State register and the consolidated register. on the contrary or contrary to Article 254 of the Act it is exercised for the purpose of safeguarding the powers of the Union.

The Commission noted the importance of details included in the Seventh List to the Constitution. A uniform list ensures the stability of state law by establishing diverse powers that enable states to accommodate diversity and complexity. The amendment of this provision is consistent with three provisions of Article 368(2) of the Seventh List ; Parliament must follow certain procedures, for example, Parliament must pass the Seventh Amendment by a two-thirds majority of all members of Parliament. They attend and vote in meetings approved by a minority of the state legislature. This approach creates a natural balance between simplicity and complexity so that the courts can focus on negotiating and working with the government on important legal issues.

6.2 Recommendations of the Commission

1. The Alliance shall negotiate with States individually and collectively through the Council of Ministers.
2. The Committee considers the proposal of the Union Ministry of Agriculture on the Seventh Plan III. It was agreed that “Disaster, Disaster and Emergency Management” be included in the List, and a new Entry entitled “Disaster and Disaster Management”. “natural or artificial” in List III of the Seventh List of the Constitution of India.

7 Commission on Centre-State Relations (M. M. Punchhi Commission) 2010

On September 27, 2007, the Government of India appointed a Committee on International Relations to examine matters of international relations keeping in view the political and economic situation in India. It has been 20 years since the regional council discussed centralization. When the committee was formed, there were four members. Supreme Court of India Justice Madan Mohan Punchhi was appointed to chair the committee along with former home ministers Dhirendra Singh and Vinod Kumar Duggal and former Bangalore Law College president Prof Madhava Menon. Later, Secretary of the General Conference Committee, Drs. National Institute of Public Finance and Policy Director Emerito Bagchi was appointed as a member of the committee.

7.1 Observation

Separation of powers is an important part of federalism. The Government of India Act, 1935 provided for three levels of distribution: federal, state and uniform distribution. The present Constitution was adopted in 1935 on the basis of a strong and inviolable Union. The Works of the Indian Empire. The Constitution provides for two divisions of legislative power in the country; That is the question. In this sense, the Constitution allows for a threefold division of legislative power into the Union List, the Provincial List, and the General List.

Some state governments and their supporting political parties have expressed dissatisfaction with the regional system and are looking for a new system. I believe that since the implementation of the Constitution, state governments have expanded and weakened the powers of the Union. As a result, the federal system is weak. States argued over secession and union, state list revisions, and adherence to the boundary doctrine. The committee was asked to provide solutions for this review. To this end, it is recommended that the common law be submitted through an ongoing consultation process regarding common jurisdiction and the definition of national legal acts. The Executive Council must consult Parliament on the details of the Union before passing legislation to improve relations between the Union and the States. The government should consult with municipalities before adopting international agreements and government measures. However, if the governor repeals the proclamation with the consent of the President, the state must be given an opportunity to decide whether to approve the law within a reasonable time after the promulgation of the proclamation.

7.3 Transfer of Entries in the Lists, from List II to List III

Article 368, paragraph 2: Parliament may amend any article of the Constitution in accordance with the prescribed procedure. However, Parliament can use this power to

unilaterally change the list of states and block the implementation of the Convention in state laws. The Union did not have sufficient authority to act under federal law and the Union Commission decided that it should act to limit political interpretation of Entry under its national jurisdiction. In international relations, there are many differences between governments about the “uniqueness” of country names and corporate names.

7.4 Management of Matters in Concurrent Jurisdiction

Given the shared responsibilities of the Center and the regions, it is important to harmonize laws and regulations with different countries through special negotiations. The Commission recommends that the Ad Hoc Committee continue to investigate such and related matters.

7.5 Bills Reserved for Consideration of the President

The main difference between a federal law and a state law is that the governor makes the law after it has been approved by both legislatures. Under Article 200 of the Constitution, the Governor has four elections. First, the president approved the bill. The second step is to deny the request, the third is to send the bill back for reading, and the final step is to allow the President to approve it. Under Article 201, the President can accept or disapprove the law given to him by the Governor. The regulator is not required to act immediately when the data is presented. If the governor sends the bill back for consideration, state lawmakers will review it six months later and send it to the president.

7.6 Treaty making powers of the Union Executive and Centre-State Relations

Clause (1) of Article 246 read with entry 14 of List I empower the National Assembly to make laws “for the termination and enforcement of treaties, agreements and including agreements with foreign governments”. Article 253 enables Parliament to make laws for the whole of India or any part of India under any treaty, treaty or agreement with any State or Government or any international treaty, treaty or resolution. Under Article 246, rights are dealt with according to the principles enumerated in the Seventh List of the Constitution.

The NCRWC therefore recommends that Parliament make procedural rules such as List 1, List 14. Due to the nature of federal law and practice, the use of the right is neither defined nor registered. Some States have expressed concern and the Commission has been asked to recommend appropriate measures to protect the interests of States in this area. The plan was not approved by parliament. 14 as follows;

1. Since treaties and treaties can deal with matters within or outside the jurisdiction of a State, there is no equivalent measure for the exercise of that jurisdiction. In addition, because negotiated agreements are complex and time-consuming, involving changes, modifications, and commercial and sales agreements, the negotiating party may not be required to provide all relevant information. The constitutional power of the federal government, however, is inalienable; This does not affect the rights of people living in different communities or working in different professions. That is why laws are needed to control the bargaining power of union leaders.
2. Defense agreements, foreign relations, etc. The agreements relating to them may be of a different nature which may not affect the rights of persons or units of the Union of

India under Union law. It can work independently without any duplication. The ambassador agreed

8 Conclusion

The scientist believes that the legal relationship between the Union and the State is better, that the country should hold orders and meetings in every state every decade, and sends the conferences in the courts and parliaments. It should be replaced by the Cabinet. We also respond to specific requests from various agencies on our list, such as providing board approval to the government prior to entering into and implementing residual jurisdictions and international agreements overseas, and developing marketing solutions. Legal disputes in the Commonwealth. In terms of communication, the failure of the Indian central government to meet the expectations of these programs is a major challenge for the government. Similarly, the government did not explain the organization's shortcomings and lack of centrality.

References

1. *According to the Madras High Court, the State Government cannot prohibit the sale within the State of tickets relating to lotteries organized by the Government of another State. But the Bombay High Court seems to have taken a contrary view. The lotteries run by State Governments stand on a footing different from lotteries organized by private individuals.*
2. **Amal Ray**, "The Sarkaria Commission's Perspective: An Appraisal", *Economic and Political weekly*, Vol-33, (1988), p.1133
3. *Central Act 42 of 1956*
4. *Central Act LXXIV of 1952*
5. **Entry 27 the Provincial List**; *Trade and commerce within the Province ; markets and fairs ; money lending and money lenders.*
6. **Entry 32, the Union List**; "Property of the Union and the revenue there from, but as regards property situated in a State subject to legislation by the State, save in so far as Parliament by law otherwise provides."
7. **Entry 40, the Union List**; "Lotteries organized by the Government of India or the Government of a State."
8. **Entry 7, the Union List**; "Industries declared by Parliament by law to be necessary for the purpose of defence or for the prosecution of war".
9. **Kanahaiyalal Sharma**, *Reconstitution of the Constitution of India*, Deep and Deep Publications Pvt. Ltd., Delhi (2002), p.282.
10. **Markandan, K.C.**, *Centre State Relations, The Perspectives*, ABS Publications, Punjab (1986), pp.194-206
11. **P. V. Rajamannar**, (1901–1979) was an Indian judge and politician who served as the acting Governor of Madras State from 1957 to 1958.
12. *Report of the Centre State Relations Inquiry Committee, Madras, Government of Tamil Nadu, 1971, p. 28*
13. *Report of the Centre State Relations Inquiry Committee, Madras, Government of Tamil Nadu, 1971, p. 28*
14. *Report of the centre state relations inquiry committee, Madras, Government of Tamil Nadu, 1971, p. 29.*