

1. COMMISSION ON CENTRE -STATE RELATIONS

One of the commitments of the Government in the CMP was to set up a new Commission to look into the issues of Centre-State relations keeping in view the sea-changes that have taken place in the polity and economy of India since the Sarkaria Commission had last looked at the issue of Centre-State relations over two decades ago. In fulfilment of that pledge, Gazette Notification was issued on 30.9.2005 indicating Government's resolve to set up the Commission including the terms of reference of the Commission. The Commission has been constituted as under vide Gazette Notifications dated 27.4.2007 and 03.07.2007:

S. No.	Name	Appointed as
(i)	Shri Justice Madan Mohan Punchhi (Retd.), Former Chief Justice of India	Chairperson
(ii)	Shri Dharendra Singh, IAS (KN: 68) (Retd.) Former Secretary to the GOI	Member
(iii)	Shri Vinod Kumar Duggal, IAS (AGMU: 68) (Retd.) Former Secretary to the GOI	Member
(iv)	Dr. N. R. Madhava Menon, Former Director, National Judicial Academy, Bhopal & National Law School of India, Bangalore	Member
(v)	Dr. Amaresh Bagchi, Emeritus Professor, National Institute of Public Finance and Policy, New Delhi	Member

The Chairperson of the Commission has been given the status of a Cabinet Minister and the Members have been accorded the rank of Ministers of State.

2. The terms of reference of the Commission are as under:
- (i) The Commission will examine and review the working of the existing arrangements between the Union and States 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 relations, economic and social planning, Panchayati 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 strengthening 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 Center 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 Center 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 Center 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 Center 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 Center 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 Center 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.

3. The Commission will devise its own procedure for the discharge of its functions, and the Commission may, if it deems it necessary so to do, have investigation or examination of such matters as it may deem fit to be made in such manner and by such persons as it may consider appropriate. The Ministries and Departments of the Government of India shall furnish such information and documents and provide assistance as may be required by the Commission from time to time. The Government of India trusts that the State Governments and the Union Territory Administrations and others concerned will extend their fullest cooperation and assistance to the Commission.

4. The Commission will complete its work and submit its report with recommendations within two years.