

Centre–State Relations in India amid Corona Pandemic: An Analysis

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The Corona pandemic is the biggest humanitarian challenge we have faced in recent times. Yuval Noah Harari makes a compelling point in his recent article that in this time of crisis, we have two particularly important choices. The first is between totalitarian surveillance and citizen empowerment. The second is between national isolation and global solidarity (Harari 2020). His argument harks back as the democratic recession, the trend of plummeting of freedom, pushback of democracy has been observed in the last decade globally. (Diamond 2015, 141-155) (Karlzick, 2011) This crisis may potentially empower the nation states that might lead to consequent shrinking of the freedoms and rights of individuals. For instance, one of the mitigation strategies to combat the spread of the virus is aggressive tracing and testing. It has been done in Germany, South Korea, USA and Russia which has enabled these countries to become surveillance states (Aiyar, 2020). Such expansion of powers of the state is a concern not only for individual freedom but also for the freedom of sub-national units within a nation-state. This paper aims to examine and analyse the centre-state relations in India amidst the pandemic and its possible impact on the state's federal structure. Taking a cue from the arguments mentioned above, it is proposed that the democratic recession may also lead to some kind of a federal recession. It may make the sub-national units weaker as well as encroach upon their powers.¹ Hence, it is vital to examine the discussion around the possibilities of concentration of powers in the centre and its impact on the powers of the federal units.

Centre takes the centre stage

As on 24th April 2020, number of corona cases have already crossed 24000 cases and have taken toll of more than 700 people. On the brighter side, more than 4000 people were also declared recovered or cured. India announced a complete and severely implemented lockdown since March 25, 2020 which has been extended thrice since and currently up to May 31, 2020. This early implemented lockdown was probably required for a resource deprived country like India to buy time for preparing its dwindling public health care system. Some of the primary challenges that lay before our public health planning and infrastructure are identifying infected zones, aggressive tracing and testing, training the medical personnel, providing them safety measures and creating sufficient quarantine centres. At the same time, it is vital to remember that public health and law and order are state subjects in the constitutional schema that defines our federal structure. So, who should actually play a central role to deal with this pandemic? The Constitution of India implements a federal structure with a clear demarcation of functions and responsibilities related to health.² This federal structure has been under some pressure in recent times because of the growing rift between the centre and state over issues such as CAA, NRC, NPR, Ayushman Bharat and GST. Some states have passed anti-CAA resolutions and also approached the Supreme Court against the decision of the government (The Print, 2020). When the smooth two-way exchanges break between the centre and state, it raises concerns especially in the wake of an epidemic which refuse to recognise the territorial or federal boundaries.

Federal Units fear lack of powers and resources

This crisis ideally demands greater centre-state dialogue, joint efforts, mutual trust, absolving of the political differences. The federal relations must resist giving a political colour to any decisions taken either by the centre or state governments. While this idealism is far from the reality, what we have seen is lack of an open dialogue between centre and the state on one hand, and ruling party and the opposition party on the other. Recently, the leader of the most important

opposition party in India had criticised the government for having overlooked the timely warnings given by them when the outbreak was creating havoc in China and other countries. There was also another opposition leader from West Bengal, who said that the hue and cry around Corona virus is nothing but the government's ploy to deflect people's attention from the Delhi riots (Roy, 2020). These examples point to the void that exists in the public sphere which is the most important space for deliberative and constructive politics. The central government seems to have neglected the significance of this space in current times. Events like this pandemic must push us to invoke this deliberative space more actively between the three tiers of the polity so as to avoid dangers of concentration of powers in any one of them. What we have observed is that an exceptional decision of national lockdown beginning from March 25th was taken unilaterally by the centre without taking the states into confidence and involving them in its execution. Nonetheless, it received unequivocal co-operation from all the states in India as states have to abide by the government's decisions and guidelines. It is also impending to mention that this unparalleled decision also witnessed unmatched consequences. This decision exposed the unpreparedness of state governments and the lack of foresight and centre-state co-ordination. Large scale migration of daily wage earners in different parts of the country, walking towards their homes for several days exposed the fault lines of the so-called dialogue between centre and states. In such a situation, it is more than obligatory that the centre and state work closely to ensure food security for the poor, guarantee financial security amidst uncertainty of employment, provide medical assistance along with many other essentials. India is practically fighting two wars, one against Corona and the other against the damage caused to vulnerable people due to the ongoing lockdown. This kind of a situation requires two-way deliberations, meticulous planning, execution, monitoring, inter-exchange between centre and state. At the same time, it requires us to be in sync with the global developments. The Union government has set up a group of ministers (GoM) to monitor the situation since the first few cases were reported in some parts of the country. It also consists of the external affairs and civil aviation ministers, and junior ministers of health, home and shipping. The National Centre for Disease Control and the National Pharmaceutical Pricing Authority are also part of these mitigation strategies. (Seetharaman G and Katiyar, 2020). The prime minister and his ministers have regularly maintained contacts with state Chief Ministers and state level officials to

take stock of the situation. Despite these efforts on the part of union government, this extra ordinary situation has exposed the fault lines of the federal relations. The asymmetrical distribution of power between the centre and state has enabled the centre to play partisan or vindictive politics on multiple occasions, especially when the political party that rules a particular state is different from the party in rule at the centre (EPW Editor, 2020). Several states have consistently complained and demanded their due share of the GST revenues and asked for generous financial packages to deal with the most pressing issues at the ground level. A close examination of the financial devolution (as per the recommendation of 15th finance commission) and disbursement of April instalment of states' share in central taxes and duties amounting to Rs. 46,038 Cr. is a telling evidence of the partisan nature of this disbursement (see Figure 1). This is a grave concern as states like Maharashtra, Rajasthan which are ruled by a different political party are facing the brunt of lack of financial support and aid from the centre. This kind of financial or any other kind of dependence on the centre must concern those who care for our federal structure and spirit. The distribution of powers and functions between the centre and state must be respected.

The centre is expected to renounce a unilateralist approach and refrain from micro-management strategies. When the centre issues micro directives on how the lockdown needs to be executed in states or inhibits the states from procuring PPE kits, rapid testing kits, ventilators and mandates its distribution to states through the centre, it shows lack of trust in the states' capacity and breach of states' power. When the centre recently started sending inter ministerial teams to monitor and review situation in certain states (ideally those which have hotspots), it was critiqued by the Chief Minister of West Bengal as adventure tourism. Centre is acting more like a vigilante which it should not in a federal set-up. On the other hand, many states including Maharashtra also have requested to consider donations to CM funds as corporate social responsibility expenditure. The centre, however, argues that since the contributions to the state's disaster management authorities already qualify for Corporate Social Responsibility (CSR hereafter) expenditure state should not find it difficult to mobilise funds under CSR. However, it is interesting to note that the newly created PM CARES fund qualifies for CSR expenditure and the CM Fund does not. This signals a discriminatory treatment and totalising tendencies of the union government. On the other hand, the

suspension of Member of Parliament Area Development Funds and its diversion to consolidated fund also point out to the same centralising tendencies. It may be argued that these steps of the centre either merely reflect its response in an exceptional, unprecedented situation or are general democratic skirmishes. However, if such unprecedented times are bound to be our new normal, we must come forward to question the validity of these centralising responses by the centre to take on the challenges of this new normal.

Conclusion

What we are observing is that Austin's co-operative federalism appears to be vanishing and is moving towards the bargaining federalism of Moris Jones (Tillin, 2017). Ideally, a federal structure as it is designed under the Indian constitution, the centre must engage and encourage states to handle sub-national and local situations with minimum interference and maximum support. This becomes all the more crucial when we already have transformed our two-tire federal polity into a three tire-federal polity since the passage of 73rd and 74th constitutional amendments in 1993. If the centre tries to make the states weaker it will have a diabolical impact on our local governing bodies as well which have only recently found their democratic share of functions, functionaries and finances (which as should be pointed out is insufficient). We must be attentive to the fact that democratic recession does not allow the federal recession to take place under the guise of coping with an unprecedented global pandemic.

State wise Break up of Devolution

Sl. No.	State	Amount (₹ Crore)
1	Andhra Pradesh	1892.64
2	Arunachal Pradesh	810.28
3	Assam	1441.48
4	Bihar	4631.96
5	Chhattisgarh	1573.60
6	Goa	177.72
7	Gujarat	1564.40
8	Haryana	498.15
9	Himachal Pradesh	367.84
10	Jharkhand	1525.27
11	Karnataka	1678.57
12	Kerala	894.53
13	Madhya Pradesh	3630.60
14	Maharashtra	2824.47
15	Manipur	330.56
16	Meghalaya	352.20
17	Mizoram	232.96
18	Nagaland	263.80
19	Odisha	2131.13
20	Punjab	823.16
21	Rajasthan	2752.65
22	Sikkim	178.64
23	Tamil Nadu	1928.56
24	Telangana	982.00
25	Tripura	326.42
26	Uttar Pradesh	8255.19
27	Uttarakhand	508.27
28	West Bengal	3461.65
	Total	46038.70

Figure 1: State wise break-up of financial devolution

Source: Twitter handle of Ministry of Finance, Government of India

NOTES

¹ It may be argued that this is an exceptional situation hence expansion of the powers of the centre is impending. However, this exceptional predicament may last for a couple of years. It is already said that we may have to learn to live with this virus for long. It is a sign therefore to keep a check on expansion of powers of the centre particularly in a federal set-up.

² A review of the National Health Programmes and Policies of India (Family Planning Programmes, National Immunisation Programme, NHP 1983, NHP 2002, Draft NHP 2015) reveals that states have little say in deciding the design and components of these programs. Vertical and centrally funded schemes are the hallmarks of our health programmes. This has always made states dependent on the centre particularly for funds, despite the constitution of India clearly demarcating public health and sanitation as a state subject.

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