



'Union' or 'Central' Government

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Why in News

Recently, the Tamil Nadu government has decided to shun the usage of the term '**Central government**' in its official communications and **replace it with 'Union government'**.

In common parlance, the terms "union government" and "central government" are used interchangeably in India. However, the Constituent Assembly did not use the term 'Centre' or 'Central government' in all of its 395 Articles in 22 Parts and eight Schedules in the original Constitution.

Key Points

- **Intent of Constituent Assembly:**
 - **Article 1(1) of the Constitution of India** says "India, that is Bharat, shall be a **Union of States.**"
 - On 13th December, 1946, Jawaharlal Nehru introduced the aims and objectives of the Constituent Assembly by resolving that **India shall be a Union of territories willing to join the "Independent Sovereign Republic"**.
 - The emphasis was on the **consolidation and confluence** of various provinces and territories to form a strong united country.
 - While submitting the draft Constitution in 1948, **Dr B R Ambedkar, chairman of the drafting committee, had said** that the committee had **used the word 'Union' because:**
 - (a) the **Indian federation was not the result of an agreement** by the units, and
 - (b) the component **units had no freedom to secede from the federation.**
 - The members of the Constituent Assembly were very cautious of **not using the word 'Centre' or 'Central government' in the Constitution** as they intended to **keep away the tendency of centralising of powers in one unit.**

- **Meaning of Union & Centre:**

- According to constitution expert Subash Kashyap, from the point of the usage of the words, **'centre' indicates a point in the middle of a circle**, whereas **'Union' is the whole circle**.

In India, the **relationship between the so-called 'Centre' and States**, as per the Constitution, is actually **a relationship between the whole and its parts**.

- Both the Union and the States are created by the Constitution, **both derive their respective authority from the Constitution**.

The one is not subordinate to the other in its own field and the authority of one is to coordinate with that of the other.

- The judiciary is designed in the Constitution to ensure that the Supreme Court, the tallest court in the country, has no superintendence over the High Court.
 - Though the Supreme Court has appellate jurisdiction, not only over High Courts but also over other courts and tribunals, they are **not declared to be subordinate** to it.
 - In fact, the **High Courts have wider powers to issue prerogative writs** despite having the power of superintendence over the district and subordinate courts.
- In very common parlance, Union gives a sense of Federal while centre gives more of a sense of unitary government.

But practically both are the same in Indian political system.

FEDERAL vs. UNITARY

<u>Federal</u>	<u>Unitary</u>
<ul style="list-style-type: none">- Dual Government (Central + Regional)- Written Constitution- Division of Powers between Central & State Governments.- Supremacy of the Constitution- Rigid Constitution- Independent Judiciary- Bicameral Legislature	<ul style="list-style-type: none">- Single Government - Central only (Regional Gov. may be formed by Central)- Written (France) or Unwritten (Britain) Constitution- No Division of Powers- Supremacy of the Constitution not guaranteed (like Britain)- Flexible (Britain) or Rigid (France) Constitution- Judiciary may or may not be Independent- Bicameral (Britain) or Unicameral (China) Legislature

Associated Issues With the Term Central Government

- **Discarded By Constituent Assembly:** The word 'Centre' is not used in the Constitution; the makers of the Constitution specifically discarded it and instead used the word 'Union'.
- **Colonial Legacy:** 'Centre' is a hangover from the colonial period because the bureaucracy in the Secretariat, New Delhi who are used to using the word 'Central Laws,' 'Central legislature,' etc, and so everyone else, including the media, started using the word.
- **Conflict With Idea of Federalism:** India is a federal government. The power to govern is divided between a government for the whole country, which is responsible for subjects of common national interest, and the states, which look after the detailed day-to-day governing of the state.

According to Subash Kashyap, using the term '**Centre**' or '**central government**' would mean **state governments are subservient to it.**

Way Forward

- The **federal nature of the Constitution is its basic feature** and cannot be altered, thus, the stakeholders wielding power intend to protect the federal feature of our Constitution.
- A diverse and large country like India requires a **proper balance between the pillars of federalism**, i.e. **autonomy of states, national integration, centralisation, decentralisation, nationalisation, and regionalisation.**
 - Extreme political centralisation or chaotic political decentralisation can both lead to the weakening of Indian federalism.
- The satisfactory and lasting solution of the vexed problem is to be found **not in the statute-book but in the conscience of men in power.**

Source: IE