



Maharashtra-Karnataka Border Dispute

For Prelims: Article 131, Supreme court, Sarkaria Commission, Article 263 of the Constitution.

For Mains: Inter-State Disputes in India, Maharashtra-Karnataka Border Dispute and way ahead.

Why in News?

The border dispute between Maharashtra and Karnataka is intensifying, with both states passing a unanimous resolution **to support a legal battle to resolve the dispute.**

What is Maharashtra-Karnataka Border Dispute?

▪ About:

- The border dispute over Belagavi, Karwar and Nipani in North Karnataka is long-standing.
- When state boundaries were redrawn on linguistic lines as per the **States Reorganisation Act of 1956, Belagavi became part of the erstwhile Mysore state.**
 - The Act was based on the findings of the Justice Fazal Ali Commission which was appointed in 1953 and submitted its report two years later.
- Maharashtra claims that parts of Belagavi, where **Marathi is the dominant language, should remain in Maharashtra.**
- In October 1966, the **Centre set up the Mahajan Commission, led by former Chief Justice of India Mehr Chand Mahajan,** to resolve the border dispute in Maharashtra, Karnataka and Kerala.
- The Commission recommended that Belgaum and 247 villages remain with Karnataka. Maharashtra rejected the report, and in 2004, moved the Supreme Court.

▪ Basis of Maharashtra's Claim:

- Maharashtra's claim to **seek the readjustment of its border was on the basis of contiguity,** relative linguistic majority and wishes of the people. If the claim over Belagavi and surrounding areas was based on **Marathi-speaking people and linguistic homogeneity, it laid its claim over Karwar** and Supa where Konkani is spoken by citing Konkani as a dialect of Marathi.
- Its argument was based on the **theory of villages being the unit for calculation and enumerated linguistic population** in each village. Maharashtra also points out the historical fact that the revenue records in these Marathi-speaking areas are also kept in Marathi.

▪ Karnataka's Position:

- Karnataka has argued that the settlement of **boundaries as per the States Reorganisation Act is final.**
- The boundary of the State was neither tentative nor flexible. **The State argues that the issue would reopen border issues** that have not been contemplated under the Act, and that such a demand should not be permitted.

How is the Issue Being Resolved?

- Attempts are often made to resolve inter-state disputes with the cooperation of both sides, with the Centre working as a facilitator or a neutral mediator.
- If issues are resolved amicably, **Parliament can bring a law to alter state boundaries**, such as the **Bihar-Uttar Pradesh (Alteration of Boundaries) Act of 1968** and the Haryana-Uttar Pradesh (Alteration of Boundaries) Act of 1979.
- In the Belagavi issue, Union Home Minister Amit Shah met Chief Ministers of both states and asked them **to form a six-member team, comprising three ministers from each side**, to address all boundary issues.

What are the other Methods Available?

- **Judicial Redressal:**
 - The **Supreme Court in its original jurisdiction** decides disputes **between states**.
 - **As per Article 131 of the Constitution reads**, the Supreme Court have original jurisdiction in any dispute **between the Government of India and one or more States or** between the Government of India and any State or **between two or more states**.
- **Inter-state Council:**
 - Article 263 of the Constitution gives **powers to the President to set up an Inter-state Council** for resolution of disputes between states.
 - The Council is envisaged as a forum for discussion between the states and the Centre.
 - In 1988, the **Sarkaria Commission suggested that the Council should exist as a permanent body**, and in 1990 it came into existence through a Presidential Order.

What are Some of the other Inter-State Disputes in India?

Assam-Arunachal Pradesh:	<ul style="list-style-type: none"> ▪ Assam shares an 804.10 km inter-state boundary with Arunachal Pradesh. ▪ The state of Arunachal Pradesh, created in 1987, claims some land that traditionally given to Assam. ▪ A tripartite committee had recommended that certain territories be transferred from Mizoram to Assam. The two states have since been battling it out in the court over the issue.
Assam-Mizoram:	<ul style="list-style-type: none"> ▪ Mizoram used to be a district of Assam before being carved out as a separate union territory. ▪ Mizoram shares a border with the districts Cachar, Hailakandi and Karimganj of Assam. ▪ Over time, the two states started having different perceptions about where the demarcated border should be. ▪ While Mizoram wants it to be along an inner line notified in 1875 to protect tribals from the plains, part of their historical homeland, Assam wants it to be demarcated according to district boundaries.
Assam-Nagaland:	<ul style="list-style-type: none"> ▪ The border dispute between the two states has been going on since the formation of Nagaland. ▪ The two states lay claim to Merapani, a small village next to the plains of Assam's Goalpara district. ▪ There have been reports of violent clashes in the region since the 1960s.
Assam-Meghalaya:	<ul style="list-style-type: none"> ▪ Meghalaya has identified close to a dozen areas on which it has a dispute with Assam.
Haryana-Himachal Pradesh:	<ul style="list-style-type: none"> ▪ The two northern states have a border dispute over the Parwanoo region, which lies near the border of Haryana. ▪ Haryana has laid a claim to a large part of the land in the area and has accused the hill states of encroaching on their territory.
Ladakh-Himachal Pradesh:	<ul style="list-style-type: none"> ▪ The union territory of Ladakh and Himachal both claim Sarchu, a major halt point for the Leh-Ladakh highway. ▪ The region is located between Himachal Pradesh's Lahaul and Spiti district and Ladakh's Leh district.

Way Forward

- Boundary disputes between the states can be settled by using satellite mapping of the actual border locations.

- Reviving the Inter-state council can be an option for resolution of an Inter-state dispute.
 - Under Article 263 of the Constitution, the Inter-state council is expected to inquire and advise on disputes, discuss subjects common to all states and make recommendations for better policy coordination.
- Similarly, **Zonal councils** need to be revived to discuss the matters of common concern to states in each zone—matters relating to social and economic planning, border disputes, inter-state transport, etc.
- India is the epitome of unity in diversity. However, to strengthen this unity furthermore, both the centre and state governments need to imbibe the ethos of **cooperative federalism**.

UPSC Civil Services Examination Previous Year Question (PYQ)

Q. The power of the Supreme Court of India to decidedisputes between the Centre and the States falls under its (2014)

- (a) advisory jurisdiction
- (b) appellate jurisdiction
- (c) original jurisdiction
- (d) writ jurisdiction

Ans: (c)

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