

## **Federal comity: Relationship of trust and faith between centre and state**

As we know that federalism constitutes a complex governmental mechanism for governance of a country. The constitution of India establishes dual polity of the country. Consisting of union government and the regional administration units into which the country has been characterized as the union of states. The fabric of Indian federal systems stands on 3 pillars viz a strong central Government flexible federal system and co-operative federalism.

The strength of the centre lies on its large legislative powers financial powers and emergency powers. The flexibility Of Indian federalism lies in the scheme adopted in the constitution to mitigate the rigidity of the federal system of central increase temporarily the power of central governments if the contemporary situation so demands. The concept of social co-operative federalism has been worked out in a number of constitutional provisions as well as strengthened through legislative and administrative practices.

Relationship of trust and faith between the centre and state can be seen through different provisions situations when both under constitution either confer the power or helps during emergency etc.

In a federal state may it be legislative, financial, administrative relation or the situation during emergency period they work on principle of trust and faith. This can be seen from the following factors—

- The exigencies of war then national survival, national efforts takes precedence over fine-points of centre state division of power.
- Technological advances means making of communication faster.
- The emergence of concept of a social welfare state in response to public demand for various social services involving huge outlays which the governments of units could not meet by themselves out of their own resources.

The relationship of trust and faith promotes co-operation among the various constituent governments of the federal union so that they can pool their resources to achieve certain desired national goals.

The centre with its vast finance capacity is always in a position to help the units which always need it to meet the expanding demands on them for social services falling in them for legislative sphere and this brings 2 level of government closer and shows the relationship of trust in each other.

The frames of constitution realized that governments in a federation were arranged not hierarchically or vertically but horizontally that no line of commands runs from the centre to states and that the common policies among the various governments can be prompted not by dictation but by process of discussion, agreement and compromise.

Relationship of trust and faith can be seen from various provisions in the constitution for example – When the constitution empowers the parliament to legislate in the state area—

On the request of 2 or more states, scheme of financial relations between the centre and states grants in aid under Art. 382, the scheme of centre state administrative relationship alongwith the provisions for All India services are some of the instrument showing the trust and faith and co-operation between the also centre and state.

**Art. 261 –**

“full faith and credit” is to be given throughout the territory of India to public acts records and judicial proceedings of the union and states. Art. 263 provides that the president may by order appoint an Inter-state council if it appears to him that public interest would be served by its establishment.

**Art. 258 --** President may with the consent of state government entrust any function on a matter in which centre is having the power to legislate either conditionally or unconditionally to the state government or to its officers.

Art. 258 A- a state government with the consent of government of India (Union of India) entrust functions in relation to any matter to which relation to any matter to which the state has executive power, either conditionally or unconditionally to the central government or to its officers.

Further provisions of emergency National state and financial emergency also depicts the trust and faith of states in centre (arts. 352 to 360).