Inter-state Dispute Resolution

Why in news?

The border dispute between Maharashtra and Karnataka is intensifying. This article talks about different inter-state dispute resolution methods.

To know more about the Maharashtra-Karnataka border dispute, click here

How the border disputes are resolved generally?

- Attempts are often made to resolve inter-state disputes with the cooperation of both sides, with the Centre working as a neutral mediator.
- If issues are resolved amicably, the 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 met Chief Ministers of both the 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 in the Constitution to resolve inter-state disputes?

Judicial redressal

- As per the Article 131 of the Constitution, the Supreme Court in its **original jurisdiction** decides imputes between states.
- This dispute resolution is done by the Supreme Court to the exclusion of any other court. So, the Supreme Court has **exclusive jurisdiction** too.

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.
- In 1990, the Council came into existence through a Presidential Order.
- The President can constitute a inter State Council, and charge it with the duty of
  - inquiring into and advising upon disputes which may have arisen between States;
  - investigating and discussing subjects in which some or all of the States, or the Union and one or more of the States, have a common interest; or
  - making recommendations upon any such subject and, in particular,

recommendations for the better coordination of policy and action with respect to that subject.
- It shall be lawful for the President by order to establish such a Council, and to define the nature of the duties to be performed by it and its organisation and procedure.

What is the current status of the Inter-state Council?

- In 2021, the Centre reconstituted the Inter-state Council and the body now has 10 Union Ministers as permanent invitees.
- The standing committee of the Council has been reconstituted with Home Minister Amit Shah as Chairman.
- Union Finance minister and the Chief Ministers of Maharashtra, UP, and Gujarat are some of the other standing committee members.

What are some of the other inter-state disputes in India?

- In a reply to Parliament, in 2015, the Centre said that there are border disputes mostly arising out of claims and counter-claims over territories between
  - Assam-Meghalaya;
  - Assam-Nagaland;
  - Assam-Mizoram;
  - Assam-Arunachal Pradesh and
  - Maharashtra-Karnataka.

Reference

Indian Express | How are disputes between states resolved in India?

