

Punchhi Commission Report

Various committees and commissions are essential components of the [UPSC preparation](#), particularly the polity section in the UPSC syllabus. In this article, you will read about the Punchhi Commission.

Gist of Punchhi Commission UPSC

The Punchhi Commission was constituted by the Government of India in 2007 as a Commission on Centre-State relations. It was chaired by Justice Madan Mohan Punchhi who was formerly the Chief Justice of India from 18 January 1998 until his retirement on 9 October 1998. The Commission came into effect on the 27th of April, 2007 to relook into the problems and issues in Centre-State relations in India ever since these issues were earlier looked into by the Sarkaria Commission which had submitted its report in 1988.

Composition of the Punchhi Commission:

- Madan Mohan Punchhi (Retd.), Former Chief Justice of India, Chairman.
- Shri Dhirendra Singh, Former Secretary to the Government of India, Member.
- Shri Vinod Kumar Duggal, Former Secretary to the Government of India, Member.
- N.R. Madhava Menon, Former Director, National Judicial Academy, Bhopal, and National Law School of India, Bangalore, Member.
- Shri Vijay Shanker, IPS (Retd.), Former Director, Central Bureau of Investigation, Govt of India, Member Secretary.
- Amaresh Bagchi was a member from 4th July 2007 until his death on 20th February 2008.

The Commission had submitted its report to the then Home Minister of India, P Chidambaram in March 2010.

The Commission submitted its report in 7 volumes and 4 supplementary volumes. They are:

- Volume 1: Evolution of Centre-State Relations in India.
- Volume 2: Constitutional Governance and the Management of [Centre-State Relations](#)
- Volume 3: Centre-State Financial Relations and Planning
- Volume 4: Local Self Governments and Decentralized Governance (Read about [Panchayati Raj](#) in the linked article.)
- Volume 5: Internal Security, Criminal Justice, and Centre-State Co-operation
- Volume 6: Environment, Natural Resources, and Infrastructure
- Volume 7: Socio-Economic Development, Public Policy, and Good Governance
- Supplementary Volume 1: Task Force Reports
- Supplementary Volume 2: Research Studies
- Supplementary Volume 2A: Research Studies

- Supplementary Volume 3: Responses from Stakeholders
- Supplementary Volume 4: Regional Consultations

Main Purpose of the Punchhi Commission

- To examine the possible role, responsibility, and jurisdiction of the Centre during major and extended eruptions of communal/caste or other social violence or conflicts.
- To review other areas of Centre-State relations including that of taxes and rivers' linking.
- To study if there is a need to set up a Central law enforcement agency to take up suo moto crimes investigation with inter-state or international ramifications with grave implications on national security.
- To see the feasibility of suo moto deployment of central forces in the States if needed.
- To examine the role and responsibility of the centre with respect to the states in the effective devolution of autonomy and powers to the Panchayati Raj institutions and other local bodies.
- To support independent planning and budgeting at the district level and linking Central assistance of states to States' performance.
- To examine the relevance of separate taxes for freeing inter-state trade to establish a unified domestic market.
- To examine the role and removal procedures of governors.

In brief, it can be said that the chief objective of the Commission was to examine the prospect of “giving sweeping powers to the Union government to deploy central forces in the states and the investigation of crimes affecting national security.”

Punchhi Commission Report Summary

PUNCHHI COMMISSION MAIN RECOMMENDATIONS

The Commission gave 312 recommendations in its report. Some of the major recommendations are given below:

- Articles 355 & 356

The report recommended that these Articles be amended. It sought to protect the interests of the States by trying to curb their misuse by the Centre. It said that the centre should try to bring only the specific troubled area under its jurisdiction and that too for a brief period, not more than three months. That means, the Commission sought to localize the emergency provisions under Articles 355 and 356.

Read about [Article 356](#) in the linked article.

- National Integration Council

In matters concerning internal security the Punchhi Commission recommended the creation of a superseding structure (much like the Homeland Security Department in the US), that gave prominence to the National Integration Council. It recommended the Council to meet at least once annually. It also advised a five-member delegation of the Council to visit any communally affected area within two days.

- Concurrent List Subjects

The Commission recommended that the Centre should consult states before introducing bills on items in the concurrent list through the inter-state council.

Read about the [7th Schedule](#) that contains centre, state, and concurrent lists.

- Appointment of Chief Ministers

In case of appointment of state chief ministers, the Commission recommended that:

1. There should be clear guidelines on the chief ministers' appointment so that the discretionary powers of the governor are limited in this regard.
2. A pre-poll alliance to be regarded as one political party.
3. Order of precedence informing state government:
4. The group/alliance with the largest pre-poll alliance with the highest number.
5. The single largest party with support from others.
6. The post-poll alliance with a few parties joining the government.
7. The post-poll alliance with a few parties joining the government and remaining including independents giving outside support.

Read about the office of [Chief Minister and Council of Ministers](#) in the linked article.

- President's Pocket Veto

There should be a provision by which the President's decision to use his Pocket [veto power](#) is communicated to the State within six months.

- Appointment and Removal of Governors

Recommendations regarding the appointment of Governors:

1. The incumbent should have stayed away from active politics even at the local level for at least two years prior to his appointment.

2. The state chief minister should have a say in the governor's appointment.
3. There should be a committee entrusted with the appointment of governors. This committee should comprise of the Prime Minister, the Home Minister, Speaker of the Lok Sabha, and the concerned state Chief Minister. Even the Vice President can be involved in the procedure.

Recommendations regarding the appointment of Governors:

1. The Doctrine of Pleasure should be deleted from the Constitution.
 2. Only a resolution by the state legislature should remove the [governor](#).
 3. It supported the right of the governor to sanction the prosecution of ministers against the state government's advice.
 4. It recommended that there be provision for the impeachment of the governor by the state legislature.
- Treaty-Making Power of Union

There should be a regulation in the treaty-making power of the union executive with respect to treaties that are concerned with matters in the state list. The Commission recommended that the states be involved more in such treaties.

- Communal Violence Bill

The Punchhi Commission recommended the amendment of the Communal Violence Bill. It said that the central forces be allowed to deploy forces in the state without the state's consent for a short period in case of communal violence. This is because the issue of state consent should not be an obstacle to the speedy alleviation of communal tension. But such deployment should not exceed a week's time and post-facto consent is to be sought from the state.

- The Commission also recommended the stopping of the convention of appointing governors as chancellors of universities.