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INTER-STATE RELATIONS DURING THE GLOBAL PANDEMIC

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**ABSTRACT**

The success of the Indian federal system depends not only on the cordial relations and close partnership between the Center and the states, but also on the interrelationships of the states. In order to prevent the growing infection of the global pandemic COVID-19, it is necessary to have mutual coordination among various states. By envisaging similar circumstances, the framers of the constitution scripted the provisions of inter-state relations with the aim of strengthening mutual coordination between states. In India's federal system, differences between states on various issues are not new.

A recent example of this can be seen in the gambling differences between Kerala and Karnataka due to the circumstances arising from the global pandemic COVID-19. Apart from this, another example of lack of mutual coordination between states can also be seen in the migration of workers from different states to their home districts and villages. This kind of chaos in the last few days shows that there is a lack of mutual coordination and cooperation between states and crisis management in adverse situations.

This research paper will attempt to understand the inter-state relations and their importance in light of the differences between Kerala and Karnataka and the reasons for migration due to lack of mutual coordination between states.

**Key-Words:** Pandemic COVID-19, Inter-state relations, Fundamental rights, 'Kerala Epidemic Diseases'.

**Introduction**

To prevent the spread of the recent global pandemic COVID-19, the Government of Karnataka has completely sealed the border with Kerala. The

Karnataka government says that since the corona virus is spreading very fast in Kerala, this step has been taken to limit the spread of corona virus in the state by implementing safeguards prescribed by the central government.

At the same time, the Kerala government says that the border sealing by the Karnataka government has disrupted the operation of vehicles engaged in healthcare, which has hindered the work being done by the government in preventing the spread of corona virus. The Kerala government also alleges that the Karnataka government has also closed the national highway connecting Kerala's Kasargod district to Mangaluru district of Karnataka, causing people in Kasargod district to not be able to avail better medical facilities in Mangaluru.

### **Decision of Kerala High Court**

The Kerala High Court has directed the central government to ensure that the central government ensures independent operation of vehicles engaged in healthcare on the national highway. Refusal to provide necessary medical facilities during a health emergency is a violation of the fundamental right to life and personal liberty under Article 21.

### **Supreme Court directive**

In protest against the decision of the Kerala High Court, the Karnataka government filed an appeal in the Supreme Court, hearing which the Supreme Court issued directions to the Central Government that the Central Government should study the problems of both the states of the health emergency. During the period, necessary medical facilities should be ensured.

### **The reason for the objection of Karnataka**

- The Karnataka government says that most people suffering from corona virus have been found in Kasargod district of Kerala. In such a situation, if they are allowed to come to Karnataka then it is possible that the virus can spread rapidly here because it is an infectious disease that is transferred from human to human.
- There is already a lot of pressure on the health infrastructure of Mangaluru district of Karnataka. In such a situation, if there is a lot of pressure to test the patients of Kasargod district, then this health infrastructure is likely to be destroyed. According to the Karnataka government, the state government also has the power to seal the borders of its state at any time.
- The Karnataka government alleged that a few days ago the Governor of Kerala has passed an ordinance titled 'Kerala Epidemic Diseases' relating to the prevention of infectious diseases, which gives the state additional power to seal its border in such a situation.

### **Kerala Epidemic Disease Ordinance**

- The Kerala Epidemic Disease Ordinance aims to consolidate all laws related to regulation and prevention of diseases during epidemics.
- Section 4 of the ordinance allows the government to take special measures and implement rules to deal with this epidemic. This includes the power to restrict

- essential services as well as media, banking, healthcare etc.
- The ordinance allows the state government to restrict the duration of services in essential or emergency services such as banks, media, health care, food supplies, electricity, water, fuel, etc.
  - In addition, this ordinance provides many different broad powers to the government. as an example, it permits the govt to ban gatherings, monitor state visitors, seal state borders, prohibit public and personal transport, government and personal offices, academic establishments, shops, factories Provides the facility to limit the act of etc.
  - The ordinance additionally provides penalties of up to Rs 10,000 with imprisonment for 2 years with or while not imprisonment.

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### **Different samples of lack of coordination between states**

- whereas stopping the unfold of corona virus, there was an outsized scale migration of employees from numerous states like state, Telangana, geographical area, Gujarat, Rajasthan, state, Bihar, Delhi etc. There was a transparent lack of coordination between the govt. of urban center, state and province throughout the exodus of employees. Thanks to that sizable amount of individuals gathered on the border of urban center and state and will not even guarantee adherence to the principle of social distancing.Efforts created towards increasing inter-state harmony
  - The constitution has created the subsequent provisions concerning inter-state Harmony .
  - Adjudication of inter-state water disputes
  - Coordination by the Inter-State Council
  - Mutual recognition of public laws, documents and judicial procedures
  - Freedom of interstate trade, commerce and intercourse
- Regional Council.

### **Interstate water dispute judgment**

- Article 262 of the Constitution deals with the judgment of interstate water disputes.
  - Parliament will adjudicate complaints on any dispute associated with water use, distribution and management of inter-state watercourses and river valleys by enacting legislation.
  - Parliament can even build arrangements that no different court ought to exercise its jurisdiction in such a dispute.

### **Interstate council**

- According to Article 263 of the Constitution, the President will establish Inter-State Council to come to a decision the mutual disputes of the states and generate a way of cooperation among them.
- According to the current provision, the President established the Inter-State Council within the year 1990.The Inter-State Council submits its report to the Union Government to generate co-ordination in the policies of the Union and

State Governments and to deal with mutual disputes between the States.

### **Mutual recognition of public laws, documents and judicial procedures**

- According to Article 261, within the territory of Asian nation, full recognition are going to be given to the Union and public actions records and judicial proceedings of every state.
- The manner and conditions of proving their priority and their impact shall be determined in line with the style provided by the Parliament.
- Decisions and orders created by civil courts in any a part of the territory of Asian nation shall be dead in any respect places at intervals that territory.

### **Freedom of interstate trade, commerce and intercourse**

Partly thirteen of the Constitution, Articles 301 to 307 describe trade, commerce and intercourse within the Indian Territory.

### **Regional council**

- Regional councils were fashioned underneath the States reorganization Act, 1956 with the aim of developing a culture of operating along between the states and between the middle and therefore the States. Half III of the States Reorganization Act, 1956. Four regional councils were started underneath.
- In the year 1971, a further Northeast Council for the North-Eastern regions was official by the North-East Council Act, 1971.
- Each regional council is headed by the Union Home Minister. The Chief Ministers of the states enclosed in every Zonal Council function the Vice-President of the Zonal Council of that region for a amount of 1 year at a time from rotation.
- The Chief Minister State and therefore the Governor of every Union Territory and 2 alternative Ministers nominative from each State of the Region or members of the Regional Council.
- One person was nominative by the design Commission for every of the regional councils, Chief Secretaries and alternative officers / development commissioners were nominative by every of the states enclosed within the space.

### **Conclusion:**

During this hour of crisis, each state must build collective efforts so we will get out of this downside before long. There's a requirement for coordination and cooperation in such tough times. Solely through these coordinated efforts will the infection of this international epidemic be prevented? The coordination initiative undertaken by Asian nation with SAARC member nations during this direction is commendable. We want to fall out such efforts at national and international level.

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